



NORTH BAY O.P.P DETACHMENT BOARD 3

Terms of Reference

Table of Contents

A. Purpose	3
B. Roles and Responsibilities	3
C. Authority	4
D. Reports To	4
E. Composition	4
F. Procedures	6
G. Financial	7
H. Quorum	8
I. Community Appointee Advisory Committee	8
J. Name of the Board	10

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North Bay O.P.P. Detachment Board 3

Terms of Reference

A. Purpose

While it is the legislative mandate of the Ontario Provincial Police (O.P.P.) Detachment Board to work with the Detachment Commander to make decisions where appropriate and submit information to the Municipal Councils in other matters in accordance with the Community Safety and Policing Act (CSPA), the purpose of the O.P.P. Detachment Board is to:

1. Comply with the prescribed standards, if any, with respect to the exercise of its powers and the performance of its duties under the Act;
2. Make decisions on matters within their jurisdiction and provide advice and information to Municipal Councils on specialized matters as outlined in the Act;
3. Facilitate public input on programs and ideas when appropriate and approved by the O.P.P. Detachment Board to ensure the work of the Board is representative of the communities it serves;
4. Make decisions in enhancing the quality of life and ensuring the safety and security of all persons and property in the community, in keeping with the Minister's Strategic Plan and the O.P.P. Detachment Board Strategic Plan or the annual objectives and principles as established by the O.P.P. Detachment Board; and
5. Conduct itself in keeping with the prescribed Code of Conduct under the CSPA (Section 35(6)).

B. Roles and Responsibilities

Per Section 68 (1) of the Community Safety and Policing Act, the O.P.P. Detachment Board's roles shall include:

1. Consulting with the Commissioner regarding the selection of a Detachment Commander and otherwise participate in accordance with the regulations in the selection of the Detachment Commander;
2. Determining objectives and priorities for the detachment, not inconsistent with the strategic plan prepared by the Minister, after consultation with the Detachment Commander or designate;
3. Advising the Detachment Commander with respect to policing provided by the detachment;
4. Monitoring the performance of the Detachment Commander;
5. Reviewing the reports of the Detachment Commander regarding policing provided by the detachment; and
6. On or before June 30 in each year, providing an annual report to the municipalities regarding the policing provided by the detachment in their municipalities.

C. Authority

1. Authority delegation is restricted to the scope described in Section 42 of the CSPA.
2. The O.P.P. Detachment Board members shall:
 - a) Ensure that all outgoing communications are in accordance with the O.P.P. Detachment Board's policies;
 - b) Not communicate externally on behalf of the O.P.P. Detachment Board except as authorized by the O.P.P. Detachment Board;
 - c) Not post independently to social media but rather social media postings shall be forwarded to the O.P.P. Detachment Board Secretary-Treasurer for distribution which may be shared by the O.P.P. Detachment Board members;
 - d) Not authorize any expenditures outside the O.P.P. Detachment Board's approved budget unless authorized by each of the Municipal Councils of the O.P.P. policed communities comprised by the Board; and
 - e) Have the authority to undertake special projects, or research matters that arise and that are within the scope of these Terms of Reference. The responsibility for these assignments remains with the O.P.P. Detachment Board or designate.

D. Reporting

The O.P.P. Detachment Board reports to the respective Municipal Councils comprising the O.P.P. Detachment Board as required in accordance with the CSPA.

E. Composition

1. Unless otherwise determined by Provincial Legislation, membership shall be comprised of three (3) Council representatives based on one (1) per O.P.P. policed municipality, three (3) community representatives based on one (1) per O.P.P. policed municipality, and two (2) provincial representatives.
 - a) **Qualifications of the Community Representatives**
 - i. To qualify for the Community Representative on the O.P.P. Detachment Board, applicants must be eligible to vote in the respective municipality they are appointed from.
 - ii. Community Representatives shall not be employees of their respective municipality.
 - iii. Preference will be given to persons demonstrating knowledge or experience specific to the subject Committee / Board.
 - b) **Appointments to the O.P.P. Detachment Board**
 - i. Appointments to the O.P.P. Detachment Board shall be made in accordance with the provisions of Section 33 of the Act.
 - ii. Council Appointments to the O.P.P. Detachment Board shall be made by the respective municipal Council; one (1) per municipality.
 - iii. Community Appointments to the O.P.P. Detachment Board shall be made by the respective municipal Council; one (1) per municipality. In considering Community Appointments, preference should be given to persons

demonstrating knowledge or experience in one (1) or more of the following areas:

1. Finance
2. Social Services
3. Education
4. Governance
5. Legal
6. Health Care
7. Mental Health

iv. Provincial Appointments to the O.P.P. Detachment Board shall be made by the Provincial Government.

c) Term of Membership

The Term of office for Council and Community Appointees on the O.P.P. Detachment Board shall be concurrent with the term of Council.

The Term of office for Provincial Appointees on the O.P.P. Detachment Board shall be as determined by the Provincial Government.

d) Absence

i. Should any Council Representative be unable to attend Detachment Board meetings for any period of time due to medical, emergency or other reasons, the respective municipal Council may appoint an alternate Council representative for the duration of the absence. The alternate Council representative appointed shall comply with the prescribed standards with respect to the exercise of its powers and the performance of duties under the Act. The alternate Council representative's appointment shall terminate once the original appointed Council Representative is ready to resume their responsibilities.

ii. Any Community Representative who is absent from three (3) consecutive regular meetings without leave of absence or without satisfactory reason shall forthwith cease to be a member and the Secretary-Treasurer shall advise the Clerk of the respective municipality so that the vacancy may be filled.

e) Review

The composition of the O.P.P. Detachment Board shall be reviewed once within each term of the Board.

2. Resignation of Representatives:

a) Any Council or Community Representatives wishing to resign shall provide their resignation in writing to the Chair (or Vice-Chair if the Chair is resigning) with a copy to the Secretary-Treasurer and shall notify the Clerk of their respective municipality so that a replacement may be appointed.

b) Any Provincial Representative wishing to resign shall provide their resignation in writing to the Chair with a copy to the Secretary-Treasurer and shall notify the Provincial Appointments Secretariat so that a replacement may be appointed.

3. **Filling Vacancies:**

- a) Vacancies of Council and Community Representatives shall be filled at the discretion of the respective Municipal Council and within three (3) months of the vacancy occurring.
- b) Vacancies of Provincial Representatives shall be filled at the discretion of the Province.

4. **Responsible Party:**

The Secretary-Treasurer appointed by the O.P.P. Detachment Board shall be responsible for all actions and financial undertakings of the O.P.P. Detachment Board unless delegated otherwise by the O.P.P. Detachment Board in accordance with Section 42 of the CSPA.

5. **Structure:**

a) **Chair and Vice-Chair**

In accordance with Section 36(1) of the CSPA, the Chair and Vice-Chair shall be elected annually at the first meeting of each year by a vote of the majority of the O.P.P. Detachment Board members.

In the absence of the Chair at a meeting, the Vice-Chair shall Chair the meeting. In the absence of both the Chair and Vice-Chair at a meeting, an Acting Chair shall be elected at the beginning of the meeting for the duration of that meeting.

b) **Support Resources**

- i. The O.P.P. Detachment Board shall determine the support resources it requires assisting them with fulfilling their roles.
- ii. Recording Secretary: The Recording Secretary shall be the Secretary-Treasurer appointed annually by the O.P.P. Detachment Board members at the first meeting each year and shall act as the Recording Secretary for the Board's meetings.

F. Procedures

1. All applicable Federal, Provincial and Municipal legislation and regulations shall be adhered to. This includes, but is not limited to:
 - a) The CSPA and its regulations
 - b) Code of Conduct Regulation
 - c) The O.P.P. Detachment Board's Terms of Reference
 - d) The O.P.P. Detachment Board shall review the Terms of Reference once every term in the last year of the term and amend them as necessary.
 - e) Any changes to the Terms of Reference require majority approval of the respective Municipal Councils.
2. The O.P.P. Detachment Board shall meet quarterly (January, April, July, October) on the **fourth Monday of the month at 6:00 p.m.**, unless otherwise determined by the O.P.P. Detachment Board and shall publish its annual meeting schedule on the

Municipality of Powassan's website. Meetings shall be held i at the 250 Clark Street, Powassan, ON P0H 1Z0.

3. Unless excluded by legislation, all O.P.P. Detachment Board members eligible to vote, including the Chair, shall vote.
4. The O.P.P. Detachment Board may solicit, document and consider public input where appropriate.
5. The agenda shall be distributed and posted at least seven (7) days before the O.P.P. Detachment Board meetings on the Municipality of Powassan's website and via email to Board Members.
6. The minutes shall be posted once approved by the O.P.P. Detachment Board, in a timely fashion on the Municipality of Powassan's website.
7. The approved minutes, signed by the Chair and Secretary-Treasurer, shall be provided to the Clerk of the Municipality of Powassan for official record keeping. With respect to the last meeting prior to an election, the minutes shall be approved per the O.P.P. Detachment Board's Procedural Bylaw.

G. Financial

1. The O.P.P. Detachment Board's annual budget shall be approved by each of the Municipal Councils of the O.P.P. policed communities comprised by the Board in accordance with Section 71(2) of the CSPA.
2. The Secretary-Treasurer shall present a year-end financial report to the O.P.P. Detachment Board, which once approved by the Board, shall be forwarded to each of the Municipal Councils of the O.P.P. policed communities comprised by the Board.
3. As per Section 71(3) of the CSPA municipalities shall contribute their share of the costs to the O.P.P. Detachment Board's budget in accordance with the budget estimates.
4. The share of the expenses for each municipality will be on a per capita basis based on the population of each member municipality as provided by Statistics Canada. Member municipalities populations will be reviewed each term of Council to ensure accurate contributions to the O.P.P. Detachment Board.
5. Remuneration for members of the O.P.P. Detachment Board shall be in accordance with each municipality's remuneration policy and shall be paid by the member's respective municipality.

6. Per Diem for members of the O.P.P. Detachment Board shall be in accordance with each municipality's remuneration policy and shall be paid by the member's respective municipality.
7. Reimbursement for travel expenses for members of the O.P.P. Detachment Board shall be in accordance with each municipality's Travel Expense Policy and shall be paid by the member's respective municipality.

H. Quorum

Greater than 50% of the O.P.P. Detachment Board members eligible to vote and not excluded by legislation shall constitute quorum.

I. Community Appointee Advisory Committee

1. Purpose

This section will provide guidance to the North Bay O.P.P. Detachment Board 3 Community Appointee Advisory Committee during the selection process of Community Appointed Representatives in accordance with the board composition provided in the regulations made under the *Community Safety and Policing Act, 2019*.

2. Definitions

"Community Member" means a Community Appointed Representative of the North Bay O.P.P. Detachment Board 3.

"Member Councils" means the Councils of the Municipality of Callander, Township of Nipissing, and the Municipality of Powassan.

3. Mandate of the Committee

The North Bay O.P.P. Detachment Board 3 Community Appointee Advisory Committee shall be established solely to review community member applications to the North Bay O.P.P. Detachment Board 3 and make recommendations to the Member Councils who, collectively, shall form the appointing body for the purposes of satisfying section 33 of the *Community Safety and Policing Act, 2019*.

Members of the North Bay O.P.P. Detachment Board 3 Community Appointee Advisory Committee shall be committed to acting in an ethical manner with the avoidance of conflict of interest as a body and as individuals in accordance with applicable legislation.

4. Composition of Committee

The Community Appointee Advisory Committee shall be comprised of the elected officials from each member municipality appointed to the North Bay O.P.P. Detachment Board 3. The three (3) member municipalities are:

- Municipality of Callander
- Township of Nipissing
- Municipality of Powassan

Committee secretary services shall be provided by the secretary of the North Bay O.P.P. Detachment Board 3.

5. Term

The term of the Community Appointee Advisory Committee shall begin upon formal appointment of all elected officials from the Member Councils and shall follow the term of Council.

A Chair shall be elected from amongst its members at the first meeting of the Community Appointee Advisory Committee and shall serve as Chair for the length of the committee term.

Members are expected to attend meetings as scheduled. In the event a member is unable to attend a meeting, the member must contact and advise the Chair and the committee secretary in advance. Should the Chair of the committee be unable to attend, the committee shall name an Interim Chair at the beginning of the meeting.

All meetings shall follow a written agenda with minutes kept of all decisions. A quorum comprised of 50% plus one of appointed members will be required to hold a meeting. The Committee is subject to the open meetings requirements of the *Municipal Act, 2001*.

The Committee shall meet as many times as deemed necessary to complete the following activities:

- a) Thoroughly review all community member applications to the North Bay O.P.P. Detachment Board 3.
- b) Prepare and provide recommendations regarding which applicant to appoint to said Board to each member municipality.

6. Remuneration

Remuneration for appointed members of the Community Appointee Advisory Committee shall be in accordance with each municipality's remuneration policy.

7. Appointments and Vacancies

While reviewing the applications and forming a recommendation to the Member Councils, the Committee shall consider the following factors:

- a) the need to ensure that the Board is representative of the area it serves, having regard for the diversity of the population in the area;
- b) the need to have members with the prescribed competencies, if any;
- c) any applicable diversity plan; and
- d) The results of a potential appointee's police record check that was prepared within the past 12 months.

8. Ineligibility

The following persons are not eligible to be members the Board:

- a) A judge or justice of the peace.
- b) A member of a police service, a special constable or a First Nation Officer.

- c) Any person who practises criminal law as a defence counsel or as a prosecutor.
- d) A director, officer or employee of a prescribed policing provider.
- e) Any other prescribed persons.

A former member of a police service is not eligible to be a member of the Board unless,

- a) the O.P.P. Detachment Board does not maintain a police service that the person was a member of; and
- b) at least one year has passed since the person ceased to be a member of any police service.

An ineligible person as set out above, does not prevent a person who was a member of a Police Services Board immediately before the Act came into force from serving the remainder of their term.

9. **Recruitment Process**

The opportunity for community members to make an application to serve on the Board shall be advertised throughout the detachment area jointly by each member municipality in accordance with each municipality's standard recruitment processes.

Applications shall be accepted by each member municipality with submissions being directed to the Clerk. Upon closing of the application period, all applications shall be provided to the Committee Secretary.

Community representatives will be appointed at-large and shall serve as the representative for all member municipalities equally.

The Advisory Committee shall receive applications in a redacted format to ensure that each application is evaluated on the merits of the qualifications, without consideration for the residence of the applicant.

Following a thorough review of all applications received, the Committee will make recommendations to member municipalities regarding community member appointments to the North Bay O.P.P. Detachment Board 3.

Official Appointments shall be made by way of resolution from the respective member municipality, which, upon appointment shall be forwarded to the Committee Chair and Secretary.

J. Name of the Board

For boards with more than one municipality within the catchment area of your board, we are recommending that you include this name and description as to how it identifies your board's catchment area in the Terms of Reference document with your municipalities.