



## **REPORT TO THE EDMONTON POLICE COMMISSION**

**DATE:** February 8, 2019

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**SUBJECT:** Policy Revisions – Governance Committee

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### **RECOMMENDATION(S):**

That the Commission approve the revisions to the following policies:

1. 3.2.1 – Records management
2. 4.2.1 – Code of Conduct
3. 5.1.2 – Nomination and Election of Commission Officers
4. 5.2.2 – Governance Committee Terms of Reference
5. 5.2.6 – Ad Hoc Committees
6. 5.11 – Gifts
7. Appendix D – Election Procedures

That the Commission approve rescinding policy #4.2.3 – Obtaining Information from the Edmonton Police Service.

(Attach)

**(REVISED)**

<b>Effective:</b> Sept. 17, 2015	<b>Revised:</b>
<b>Repealed:</b>	

### 3.2.1 RECORDS MANAGEMENT

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Corporate Records are a valuable asset that must be managed throughout their lifecycle and preserved for future use. The Edmonton Police Commission (the “Commission”) establishes a record and information management framework and procedures to capture, protect, use and preserve records under their control.

#### **Definitions:**

**Archival Record:** Records that are identified as having historical or research value warranting continued preservation beyond the time they are needed for administrative, legal, or fiscal purposes.

**Corporate Record:** Information recorded in any form, physical or electronic, which is in the custody or control of the Commission. It is also a record which has been created or received by Commissioners or staff of the Commission in connection with the transaction of public business and preserved as evidence of the organizations policies, decisions, functions, procedures, operations, or other activities of the Commission. The specific form of records include, but are not limited to, handwritten or printed notes, electronic correspondence or messages, images, audiovisual and sound recordings, documents, drawings, photographs, letters, and any other information that is written, photographed, recorded or stored in any manner.

**Record and Information Management:** Field of management responsible for the systemic control of the creation, receipt, maintenance, use and disposition of corporate records, including processes for capturing and maintaining evidence of, and information about business activities and transactions in the forms of records.

**Records Retention Schedule:** Describes the records under the control of the Commission and the associated “keeping” requirements. It identifies statutory and business requirements for document retention and ensures records are disposed of consistently or archived in a timely manner.

**Transitory Record:** Is a record that does not have long-term value. Transitory records contain information that is not required to meet legal or financial obligations or to sustain administrative or operational functions and have no historical value. Police Commission

transitory records may include, but are not limited to, notes taken to prepare official records or minutes, duplicate records, drafts and working materials, emails that do not solely document a decision or transaction of the Commission, and voice-mail messages.

**Vital Record:** Recorded information required by the Commission to recover from a disaster, emergency or loss of information.

### **Guidelines:**

1. Management of all corporate records must comply with all business requirements, applicable legislation and corporate records and information management best practices.
2. All business processes established by the Commission must meet the requirements set out by the City of Edmonton Corporate Records and Information Management Program and City of Edmonton Archives.
3. Vital records must be protected to ensure the continuity of key services and business operations of the Commission in the event of a disaster, emergency or loss of information.
4. Transitory records should not be filed in any official record systems as these records are not required to meet any statutory obligation or to sustain administrative or operational function.
5. All records created by the Commission must be classified as per the Records Classification System and Retention Schedule.
6. The Commission shall maintain a file and document management system that allows for the efficient retrieval of records.
7. In the event the Commission is dissolved, all records will go to the Office of the City Clerk and the City of Edmonton will become the record holder.

### **Procedures:**

1. The Records Classification System and Retention Schedule will be reviewed every five (5) years.
2. The Commission shall, by the end of March of every year, attend to the archival and destruction of records as required by the record retention schedule.

### **References:**

1. *City of Edmonton Corporate Records and Information Management Program*
2. *Edmonton Police Commission Records Classification System and Retention Schedule*
3. *City of Edmonton Archives*

## 4.2 CODE OF CONDUCT AND ETHICAL GUIDELINES

**(REVISED)**

<b>Effective:</b> Nov. 30, 2007	<b>Revised:</b> September 17, 2015
<b>Repealed:</b>	

### 4.2.1 CODE OF CONDUCT

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The members of the Edmonton Police Commission (the “Commission”) must exercise their official duties and functions in such a manner that public confidence and trust in the integrity, objectivity and impartiality of the Commission are conserved and enhanced.

#### **Guidelines:**

1. Commission members must adhere to the guidelines in the Commission’s Code of Conduct as described in Appendix C.

#### **References:**

1. *Appendix C – Edmonton Police Commission Code of Conduct*
2. *City of Edmonton – Ethical Guidelines For Citizens Who Serve On City Boards, Agencies and Committees*

<b>Effective:</b> Nov. 30, 2007  <b>Repealed:</b>	<b>Revised:</b> April 19, 2012 September 17, 2015
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**(REVISED)**

### **5.1.2 NOMINATION AND ELECTION OF COMMISSION OFFICERS**

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The Edmonton Police Commission (the “Commission”) is required under the Police Act and the City of Edmonton Bylaw 14040 (Edmonton Police Commission Bylaw) to elect a member to act as Chair and another member to act as Vice Chair at the first meeting of the Commission in each calendar year.

#### **Guidelines:**

1. At the first Commission meeting in each year the Commission shall elect from among their members a Chair and a Vice Chair using the procedures outlined in Appendix D – Election Procedures.
2. A Commission member who is also a member of Edmonton City Council or an employee of the municipality is not eligible to be elected as Chair or Vice Chair.

#### **References:**

1. *Police Act, RSA 2000, c P-17*
2. *City of Edmonton Bylaw 14040 – Edmonton Police Commission Bylaw*
3. *Appendix D – Edmonton Police Commission Election Procedures*

**(REVISED)**

<b>Effective:</b> Nov. 30, 2007  <b>Repealed:</b>	<b>Revised:</b> January 22, 2009 October 22, 2009 January 21, 2010 July 22, 2010 March 22, 2012 April 19, 2012 September 17, 2015 May 5, 2017
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## **5.2.2 GOVERNANCE COMMITTEE TERMS OF REFERENCE**

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### **Mandate:**

The purpose of the Edmonton Police Commission (the “Commission”) Governance Committee is to provide a focus on governance that will enhance performance for both the Commission and the Edmonton Police Service (the “Service”).

The primary purpose of the Governance Committee is to consider and recommend actions and propose policies that are in alignment with the Commission’s and Service’s strategic plans, priority areas and strategic goals.

The Governance Committee is also responsible for the ongoing review of current Commission governance policies and recommends any necessary changes.

The Governance Committee is responsible for strategic plan development and review, annual evaluation of the Commission, setting the Commission’s operational plan and deals with all other matters referred to it by the Commission.

### **Composition and Operations:**

1. The Governance Committee shall have a minimum of three members appointed by the Commission, with one member designated as Chair.
2. The Governance Committee shall meet on a monthly basis unless there is agreement by the committee members that a meeting is not required.
3. The Governance Committee can consider scheduling additional meetings in order to fulfill their mandate and to be able to make recommendations to the Commission in a timely manner.

4. The Executive Director shall attend meetings as required to act as administrative support to the committee and is not a voting member.

**Duties and Responsibilities:**

1. Review all Commission policies according to guidelines in policy *1.1.7 Policy Development*.
2. Review all changes to Edmonton Police Service policies that align with Commission policies and/or their governance and oversight role according to guidelines in policy *2.3.2 Edmonton Police Service Policies*.
3. Conduct an annual evaluation of the Commission's effectiveness and perform a comprehensive governance review of the Commission as a whole at a minimum once every four years according to guidelines in policy *4.3.1 Evaluation of Commission*.
4. Facilitate strategic planning sessions and operational planning sessions for the Commission according to guidelines in policy *1.1.4 Police Commission and Police Service Planning*.
5. Review and monitor the Annual Policing Plan to ensure the levels of service and program performance targets are being met.
6. Review and monitor strategic key performance indicators and measures to ensure goals and objectives are being met.
7. Assist with new Commission member orientation and ongoing professional development for the Commission.

**Accountability:**

1. The Governance Committee shall review the terms of reference for this committee at a minimum once every three years and make recommendations for changes to the Commission if required.
2. The Governance Committee shall keep records of its meetings and the Chair of the committee shall provide reports to the Commission on the matters discussed and any recommendations for decision.

**References:**

1. *1.1.4 Police Commission and Police Service Planning*
2. *1.1.7 Policy Development*
3. *2.3.2 Edmonton Police Service Policies*
4. *4.3.1 Evaluation of Commission*
5. *5.2.1 Committees of the Commission*

**(REVISED)**

<b>Effective:</b> Nov. 30, 2007	<b>Revised:</b>
<b>Repealed:</b>	

## **5.2.6 AD HOC COMMITTEES**

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The Commission approves establishment of “special (ad hoc)” committees of the Edmonton Police Commission (the “Commission”) to carry out specific functions. All such committees shall be established by formal resolution and the Commission expects that these special committees to meet as required and to carry out their assigned duties and responsibilities in a manner that is consistent with the goals, objectives and principals of the Commission.

### **Guidelines:**

1. The Commission or standing committees may establish ad hoc committees as necessary.
2. All ad hoc committees shall have a specific mandate and term.
3. Ad hoc committees will include a minimum of one Commissioner.
4. Ad hoc committees will schedule meetings as necessary.
5. Ad hoc committees will report back to the Commission or standing committees and will make recommendation(s) for review and decision.
6. Ad hoc committee members may not speak or act for the Commission except where formally given such authority for specific and time-limited purposes.
7. The ad hoc committee will cease to exist on the completion of its project or mandate.

### **Procedures:**

1. The Chair of an ad hoc committee created by the Commission will be appointed by the Commission.
2. The Chair of an ad hoc committee created by a standing committee will be appointed by the Chair of the standing committee.
3. The ad hoc committee will establish terms of reference subject to Commission or standing committee approval.
4. Ad hoc committees will set and schedule meetings as necessary.

<b>Effective:</b> Nov. 30, 2007	<b>Revised:</b> April 19, 2012 September 17, 2015
<b>Repealed:</b>	

**(REVISED)**

## **5.11 GIFTS**

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It is imperative the public have confidence in the integrity of the Edmonton Police Commission (the “Commission”) therefore; all Edmonton Police Commissioners (“Commissioners”) and Edmonton Police Commission staff (the “staff”) will not use their positions for personal gain.

### **Definitions:**

**GIFT:** Means a present, giveaway, souvenir, token or personal benefit provided with the Commissioner’s or staff member’s knowledge to the Commissioner, Commissioner’s family, or to staff, that is connected directly or indirectly to the performance of Commission duties.

### **Guidelines:**

1. Commissioners will adhere to the City of Edmonton’s Bylaw 18483 – Council Code of Conduct.
2. Staff will adhere to the City of Edmonton’s Code of Conduct Handbook and Guide.
3. Commissioners and staff will not solicit gifts, favours, or services.
4. Commissioners and staff will not accept gifts, favours or services that could affect the objective performance of their duties.
5. Suitable mementos (e.g. plaques, books, mugs, pen sets, ties and scarves) received as an incident of accepted protocol or normal expression of courtesy are allowable, including a reasonable memento honouring a Commissioner and/or staff member or tokens exchanged as part of protocol, festivities, or participation in public functions.
6. Monetary payments or any entitlement of goods or services which accrue as a result of the performance of duties shall not be accepted for personal use, but may be used for Commission purposes, as determined by the Chair and/or Executive Director.
7. Commission members and staff shall not accept discounts on goods and services unless it is the general business practice of an establishment to provide discounts to employer groups including the City of Edmonton and Edmonton Police Service.

8. Commission members or staff shall not receive or seek preferential treatment in the use of civic facilities or services unless such use is a requirement of formal duties or functions.
9. A gift given by the Commission must be given or incurred on behalf of the Commission, rather than in the personal capacity of a commission member or staff member; and must not consist of cash, or any cash equivalent.
10. Gifts given by the Commission must connect to the legitimate affairs or business of the Commission and can include token gifts or souvenirs given to an official while on business travel.
11. A Commissioner or staff member shall, as soon as practicable, return to the donor any gift that does not comply with this policy.
12. Official gifts received by Commissioners or staff members on behalf of the Commission are considered Commission assets and will be managed by the Executive Director for display and/or archiving.
13. Commission members must disclose any single gift accepted with a fair market value in excess of \$300, as well as all gifts from a single donor in a calendar year that collectively exceeds \$300. These disclosure statements will be a matter of public record.

**References:**

1. *City of Edmonton Bylaw 18483 – Council Code of Conduct*
2. *City of Edmonton Code of Conduct and Guide*

(Revised)

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**APPENDIX D – EDMONTON POLICE  
COMMISSION ELECTION PROCEDURES**

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<b>Effective:</b> November 30, 2007	<b>Revised:</b>
<b>Repealed:</b>	

## **EDMONTON POLICE COMMISSION ELECTION PROCEDURES**

### 1. Declaring Intentions:

- a. Each person running for the positions of Chair or Vice-Chair of the Commission shall notify the Executive Director two weeks prior to the scheduled first meeting of the Commission in the new year. After that time nominations shall cease.
- b. The Executive Director shall circulate the names of candidates for the positions of Chair and Vice-Chair to all Commission members as soon as practicable after nominations cease.

### 2. Election Meeting:

- a. The elections for Chair and Vice Chair of the Commission shall be held at the first meeting in the new year and will be a Special Meeting as outlined in the Commission's meeting procedures.
- b. The Executive Director will assume the role as Chair at the Special Meeting and will call the meeting to order and facilitate the election process for Commission Chair.
- c. Upon notification to the Commission by the Executive Director of the election outcome for the position of Chair that person shall then assume the Chair of the Commission and proceed with the election process for Vice Chair.
- d. In the event the Chair is acclaimed, the Executive Director shall declare the nominee to be acclaimed and they shall immediately assume the Chair for the Commission.

### 3. Procedures on Debate:

- a. At the first Special Meeting of the New Year, each nominated candidate for the position of the Chair of the Commission will have two minutes to speak. At the close of their remarks, Commission members can ask questions of that candidate.
- b. The Candidates for Chair will speak in alphabetical order according to last name.
- c. After the election for Chair is complete, candidates for the position of Vice-Chair of the Commission will have two minutes to speak. At the close of their remarks, Commission members can ask questions of that candidate.
- d. The Candidates for Vice Chair will speak in alphabetical order according to last name.

#### 4. Election of Officers:

- a. Election of officers for Chair and Vice Chair shall be conducted by secret ballot.
- b. The Executive Director will be responsible for the administration of the election process and two additional Commission staff members will count the ballots. The Commission may also add a scrutineer of their choice to observe the counting of the ballots.
- c. The ballots will list nominated candidates in alphabetical order and will be distributed to all Commission members present at the meeting.
- d. Only Commission members in attendance at the Special Meeting will be eligible to vote and no proxy votes will be allowed.
- e. Each Commission member will clearly indicate one choice for Chair and Vice Chair and return the marked ballot to the designated Commission staff members.
- f. Abstentions from voting are not allowable.
- g. The Executive Director will report the name of the candidate receiving the majority of votes and therefore elected Chair or Vice Chair of the Commission. In this instance, a majority vote means more than half of the votes cast by Commission members entitled to vote at the Special Meeting where a quorum is present.
- h. In the event that two or more nominated candidates are tied with the most votes, the Executive Director will advise the Commission of the tie and cause new ballots to be prepared and a second vote to take place.
- i. In the event a second vote produces a tie the Executive Director will report the outcome to the Commission whereupon the Chair will inquire if any nominated candidate wishes to voluntarily remove their name from the ballot.
- j. The Executive Director will cause new ballots to be prepared and a third vote will take place.
- k. Balloting will continue until a candidate receives a majority.
- l. After all election results are announced, a motion for the destruction of all ballots shall be entertained.

(Current) (NOTE: Recommend to be repealed)

**Effective:** November 30<sup>th</sup>, 2007

**Revised:** December 17, 2009

**Repealed:**

April 19, 2012

September 17, 2015

### **4.2.3 OBTAINING INFORMATION FROM THE EDMONTON POLICE SERVICE**

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Commissioners are not restricted from contacting the police about a personal matter to the same extent that any other member of the public would be entitled to make such an enquiry.

Edmonton Police Commissioners may not seek general information related to an issue that is before the Commission or to be considered at an upcoming Commission meeting except through the Commission office.

#### Procedures:

1. Requests from the Commission or Commission members to the Chief of Police for information concerning Commission business, specific investigations, occurrences or individuals shall be made only at regularly scheduled Commission or Committee meetings, or shall be directed to the Chair or the Executive Director.
2. If a request from the Commission or Commission members results in a significant resource effort from the Service, the Chief may seek direction from the Commission.
3. Requests from the Commission or Commission members for written reports from the Edmonton Police Service shall be by way of a duly passed motion of the Commission.
4. The Executive Director will maintain a tracking system to ensure that all requests for information, and the results of those requests, are appropriately tracked.