



# BOARD PROCEDURES PSB-AI-001

Adopted: April 26, 2024

## Policy Statement

The purpose of this policy is to define the procedures of the Peel Regional Police Service Board (the "Board") in alignment with the *Community Safety and Policing Act* (CSPA), 2019, and other relevant legislation. This policy ensures that the Board's operations are conducted in a manner that is transparent, accountable, and promotes effective governance.

### 1. Definition

1.1 In this Policy:

- (a) "**Act**" means the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1, as amended from time to time;
- (b) "**Acting Chair**" means a Member required to act temporarily in the place of the Chair, pursuant to sections 4 and 5 of this Policy;
- (c) "**Agenda**" means the document prepared for distribution listing the matters to be brought before a meeting, as prescribed in Section 11;
- (d) "**Board**" means the Peel Regional Police Service Board established under Part IV of the Act;
- (e) "**Chair**" means the Member elected as chair of the Board pursuant to Section 36(1) of the Act;
- (f) "**Chief of Police**" means the chief of the Peel Regional Police Service appointed pursuant to the Act;
- (g) "**Committee**" means a standing, special or other committee established by the Board pursuant to Section 42 of the Act;
- (h) "**Committee Recommendation**" means a recommendation passed by a committee intended for adoption by the Board;
- (i) "**Consent Motion**" means a single motion to approve recommendations arising from routine, non-controversial items on a meeting agenda;

- (j) "**Days**" means calendar days, excluding Saturdays, Sundays and statutory holidays;
- (k) "**Deputation**" means an address to the Board at the request of a person wishing to speak on a matter on the Board's agenda and within the Board's jurisdiction;
- (l) "**Executive Director**" means the executive director of the Board;
- (m) "**Improper Conduct**" means behavior obstructing deliberations or proper conduct of a meeting;
- (n) "**Lot**" means the method of determining a nominee by random selection when nominees are tied;
- (o) "**Majority Vote**" means more than half of the votes cast by eligible voting Members present;
- (p) "**Member**" means a member appointed to the Board pursuant to Section 31 of the Act;
- (q) "**Notice of Motion**" means written notice provided by a Member advising that a specific motion will be presented for adoption at a subsequent specified meeting;
- (r) "**Point of Order**" means a question raised by a Member concerning proper conduct of the Board's business or to clarify procedure;
- (s) "**Point of Privilege**" means a question raised by a Member who believes the rights, immunities or integrity of the Board or a Member have been adversely affected;
- (t) "**Quorum**" means a majority of the Board's Members pursuant to Section 43(2) of the Act;
- (u) "**Recorded Vote**" means a written record of the names and votes of each Member present for a vote, and each absent or abstaining Member;
- (v) "**Resolution**" means a decision of the Board on a motion;
- (w) "**Special Meeting**" means a meeting other than a regularly scheduled meeting pursuant to Section 9 of this Policy;
- (x) "**Two-Thirds Majority Vote**" means at least two-thirds of the Members present and eligible to vote, vote in the affirmative.

## **2. Policy Application**

2.1 The rules and procedures contained in this Policy shall govern all proceedings of the Board and its Committees, subject to any necessary modifications for Committee meetings.

2.2 Except as otherwise provided in this Policy or in the Act, the Board may temporarily suspend one or more rules in this Policy by a Two-Thirds Majority Vote of Members present, including:

- (a) Rules respecting agenda changes, order of proceedings, and content;
- (b) Rules regarding notice for deputation status; or
- (c) Rules on increasing or decreasing time limits for deputations and debate.

2.3 For any points of order or procedure not covered in this Policy, the Chair or Vice-Chair shall decide the question in accordance with the latest edition of Robert's Rules of Order, as reasonably practicable. Any deviations from this Policy shall be recorded in the meeting minutes.

## **3. Selection of Chair and Vice-Chair**

3.1 In accordance with Section 36(1) of the Act, the Board shall elect a chair and vice-chair from among its members at the first meeting in each calendar year, in the following manner:

- (a) The election of the Chair shall be conducted by the Executive Director, and the Vice-Chair election by the Chair;
- (b) The Executive Director shall call for nominations for Chair. If only one member is nominated, and consents, they shall be appointed Chair by resolution without a vote;
- (c) If multiple members are nominated, each nominated member shall have an opportunity to speak briefly before voting proceeds;
- (d) Voting for Chair shall be by show of hands, in alphabetical order of nominees' surnames, with the nominee receiving a Majority Vote being appointed;
- (e) If an initial vote for Chair results in a tie or without Majority Vote, additional rounds of voting shall occur after brief recesses, until a nominee receives a Majority Vote or the matter is decided by lot drawn by the Executive Director;
- (f) The same process in (b)-(e) shall be followed for election of the Vice-Chair, conducted by the newly elected Chair;
- (g) No secret ballot voting is permitted for election of the Chair or Vice-Chair.

#### **4. Replacement of the Chair**

4.1 Subject to section 36 (1) of the Act, read in conjunction with section 77 of the Legislation Act, 2006, S.O. 2006 c. 21, Sched. F, which confers the authority on the Board to appoint a Chair, a Chair may be replaced by the vote of the majority of Board members for governance reasons. For clarity, governance reasons include anything the Board believes serves the best interests of the Board other than a breach of the Code of Conduct or other misconduct as defined in the Act.

4.2 In the event of a breach of the Code of Conduct or other misconduct as defined in the Act, by the Chair, the Chair may be removed from the Board in accordance with the provisions of the Act or as otherwise permitted by law.

4.3 Upon reappointment or replacement of the Chair under Sections 4.1 or 4.2, the Board shall elect a new Chair at the same or next meeting in accordance with Section 3 of this Policy.

#### **5. Duties of the Chair**

5.1 The duties of the Chair shall be to:

- (a) Preside over all Board meetings in an objective manner, enforcing the rules of procedure to ensure business is conducted efficiently and effectively;
- (b) Act as the official spokesperson for the Board on governance and policy matters, representing its decisions and directions;
- (c) Declare the will of the Board on all matters after members make resolutions;
- (d) Call the meeting to order as soon as quorum is present and preside until adjournment;
- (e) Decide all questions of order raised at meetings, subject to an appeal by a member;
- (f) Refer any procedural matters not covered by this Policy for resolution, having regard for the latest edition of Robert's Rules of Order;
- (g) Decline to put to a vote any motion that infringes the rules of procedure or exceeds the Board's jurisdiction under the Act;
- (h) Maintain decorum and order at meetings, adjourning or recessing as required if order cannot be restored;
- (i) Call members to order for persistent procedural breaches, and ordering their removal from the meeting room for continued transgressions;
- (j) Advise the Board on points of order when necessary to ensure proper procedure;

- (k) Declare the meeting adjourned when business is concluded;
- (l) Sign all approved Board documentation, including policies, resolutions, minutes, agreements, and orders;
- (m) Perform any other duty assigned by Board resolution; and
- (n) Order the expulsion of any person disrupting the meeting and compromising public safety.

## **6. Duties of the Vice-Chair**

6.1 The Vice-Chair shall act in the place of the Chair when the Chair is absent or unable to act, having the same authority and duties as the Chair.

6.2 If both the Chair and Vice-Chair are absent from a meeting, the Members present shall elect an Acting Chair for that meeting until the Chair or Vice-Chair is available.

## **7. Committees of the Board**

7.1 In accordance with Section 42 of the Act, the Board may at any time appoint one or more Members to a Committee to inquire into matters under the Board's jurisdiction.

7.2 The Chair shall be an ex-officio member of all Committees, other than the Human Resources Committee, or as otherwise established through the by-law pertaining to the Committee.

7.3 For each Committee, the Board shall define the mandate through a by-law.

7.4 The Board shall appoint a Chair and committee members for each Committee from among the members, ensuring Board quorum rules are followed.

7.5 If a Committee recommendation exceeds its mandate or authority, it shall be returned to the Board for consideration and adoption.

7.6 Committee membership shall be reviewed and revised annually as required.

## **8. Regular Meetings of the Board**

8.1 The Board shall approve a schedule of regular meeting dates and times for each calendar year.

8.2 Regular meetings shall generally be held on Fridays of each month, unless that day is a statutory or civic holiday.

8.3 If a regular meeting date falls on a statutory or civic holiday, the Board shall reschedule the meeting to an alternate date.

8.4 Meetings may be held in-person, virtually by electronic means, or through a hybrid model as determined by the Chair.

8.5 For fully virtual meetings, the public shall be provided access to open session portions through conferencing details included on the public agenda and Board website. Public participation shall be restricted to observation only, except for registered delegations.

8.6 The Chair shall preside over all meetings. If the Chair does not attend within 15 minutes after the scheduled start time, the Vice-Chair shall preside. If neither attends, the Members present shall appoint an Acting Chair for that meeting by resolution.

8.7 The Chair, or Vice-Chair in the Chair's absence, may cancel a regular meeting if deemed not warranted.

## **9. Special Meetings of the Board**

9.1 The Chair, or Vice-Chair in the Chair's absence, may call a special meeting of the Board at any time. The Chair shall call a special meeting upon request from a majority of Board members.

9.2 The Executive Director shall deliver at least 24 hours' notice of all special meetings to each Member by telephone or email, indicating the meeting time and location/virtual details.

9.3 In urgent situations, the Chair may call a special meeting on shorter notice delivered in the most expeditious manner.

9.4 The notice shall state the business to be considered, and no other business shall be conducted except with agreement of all Members present. Decisions on agenda items shall be explained and recorded in the minutes.

9.5 A special meeting may only be canceled by the Chair, or Vice-Chair if the Chair is absent, with the consent of a majority of Members.

9.6 Special meetings shall be held at a location and in a format, including virtually, deemed appropriate by the Chair based on the circumstances.

## 10. Calling Meetings to Order

10.1 The Chair shall call the meeting to order as soon as possible after the scheduled start time, provided quorum is present.

## 11. Quorum

11.1 Quorum shall be a majority of the Board's Members in accordance with Section 43(2) of the Act.

11.2 Members participating electronically in open or closed sessions shall be deemed present for the purpose of quorum.

11.3 If no quorum is present within 30 minutes after the scheduled start time, the Chair shall call the roll and have the Executive Director record the Members present. The meeting shall be adjourned to the next regular meeting date or at the call of the Chair for a special meeting.

11.4 If quorum is lost during a meeting, the Chair shall recess the meeting. If quorum is not regained within 30 minutes, the Chair shall call the roll, have attendance recorded, and adjourn the meeting.

11.5 Any agenda business not addressed due to lack of quorum shall be added to the next regular meeting agenda.

## 12. Board Agenda

### 12.1 Agenda Development

The Executive Director, in collaboration with the Chair, is tasked with crafting the agenda for the Board's regular sessions. The agenda shall serve as the structured Order of Business, ensuring a streamlined and effective meeting flow, comprising of:

1. **Roll Call** to determine the presence of Board Members.
2. **Declaration of Conflict of Interest/Pecuniary Interest** to maintain transparency and integrity.
3. **Chief's Update** on policing activities and developments.
4. **Board Member Questions and/or Announcements** for updates or clarifications.
5. **Approval of Minutes** from the previous meeting to confirm accuracy.
6. **Deputations** allowing public input on agenda items.

7. **Presentations** on specific topics of interest.
8. **Consent Motion** for expedient approval of routine, non-controversial items as a single motion. Items may be discussed individually upon request.
9. **New Business** for matters not previously scheduled.
10. **Adjournment to conclude the public meeting.**
11. **Move Into in-camera Session** for discussions requiring confidentiality under s.44 of the CSPA.
12. **In Camera Reports** to review and deliberate on sensitive matters under s.44 of the CSPA.
13. **Adjournment** to conclude the in-camera meeting.

#### 12.2 Public and In Camera Agendas

Every regular meeting will feature both Public and In Camera agendas. The In Camera Agenda, distinctively marked on pink paper, includes items requiring confidentiality as dictated by the *Community Safety and Policing Act* or the *Municipal Freedom of Information and Protection of Privacy Act* or matters exclusively relevant to Board Members.

#### 12.3 Agenda Order and Modifications

While Section 12.1 prescribes the standard agenda order, the Chair possesses the discretion to modify this sequence to better accommodate the meeting's dynamics.

#### 12.4 Agenda Item Submission and Review

Submissions for the agenda, including reports and presentations by police staff, are due to the Executive Director no less than twelve days before the scheduled Board Meeting. Items intended for In Camera discussion are distinctly labeled, ensuring proper placement on the agenda.

#### 12.5 Communication and Agenda Items

All communications intended for the Board's consideration must be submitted to the Executive Director within the specified timeframe. These submissions are then evaluated and routed accordingly, either circulated among Board Members or referred to the Chief of Police for action.

#### 12.6 Agenda Distribution and Accessibility

Finalized agendas are distributed to Board Members at least seven days prior to the meeting and are made accessible to the public via the Board's website, promoting transparency and public participation in the Board's governance process.



## 13. Conflict of Interest Disclosure

### 13.1 Adherence to the Municipal Conflict of Interest Act

Board Members are mandated to follow the *Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50*, as amended. Each meeting agenda shall provide an opportunity for Members to disclose any conflicts of interest or pecuniary interests relevant to the matters at hand.

### 13.2 Disclosure and Abstention Procedure

When a Member has a direct or indirect pecuniary interest in any agenda item:

- (a) **Disclosure:** The Member must disclose the interest and its general nature before the Board discusses the item
- (b) **Non-Participation:** The Member shall not participate in the discussion or vote on the item.
- (c) **Non-Influence:** The Member must refrain from attempting to influence the decision on the item, both during and outside the meeting.

### 13.3 Meeting Participation

After disclosing an interest, the Member must leave the meeting while the Board discusses and votes on the item to ensure transparency and impartiality.

### 13.4 Absence-Related Disclosure

If a Member is absent from a meeting where an interest should have been disclosed, they must disclose the interest at the first subsequent meeting they attend.

### 13.5 Quasi-Judicial Functions and Bias

In fulfilling the Board's quasi-judicial functions, Members must avoid participating in matters where they have a personal interest or could be perceived as biased. Members are responsible for identifying potential conflicts and abstaining from related deliberations.

### 13.6 Documentation of Disclosures

The Executive Director is responsible for documenting any conflict of interest disclosures made by Board Members. These records will be included in the minutes of the meeting, ensuring a transparent and accountable governance process.

## 14. Public Deputations

### 14.1 General Policy on Deputations

Deputations are welcome at regularly scheduled public Board meetings to foster open dialogue and community engagement. Committee meetings of the Board shall not feature deputations, unless specifically requested by committees, such as community consultations.

### 14.2 Electronic Participation in Meetings

Delegates may participate in Board meetings electronically, under the following conditions:

- (a) Availability of suitable electronic participation methods for the meeting.
- (b) Electronic participation must be clear, reliable, and facilitate two-way communication. Connections causing unreasonable delays or interference may be discontinued to preserve meeting integrity.

### 14.3 Requesting a Deputation

Individuals or groups wishing to make a deputation must:

- Submit a written request by 3:00 p.m. two working days before the scheduled public Board meeting. The request must relate to an agenda item.
- Include full name, address, contact number, and representation details, along with an outline of the deputation subject matter.
- Following receipt, the Executive Director, with the Chair's consultation, will assess the request's relevance and compliance, ensuring it falls within the Board's purview and is directly related to an item on that Board meeting's agenda.

### 14.4 Deputation Duration and Representation

- Deputations, including those from organizations or groups, are limited to five minutes, ensuring concise and focused presentations.

### 14.5 Extension of Time

- The Chair may extend deputation time at their discretion.

### 14.6 Post-Deputation Dialogue

- Following a deputation, Board members may seek clarifications or further information from the presenter. Debate on the presentation's content with the presenter is not permitted.

#### 14.7 Discretionary Allowance for Deputations

- The Board may, at its majority's discretion, allow deputations that do not fully comply with the outlined requirements.

#### 14.8 Conduct and Participation

- Participants must adhere to respectful communication standards and focus their deputations on the approved subject. Failure to observe these rules may result in exclusion from the meeting for improper conduct.

#### 14.9 Termination of Deputation

- The Chair reserves the right to end a deputation or subsequent discussion if it deviates from the set guidelines or disrupts the meeting's order, requiring the presenter(s) to withdraw immediately.

### **15. Conduct of Members**

#### 15.1 Adherence to Standards of Conduct

Members shall adhere to the O. Reg. 408/23 of the Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1– Members of Police Services Board Code of Conduct, alongside any additional policies ratified by the Board. This ensures all actions and discussions uphold the highest standards of integrity and respect.

#### 15.2 Prohibited Conduct

Members are expected to maintain a professional and respectful demeanor at all times. Specifically, Members shall not:

- a) Employ offensive or derogatory language during Board discussions or towards any Member.
- b) Deviate from the topic under discussion, ensuring a focused and productive debate.
- c) Critique Board decisions in a manner that undermines their finality, except to propose reconsideration formally.
- d) Engage in discriminatory behavior or speech, recognizing the diversity and dignity of all individuals.
- e) Disregard the established rules, the Chair's directives on procedural matters, or the collective resolutions of the Board.

### 15.3 Dealing with Disobedience

Should a Member persist in violating these guidelines after a warning, the Chair may enforce a temporary exclusion from the meeting: "This Member is to vacate their seat for the remainder of this meeting."

### 15.4 Escalation of Non-compliance

Failure to comply with an order to vacate will result in the Chair adjourning the meeting to uphold decorum and order.

## **16. Rules of Debate**

### 16.1 Recognition by the Chair

Members must receive acknowledgment from the Chair before contributing to discussions, ensuring an orderly exchange of ideas.

### 16.2 Seeking Recognition

Members desiring to speak should signal their intent to the Chair, who will note and call upon Members in the sequence they signaled their intent.

### 16.3 Order of Speaking

The Chair will determine the speaking order when multiple Members request the floor simultaneously, striving for fair and equitable participation.

### 16.4 Respect for Speaking Members

Interjections or passing of information among Members during speeches are prohibited unless raising a procedural point of order is necessary.

### 16.5 Clarification Requests

Members may request that the motion under debate be reread for clarity without interrupting the current speaker.

### 16.6 Motion Presenter's Right to Reply

The Member who proposed a motion has the privilege to offer the closing argument or clarification before the vote.

### 16.7 Conclusion of Debate

Once the Chair calls for a vote, discussion ceases, and no further motions will be entertained until the decision is announced, ensuring clear and decisive Board actions.

## **17. Point of Order**

17.1 Invocation and Ruling: A Member may challenge a perceived procedural breach by requesting permission from the Chair to raise a point of order. Once granted, the Member articulates the concern, and the Chair swiftly renders a decision.

17.2 Appeal Process: Should a Member dispute the Chair's ruling, they may appeal to the full Board. The Chair may provide a concise rationale for their decision.

17.3 Final Decision: The Chair initiates a vote on the appeal with the question, "Shall the Chair's ruling be sustained?" A tie vote results in the ruling being upheld, marking the Board's decision as conclusive.

## **18. Point of Privilege**

18.1 Invocation of Rights: Members may invoke a point of privilege to address concerns directly impacting their rights, immunities, or the collective integrity of the Board. Approval from the Chair is required.

18.2 Resolution: The Chair may directly resolve the point of privilege or allow the Board to debate and vote on the matter, ensuring the protection of Members' rights and the Board's integrity.

## **19. Notice of Motion**

19.1 Submission Criteria: Members may propose items for Board consideration only if they pertain to an agenda topic, are of urgent nature, or receive a two-thirds majority vote for consideration without prior notice.

19.2 Deadline for Submission: Motions not listed on the agenda must be submitted in writing to the Chair and the Executive Director at least 48 hours before the meeting. Late submissions will be deferred to the subsequent meeting.

19.3 Emergency Consideration: Motions deemed urgent may bypass the 48-hour rule if a majority concurs, allowing for immediate attention.

19.4 Agenda Inclusion: Unresolved Notices of Motion are automatically included in the next regular meeting's agenda for action.

19.5 Withdrawal: Notices of Motion inactive for two consecutive meetings without action are withdrawn, unless the Board elects to maintain them on the agenda, ensuring focused and timely deliberations.

## **20. Motions and Resolutions**

20.1 Motion Initiation: All motions and resolutions must be formally proposed and supported before discussion or voting ensues.

20.2 Motion Presentation: Upon request, the Executive Director will recite any motion to ensure clarity and understanding before voting.

20.3 Motion Withdrawal: Prior to voting, the initiator may retract their motion with no need for a vote on withdrawal.

20.4 Motion Precedence: Active motions must be conclusively addressed before considering new motions, with exceptions for motions to adjourn, amend, refer, suspend procedures, table, or call to vote.

20.5 Adjournment Restrictions: Motions to adjourn are inadmissible during member speeches, vote proceedings, or subsequent to a rejected adjournment, until further board actions transpire.

20.6 Amending Motions: Amendments must be pertinent and not negate the original motion. Only one amendment to an amendment is permitted, necessitating any additional changes to be directed at the main motion.

20.7 Referral Motions: Must specify the referral target and conditions. Debates are confined to referral merits and terms, excluding the principal question or its amendments until the referral is resolved.

20.8 Motion Reconsideration: A motion decided by the board may be reconsidered at a later meeting if announced in advance by a majority-voting member from the initial decision. Reconsideration is barred from debate until approved.

20.9 One-time Reconsideration: A question may only be reconsidered once per board meeting to ensure decisiveness.

20.10 Motion for Reconsideration: Requires backing by any member and halts actions related to the original motion pending the reconsideration decision. Actions irreversible by the original motion exclude reconsideration.

## **21. Voting on Motions and Resolutions**

21.1 Written Submissions: All substantial motions and resolutions for agenda inclusion must be documented.

21.2 Amended Motions: Before board evaluation, a mutually accepted amendment by the proposer and supporter can replace the original motion.

21.3 Decision by Majority: A motion is passed through a majority vote of present, voting members signified by hand raising.

21.4 Mandatory Participation: Members present are obliged to vote, barring statutory voting restrictions.

21.5 Electronic Voting: Members joining meetings electronically retain full voting rights.

21.6 Recorded Votes: Upon request, a recorded vote catalogs member votes individually. The Chair oversees the procedure, ensuring transparency.

21.7 Tie Resolution: Tied votes result in motion failure.

21.8 Reconsideration Requirements: Reassessing a board decision necessitates a majority agreement and the presence of the initial motion's proposer.

21.9 Decision Amendments: Altering a board resolution demands a two-thirds majority approval from those present.

21.10 Adaptive Consideration: Significant circumstantial changes post-decision enable the board to treat the subject as new, exempting it from the one-time reconsideration rule, facilitating responsive governance.

## **22. Board Meeting Minutes**

22.1 Minutes Requirements: The Executive Director shall ensure comprehensive minutes are documented for every Board meeting, capturing:

- Date, time, and location of the meeting.
- Attendee names, including the presiding Chair and Board Members.
- Confirmation and any adjustments of previous meeting minutes.

- Declaration of conflicts of interest.
- A concise record of all deliberations and resolutions.

22.2 Objective Record-keeping: Minutes shall objectively encapsulate Board decisions and actions, avoiding subjective commentary.

22.3 Amendments to Minutes: Adjustments to the minutes necessitate a Board majority approval.

22.4 Ratification of Minutes: Subsequent Board gatherings shall formally approve prior meeting minutes.

22.5 Finalization: Approved minutes shall bear the signatures of the Board Chair and the Executive Director, validating their accuracy and completion.

## **23. Transparency and Confidentiality in Meetings**

23.1 Open Meetings Principle: Board meetings shall remain accessible to the public, barring exceptions outlined in subsections 23.3 and 23.4 due to the sensitive nature of discussed topics.

23.2 Digital Engagement:

- The commencement of each meeting shall include a disclosure regarding livestreaming/video recording.
- Delegates and presenters shall be notified beforehand of livestreaming for transparent public access.
- Recorded meeting archives will be accessible post-meeting, without constituting the official meeting record, which remains the approved minutes.

23.3 Closed Meeting Criteria: The Board may conduct closed sessions when discussing:

- Confidential matters under the Act.
- Issues where public disclosure could compromise investigations, security or privacy.
- Delicate personal, financial, or other sensitive subjects where confidentiality outweighs public disclosure benefits.



#### 23.4 Specific In-Camera Topics:

- Identifiable individual personal matters.
- Employee negotiations or labor relations.
- Potential litigation or legal advice requiring solicitor-client privilege.
- Any other legislated reasons for privacy or security.

23.5 Restricted Attendance: Only Board Members and specifically authorized individuals may attend closed sessions, ensuring confidentiality and integrity.

#### **24 Authority/Legislative Reference**

Community Safety and Policing Act, 2019

Municipal Freedom of Information and Protection of Privacy Act