

Codiac Regional Policing Authority

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Category: Values and Ethics
Subject: Code of Conduct for CRPA Members
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Framework

Police Act

Under s. 1.1(1) of the *Police Act*, the Minister of Justice and Public Safety shall (a) promote the preservation of peace, the prevention of crime, the efficiency of police services and the development of effective policing, and (b) coordinate the work and efforts of police forces and the RCMP within the Province.

Section 1.1(2) of the *Act* provides that the Minister may provide to boards, councils, police forces, a regional policing authority and the RCMP:

- (i) information and advice respecting the management and operation of police forces and the RCMP in handling special problems, and
- (ii) such other information as the Minister considers to be of assistance.

Finally, Section 1.1 (3) provides that subject to the *Act* and regulations, the Minister may issue guidelines and directives to any police force within the Province for the attainment of the purposes in s. 1.1(1) above.

Governance Guidelines

In 2011, the Department of Public Safety issued the Police Governance and Oversight in New Brunswick Policy Guidelines (“Governance Guidelines”). These Guidelines apply to a regional policing authority, as well as to other models of police governance in use in New Brunswick. The Guidelines suggest the following Code of Conduct for police governance and oversight bodies:

“The proper conduct of policing and its oversight must exemplify impartiality and professionalism while being fully cognizant of the need to understand, apply, and support community safety needs.

Accordingly, it is the responsibility of members of the Board to abide by a code of conduct that underscores these ideals while maintaining a high degree of public trust in the stewardship of a community-oriented police force.

Effective governance by the Board is achieved by Board members fulfilling their roles and responsibilities with the highest standards of conduct. Members will perform their duties in a manner that will instill public confidence in the abilities and integrity of the Board. Board members are committed to the following Board Members' Code of Conduct.

Board members will:

1. Sign, upon appointment to the Board and on an annual basis thereafter, a copy of the Code of Conduct acknowledging that they received and understood it. Board members will return the signed Code of Conduct to the Executive Secretary of the Board for safekeeping.
2. Attend all Board meetings, unless they have a reasonable excuse not to attend, and contribute expertise and experience to the best of their ability so that the quality of governance is enhanced.
3. Not interfere with the Police Force's operational decisions and responsibilities or with the day-to-day operations of the police force, including the selection and promotion of officers.
4. Keep informed about the policies, general business and affairs of the police force and enhance their capabilities as Board members by participating in Board training events and, where possible, other outside training opportunities such as any training that may be provided.
5. Keep confidential any information, documents and matters disclosed or discussed at a meeting of the Board, or part of a meeting of the Board, that was closed to the public, as required by the oath of office.
6. Adhere to all policies adopted by the Board.
7. Not claim to speak on behalf of the Board unless authorized by the chair of the Board to do so. The chair will be the spokesperson for the Board.
8. Make it clear that he or she is expressing a personal opinion when publicly disagreeing with a decision of the Board that was made during a public meeting.
9. Discharge their duties loyally, faithfully, impartially, and in accordance with the requirements, obligations, and responsibilities set out in the *Police Act*, and any other applicable Act, regulation, rule or by-law.
10. Uphold the letter and spirit of the Code of Conduct and discharge their duties in a manner that will inspire confidence in the abilities and integrity of the Board and the Police Force.
11. Discharge their duties in a manner that respects the dignity and rights of individuals and in accordance with the New Brunswick *Human Rights Act* and the *Canadian Charter of Rights and Freedoms*.
12. Not use their position inappropriately to advance their interests or the interests of any person or organization with whom or with which they are associated.
13. Avoid any conflict of interest which may bring the governance of policing or the impartiality of the Board into disrepute. Declare any potential or perceived conflict of interest, which will then be recorded in the minutes of the Board.

14. Immediately resign from the Board if applying for any type of employment with the police force governed by the Board, including employment on contract or fee for service.
15. Demonstrate commitment to the principles of good governance and accountability to the community.
16. After cessation of membership with the Board, respect the Code of Conduct and abide by ethical standards of a Board member. The confidentiality of Board information must remain confidential in perpetuity.
17. Notify the Board as a whole if they learn of a possible breach of the Code of Conduct by another Board member.
18. If the Board is of the opinion that a complaint about a Board member's conduct should be investigated, it will (i) conduct an informal investigation into the member's conduct.
19. Following the completion of an investigation, if the Board determines that a Board member has breach the Code of Conduct, the Board must record that determination and outcome in its minutes. On determining that a Board member has breached the Code of Conduct, the Board may take one of the following actions: (i) counsel and/or reprimand the member in writing, (ii) request resignation, or (iii) recommend to the Minister of Public Safety or the council that the Board member be dismissed under s. 7(9) of the *Police Act*.
20. If their conduct of performance is the subject of an investigation, temporarily withdraw from all Board activities and duties as a member of the Board until the completion of the investigation.

Policy

The oversight of policing in a democratic society must exemplify impartiality, professionalism and a deep understanding of community safety and security needs. Accordingly, it is the responsibility of the members of the Codiac Regional Policing Authority (CRP Authority) to abide by a code of conduct that underscores these ideals while maintaining a high degree of public trust in the stewardship of a community-oriented police force.

CRP Authority members will fulfill their roles and responsibilities with the highest standards of conduct and perform their duties in a manner that will instill public confidence in the abilities and integrity of the Authority.

CRP Authority members will abide by the following CRP Authority Members' *Code of Conduct*.

CRP Authority members will:

A. General Expectations

1. Sign, upon appointment to the Authority and on an annual basis thereafter, a copy of the Code of Conduct acknowledging that they received and understood it. CRP Authority members will return the signed Code of Conduct

- to the CRP Authority Chair for safekeeping.
2. Be guided by the CRP Authority's Mission, Vision and governance philosophies/principles.
 3. Govern their conduct in accordance with the requirements, obligations and responsibilities set out in the Police Act, the Municipal Agreement establishing the Authority, the Regional Police Service Agreement between the Authority and the Government of Canada, and the CRP Authority Procedural By-law.
 4. Meet the expectations of CRP Authority Members set out in Policy G-1110 – Position Description - CRPA Member.
 5. Abide by the oath of office of a CRP Authority member.
 6. Make decisions in the best interests of the CRP Authority looking at issues from a broad regional perspective vs. a narrow constituency perspective.
 7. Demonstrate commitment to the principles of good governance and accountability to the community and to the municipal funding partners.
 8. Strive to enhance the integrity of the CRP Authority and to encourage public trust in the stewardship of policing.
 9. Be familiar with and adhere to all policies adopted by the CRP Authority.
 10. Uphold the letter and spirit of the Code of Conduct and discharge their duties in a manner that will inspire public confidence in the abilities and integrity of the CRP Authority and the Regional Police Service.
 11. Discharge their duties in a manner that respects the dignity and rights of individuals and in accordance with the Canadian Charter of Rights and Freedoms, human rights legislation and the *Right to Information and Protection of Privacy Act*. Other CRP Authority members should be accorded the same respect.
 12. Not assume that any unethical activities not covered by or specifically referenced herein, or by legislation, are condoned. If in doubt about any actions they may be contemplating, Board members are encouraged to seek advice from the Chairperson.

B. Relationship with the CRPS

13. Not interfere with the Codiac Regional Police Service's (CRPS) operational decisions and responsibilities or with their day-to-day operations, including but not limited to specific investigations or prosecutions and the selection and promotion of officers.
14. Respect that individual CRP Authority Members have no direct authority over members of the CRPS. All authority of the CRP Authority flows through the approved motions of the Authority as set out in the approved Minutes of the CRP Authority.

C. Board Meetings and Working within the CRP Authority

15. Attend all CRP Authority meetings and contribute expertise and experience to the best of their ability, unless they have a reasonable excuse not to attend, and contribute expertise and experience to the best of their ability so that the

quality of governance is enhanced. Should a member be absent for three consecutive meetings without reasonable cause, the CRP Authority may recommend to the member's nominating body that the member's appointment be revoked.

16. Read all reports and background materials provided and attend meetings prepared to discuss items on the agenda.
17. When participating at meetings, focus discussion on issues related to strategy, policy, and results rather than issues related to day-to-day management and operations.
18. Notify the Chairperson of any anticipated absences or of the CRP Authority member's intentions to raise new or significant issues or information at a CRP Authority meeting.
19. Make decisions collectively with the other CRP Authority members and refrain from asserting individual influence over the CRP Authority or the personnel of the Regional Police Service.
20. Work with the other CRP Authority members so that the Authority functions as a unit.
21. Ensure they give CRP Authority matters their prompt and full attention by responding promptly to emails and phone calls from other CRP Authority members or the Authority's administrative personnel.
22. Acknowledge and understand that their annual remuneration and expenses, as well as their meeting attendance record will be published on the CRP Authority website.

D. Confidentiality

23. Respect the confidentiality of information and documents disclosed or regarding the police service, its staff, operations or administration that has not been disclosed or discussed at a regular public meeting of the CRP Authority.
24. Take care to avoid inadvertent breaches of confidentiality by minimizing note-taking during confidential meetings and presentations, minimizing retention of confidential documents or reports from meetings and safeguarding all electronic CRP Authority materials.
25. Maintain confidentiality obligations in perpetuity after leaving the CRP Authority.

E. Conflict of Interest

26. Abide by the CRP Authority's Conflict of Interest policy.

F. Acceptance of Gifts or Benefits

27. Refrain from, directly or indirectly, soliciting, accepting or receiving any fee, gift or other benefits or favours from any person or organization where these appear, or might appear, to have the potential of improperly influencing the member in the exercise of their responsibility as a member of the CRP

Authority.

28. Refrain from, directly or indirectly, giving gifts, benefits or favours to any person or organization where it would appear, or might appear, to have the potential of improperly influencing others in their dealings with the CRP Authority.
29. Declare, in writing, the receipt of all gifts and provide such declaration to the CRP Authority Chair for recording in the minutes at the next Board meeting.

G. Education and Development Opportunities

30. Keep informed of the policies, general business and affairs of the CRPS
31. Enhance their capabilities as CRP Authority members by participating in available training opportunities.

H. Communications

32. Not purport to speak on behalf of the CRP Authority, unless he/she is authorized by the CRP Authority to do so.
33. Refrain from speaking on behalf of the CRP Authority unless authorized to do so by the CRP Authority Chair, who is the spokesperson for the CRP Authority.
34. Support the outcomes of the CRP Authority's decision-making process even if he/she personally disagrees with the decision(s).

I. Post-Tenure Obligations

35. After the end of his/her tenure as a CRP Authority member, respect the Code of Conduct and abide by the ethical and confidentiality requirements of CRP Authority members.

J. Breaches of the Code

36. Notify the CRP Authority Chair if he/she learns of a possible breach of the Code of Conduct by another CRP Authority member. The Chair will attempt to determine the facts, informally or formally depending upon the nature of the alleged breach and will share the results of same with the CRP Authority. The CRP Authority Chair may see legal advice if required.
37. If there is a concern that the Chair may be in breach of the Code of Conduct, the matter will be referred to the Vice-Chair, in consultation with the Chair of the Governance Committee.
38. Following completion of an investigation, if the CRP Authority determines that a CRP Authority member has breached the Code of Conduct, the CRP Authority must record that determination and outcome in the minutes. On determining that a CRP Authority member has breached the Code of Conduct, the CRP Authority may take one of the following actions:
 - (a) Counsel or reprimand the CRP Authority member in writing
 - (b) Request resignation, or

(c) Recommend to the Minister of Public Safety or the applicable Municipal Council that the CRP Authority member be dismissed under s. 7(9) of the *Police Act*.

39. If their conduct or performance is the subject of an investigation, temporarily withdraw from all CRP Authority activities and duties as a member of the CRP Authority until the completion of the investigation.

Procedure:

1. The Chairperson must ensure that all new CRP Authority members sign the Code of Conduct for CRP Authority Members, complete and sign the Oath of Office for CRP Authority Members and sign the Conflict of Interest Policy for CRP Authority Members prior to attending their first meeting.
2. The Chairperson will ensure that all CRP Authority members re-read and sign the Code of Conduct and the Conflict of Interest Policy on an annual basis.
3. A signed copy of these documents will be kept in each CRP Authority Members' file maintained by the Executive Assistant to the CRP Authority.