

# Hamilton Police Services Board

## Complaints Process for Board Member Conduct

It is the policy of the Hamilton Police Services Board (the Board) that:

1. The Chair, or any member of the Board, will be required to bring forward all complaints about the conduct of the Chair or any other member of the Board to the entire Board, at a Board meeting, for review;
2. All complaints will be received in writing with the complainant's name and return address identified;
3. The Chair (or the Vice Chair in the Chair's absence or if the Chair is the subject of the complaint) will make a recommendation as to how the Board should review the complaint;
4. In reviewing the complaint, the Board will consider the following options:
  - a. the complaint is of a minor nature and the affected Board Member should be asked to provide a written response to the complaint;
  - b. the complaint is of such a significant nature that external legal counsel should be retained; or
  - c. the complaint is of a serious nature and the Board should request that the Ministry of Community Safety and Correctional Services ("the Ministry") conduct an investigation into the member's conduct; or request that the Ontario Civilian Police Commission ("OCPC") conduct an investigation into the member's conduct under s. 25 of the *Police Services Act*.
5. The affected Board Member will be permitted to provide a written response to the Board regarding the allegations contained in the complaint;
6. The Board shall treat the complaint as a personal matter about an identifiable individual and will hold its review *in camera* and determine whether the affected Board Member should be present during the review;
7. Upon Board review of the complaint, the Board will, follow one of the following courses of action:

## Hamilton Police Services Board

- a. receive the complaint and take no action;
  - b. require the member to appear before the Board and be reprimanded (as per s.15 of the *Code of Conduct*); or
  - c. request the Ministry to conduct an investigation into the member's conduct or request that OCPC conduct an investigation into the member's conduct under s. 25 of the *Act*.
8. The Board will be aware of its duty of public accountability and provide a public reporting of its review and any actions taken; and
9. That upon completion of a review of a complaint, the Chair (or Vice Chair if the Chair is the subject of the complaint) will be authorized to communicate the Board's decision to the complainant and affected Board Member. Furthermore, if required, the OCPC will be copied on this correspondence.

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Chair Fred Eisenberger