ONTARIO PROVINCIAL POLICE ORDERS © INTRODUCTION



0.1: INTRODUCTION TO POLICE ORDERS

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0.1.2: THE PROMISE OF THE OPP (VALUES AND ETHICS)

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As an organization, the OPP commits to working continually to earn the confidence of the citizens of and visitors to Ontario—a confidence that will not be taken for granted. The OPP fulfils this commitment by providing the best and most professional service possible, and by striving to build a culture of trust, and open and honest dialogue, with the communities it serves and among the people it employs. The organization commits to creating and sustaining a positive working environment in which every employee has equal opportunity to fulfil his/her potential within the profession.

Each OPP employee and volunteer appreciates the vital role he/she plays in protecting the fundamental rights of all people in Ontario. As such, each commits to always putting the interests of the public and the OPP's Vision and Mission before any personal and private interest, and to demonstrate pride in his/her profession and the OPP through personal conduct that reflects a belief in the following OPP values and ethics:

- professionalism;
- accountability;
- diversity;
- respect; and
- excellence.

Diversity Each employee shall:

- seek to understand different perspectives, cultures, lifestyles, creeds and apply that understanding to effect quality policing;
- identify candidates for recruitment to enhance the diversity of the OPP workforce reflective of the communities we serve;
- protect the rights of all people in an equitable and consistent manner;
- maintain an open mind; be impartial and non-judgmental; be aware of and manage his/her personal biases or attitudes, e.g. stereotypes;
- treat others as they would want to be treated: victims and accused (their families and communities), colleagues and staff, regardless of gender, race, ethnicity, ability, age, etc.; enable others to maintain his/her dignity even in the face of adversity;
- adjust the way he/she works (behave and communicate) by appropriately accommodating others' basic human rights; and
- respect the individual dignity and strengths of all people.

ONTARIO PROVINCIAL POLICE ORDERS © CHAPTER 2: LAW ENFORCEMENT

2.51: SUPERVISION—MEMBER

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2.51.1: PERFORMANCE MANAGEMENT PROGRAM

Probationary Constable Performance Evaluation

A coach officer shall complete all monthly performance reviews for a probationary constable assigned to them using information gathered during the evaluation month.

Evaluation Form

<u>Form PCS066P—Probationary Constable Performance Evaluation</u> is available on the OPP <u>CDB</u> intranet website.

Multiple Supervisors

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Where a <u>member</u> was supervised by more than one supervisor/coach officer during the evaluation period, the current supervisor, commenting on <u>Form PCS066P—Probationary Constable Performance Evaluation</u>, shall confer with such other supervisors/coaching members to ensure maximum evaluation input.

Evaluation Report Months Form PCS066P—Probationary Constable Performance Evaluation has a drop down box for *report month*. This indicates the number of months since the recruit's date of appointment. The first evaluation report (following Ontario Police College (OPC) Basic Constable Training) will therefore be the *fifth* month, second evaluation the *sixth* month, etc. The dates for the evaluations should correspond with the OPP date of appointment for the recruit, e.g., if the date of appointment is August 30th, then the *fifth* month evaluation will be due January 30th, the *sixth* month will be due February 28th, etc.

Disclosure of Evaluation The immediate supervisor shall meet with the probationary constable to review each evaluation prior to submission to the <u>detachment commander</u>. At the discretion of the supervisor, the coach officer shall also be present at the meeting.

Recommending Permanent Status All sub-categories in <u>Form PCS066P—Probationary Constable Performance Evaluation</u>, when recommending permanent status (usually the tenth month), shall have a specific example of work performance. It is important that there be sufficient documentation supporting the recommendation for permanency.

Examples for the Form PCS066P may be taken from any of the previous monthly evaluations.

Minimum Achievement

Probationary constables shall achieve *Meets Requirements* in all subcategories of the <u>Form PCS066P—Probationary Constable Performance Evaluation</u>, in order to be recommended for permanent status.

Review of Evaluation by Regional Commander The completed <u>Form PCS066P—Probationary Constable Performance</u> <u>Evaluation</u> shall be forwarded to the <u>regional commander</u>, where it shall be reviewed and appropriate comments added.

Member's Comments

Where the contents of the evaluation causes concern, the <u>member</u> who is the subject of the review may outline such concern by commenting on <u>Form PCS066P—Probationary Constable Performance Evaluation</u>.

Filing

A completed <u>Form PCS066P—Probationary Constable Performance</u> <u>Evaluation</u> shall be considered confidential and placed in the <u>employee</u>'s individual staff record.

June 2007

ONTARIO PROVINCIAL POLICE ORDERS © CHAPTER 2: LAW ENFORCEMENT



Annual Inquiry

An annual inquiry of the most appropriate police information systems including Canadian Police Information Centre (CPIC), Niche Records Management System (Niche RMS), or Provincial Automated Registration Information System (PARIS) shall be conducted on all members. The specifics obtained shall not be referenced on the member's staff personal file/document, including Form PCS066P—Probationary Constable Performance Evaluation.





6.4: HUMAN RESOURCES

Introduction



This area of Police Orders pertains to the personnel functions, policies and procedures of the OPP. It comprises such topics as staffing, personnel evaluations, selected employee benefits, personal counselling, employee records and separation procedures. In general, this topic area deals only with those matters most common to the personnel function, or in respect of which the OPP has specific or qualifying policies or procedures. Where a particular subject is not discussed, reference should be made to the respective employee agreement.

The procedures set out here are not intended to replace those contained in the Management Board of Cabinet (MBC) Directives and Guidelines or an employee agreement, but rather, to augment and facilitate the implementation of the procedures required by such manuals and agreements. Where a conflict of policy may arise, a decision shall be sought from the Commander, Career Development Bureau (CDB), as the circumstance may warrant.

An <u>employee</u> shall avoid any <u>conflict of interest</u> as detailed in Police Orders, Chapter 6, <u>Code of Conduct in the OPP.</u>

6.4.1: TOPIC RESPONSIBILITY

The Ministry of Community Safety and Correctional Services (MCSCS) Human Resources and OPP <u>CDB</u> provide personnel services to the OPP, and share general responsibility for this topic.

6.4.2: DUPLICATION MINIMIZATION

To minimize duplication of writing and reference, where policy on a particular subject as contained in the MBC Directives and Guidelines or the Ontario Public Service Employees Union (OPSEU) Collective Agreement or the Ontario Provincial Police Association (OPPA) Memorandum of Understanding (MOU) is acceptable in its published form to the OPP, such policy is integrated in this topic.

6.4.3: EXTRACTED REFERENCES

Where possible, material extracted from other sources will be used verbatim. However, inapplicable material may be deleted, specific OPP terminology substituted or the writing simplified, but the full intent of the extract will remain. The sequential arrangement of material is at OPP discretion, and may vary from that in the reference source. Numbering and structuring are in the Police Orders style, and common OPP terminology is used.

6.4.4: DOCUMENT DISTRIBUTION

Unless otherwise provided, a form or other document required to be submitted by this topic area shall be forwarded through normal channels.



6.4.5: UNIFORM RECRUITMENT

Introduction

The OPP is committed to being representative of the communities it serves and providing a welcoming and diverse work environment by hiring qualified candidates who:

- · have integrity:
- · are accountable:
- · are compassionate and fair;
- demonstrate courage, and
- engage in continuous learning.



e All OPP employees can supplement successful recruitment by:

- identifying qualified candidates;
- completing the <u>Employee Reference for OPP Candidate</u> and forwarding it to the <u>CDB</u>, Uniform Recruitment Section;
- · providing guidance/direction to potential/interested candidates; and
- communicating a positive image/message about unique and exciting career opportunities within the OPP.

OPP Recruitment Process

Constable Selection System

The OPP administers standardized testing for the selection of constables for policing in Ontario. The <u>Constable Selection System</u> (CSS) was developed by the <u>MCSCS</u> and is managed by the Ontario Association of Chiefs of Police (OACP). Candidates are awarded a Certificate of Results (COR) to recognize successful completion of the CSS testing. A <u>Registration Package</u> is available on the OPP Internet Website.

Application Process

The <u>OPP Application Package</u> is available on the OPP Internet Website for those candidates who have successfully obtained a valid COR. Stages of the application process include:

- pre-screening of OPP Application:
- interview:
- background Investigation;
- medical evaluation;
- psychological evaluation; and
- approval by a Final Review Board.

Website

All information pertaining to uniform recruitment can be found on the OPP Internet Website.

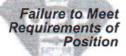
6.4: HUMAN RESOURCES

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6.4.8: PROBATIONARY CONSTABLE

Probationary Period

Pursuant to the <u>PSA</u>, each new probationary constable is appointed to the probationary staff by Management Board Secretariat (MBS) for a period not to exceed one year.



Where a probationary constable fails to meet the requirements of their position during the probationary period, they may be released from employment by their <u>bureau/regional commander</u> for failure to demonstrate the required competence.

Posting

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A probationary constable shall be posted only to a <u>detachment</u> or <u>RHQ</u> unit commanded by a <u>member</u> of at least sergeant rank. The following table sets out ratio guidelines for probationary constables to provincial constables:

PROVINCIAL CONSTABLES	PROBATIONARY CONSTABLES	PROVINCIAL CONSTABLES	PROBATIONARY CONSTABLES
6–9	1	37–43	6
10–16	2	44–49	7
17–23	3	50–56	8
24–29	4	57–63	9
30–36	5	64–70	10

The Provincial Commander, Field Operations may vary the guidelines where circumstances require.

Assignment

Daylight

Upon completion of eight weeks service at a <u>detachment</u>, a probationary constable may, subject to meeting requirements on the <u>Form PCS066P—Probationary Constable Performance Evaluation</u>, be permitted to work alone on patrol during daylight hours provided the <u>member</u>'s coach officer or another member on duty is readily available in the same patrol area.

Night Time

Upon completion of four months service at a <u>detachment</u>, a probationary constable may, subject to meeting requirements on the <u>Form PCS066P—Probationary Constable Performance Evaluation</u> (and cognizant of two member scheduling, in Police Orders, Chapter 2, <u>Community Patrol</u>) be permitted to work alone during hours of darkness provided the <u>member</u>'s coach officer or another member on duty is readily available in the same patrol area.

Variance

The <u>detachment commander</u>, on the advice of the coach officer and accountable supervisor, may waive the above requirements, where previous police experience is involved. Such approval shall be considered only on an



individual basis. The <u>regional commander</u> shall be notified of this decision on a <u>Form PCS066P—Probationary Constable Performance Evaluation</u>.

Recruit Field Training Program—Detach ment

The <u>detachment commander</u> is responsible for the success of the Recruit Field Training Program at the <u>detachment</u>. The accountable supervisor and coach officer have further responsibilities associated with the day-to-day coaching, development, and supervision of the probationary constable.

Responsibilities



An immediate supervisor shall:

- be responsible for the supervision of the Recruit Field Training Program and monitoring the coach officer and probationary constable as they progress through the Recruit Field Training Manual;
- ensure that a probationary constable is offered every opportunity to participate actively with their coach officer in all phases of <u>detachment</u> work;
- confer with the respective coach officer when commenting on the probationary constable's <u>Form PCS066P—Probationary Constable</u> <u>Performance Evaluation</u>; and
- ensure the continuing compatibility between the probationary constable and their coach officer. In instances where it becomes clear that an irresolvable conflict exists, the supervisor shall recommend to the detachment commander that the probationary constable be re-assigned to another coach officer forthwith.

Detachment Commander

A <u>detachment commander</u> is responsible for the overall development of each probationary constable and shall:

- select a coach officer utilizing the coach officer competency model;
- assign each probationary constable to a coach officer;
- where advised by an accountable supervisor that an irresolvable conflict exists between the probationary constable and their coach officer, reassign the probationary constable to another coach officer forthwith;
- ensure that duty schedules are arranged so the coach officer and probationary constable work corresponding shifts, where practical;
- ensure that the <u>Form PCS066P—Probationary Constable Performance</u> <u>Evaluation</u> is completed in accordance with the <u>Probationary Constable</u> <u>Guidelines</u>; and
- review, comment and forward <u>Form PCS066P—Probationary</u> <u>Constable Performance Evaluation</u> to the <u>regional commander</u> each month.

Supplemental Training

An <u>employee</u> in the <u>detachment</u> possessing specific skills/knowledge may be detailed to supplement the training given to a probationary constable, duty schedule permitting.

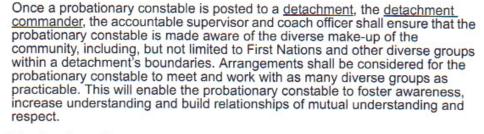
Review by Region

The <u>regional commander</u>, or designate, shall review/comment/distribute <u>Form PCS066P—Probationary Constable Performance Evaluation</u>. The original



copies shall be forwarded to <u>GHQ</u> to the attention of the Commander, <u>CDB</u>. Copies shall be retained at the <u>detachment</u> and region in a secure location.

Diversity Awareness





The duration of these assignments shall be for a reasonable period as determined by the <u>detachment commander</u> in consultation with the coach officer and must be completed before the probationary constable's ten-month evaluation.

Noted on PCS066

The coach officer shall indicate on <u>Form PCS066P—Probationary Constable Performance Evaluation</u> that this assignment has been completed.

Orientation to Provincial Communication Centre Once a probationary constable is posted to a <u>detachment</u>, the <u>detachment</u> <u>commander</u> and coach officer shall ensure that the probationary constable attends an orientation day at their respective Provincial Communication Centre (PCC). This will enable the probationary constable to gain first-hand experience in understanding the operations of the <u>PCC</u> and enhance their awareness of the complexity of the operator role and responsibilities.

Duration

The duration of this assignment shall be one shift and shall be completed before the probationary constable is recommended for permanency.

Noted on PCS066

The coach officer shall indicate on Form PCS066P—Probationary Constable Performance Evaluation that this assignment has been completed.

Guidelines

Guidelines for completing <u>Form PCS066P—Probationary Constable</u>
<u>Performance Evaluation</u> can be found on the <u>Career Development Bureau</u>
<u>Intranet Website</u> and in Police Orders, Performance Management
<u>Manual—Probationary Constable</u>.

Coach Officer

Selection

A <u>regional/detachment commander</u> shall, when recommending a <u>member</u> to perform the role of coach officer, consider whether that member:

- demonstrates the desire/willingness/ability to accept the responsibilities of a coach officer as listed in the Recruit Field Training Program and meets the required level for a coach officer in the competency model;
- possesses the desire/ability to transmit their knowledge to others;
- has an awareness of <u>detachment</u> objectives;
- understands OPP policy and relevant statute law;
- has a good reputation with other detachment members and within the community; and
- displays loyalty to the OPP and superior officers.

HUMAN RESOURCES: PROBATIONARY CONSTABLE: Page 3 of 4



Responsibility

The coach officer shall be responsible for:

- developing a plan of training suited to the probationary constable's needs, and <u>detachment</u> priorities, in accordance with the Recruit Field Training Program;
- completing a monthly Performance Evaluation Report on <u>Form PCS066P—Probationary Constable Performance Evaluation</u> for submission to the probationary constable's immediate supervisor and <u>detachment commander</u> at the end of each month; and
- ensuring the probationary constable is familiar with the OPP <u>Mission</u> <u>Statement</u> contained in Police Orders.



To qualify for certification of suitability, a probationary constable shall meet the following conditions:

- completion of not less than one year of meeting requirements as determined by <u>Form PCS066P—Probationary Constable Performance</u> <u>Evaluation</u>; and
- completion of the Ontario Police College's Constable Training Program with an average mark of 75 per cent or higher in each subject and awarded a certificate.

Appointment—Re gular Staff

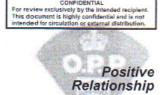
The appointment of a <u>member</u> to regular staff becomes effective one year from the date of appointment to probationary staff. This is effected through an order-in-council which is issued upon the submission of a certificate of qualification, which in turn is contingent upon a certification of suitability issued by the Commissioner.



6.10: PROFESSIONALISM IN THE OPP

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6.10.1: INTRODUCTION



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The conduct of an employee, both on and off duty, is scrutinized and applied to the OPP as a whole. The more professional the conduct, the higher the public's confidence and co-operation. Similarly, this generates greater personal pride in the employee and the OPP.

Positive relationships are essential to our business. Such relationships depend on mutual respect and understanding, appropriate attitudes and behaviours.

This policy outlines employee's and manager's responsibilities as they pertain to our conduct, our relationships with one another and the public, and the means by which we shall resolve complaints.

6.10.2: CONTEXT

Legal Context

An employee upholds public trust and provides the highest level of quality service consistent with their oath of allegiance and oath of secrecy as stated in the Public Service of Ontario Act (PSOA) and the Police Services Act (PSA), as applicable. The highest standard of professionalism in policing enhances our opportunity to maintain a positive workplace, protect human rights, prevent discrimination and harassment.

The right of every person to equal rights and opportunities, as a beneficiary of policing services and as an employee, is enshrined in federal and provincial law. The PSA directs police to safeguard rights guaranteed by both the Canadian Charter of Rights and Freedoms (Charter) and the Ontario Human Rights Code (Code).

More specifically, the Charter declares:

"Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law...".

The Code affirms:

"... it is public policy in Ontario to recognize the dignity and worth of every person and to provide equal rights and opportunities without discrimination".

Regulations made under the PSA define a code of conduct for every police officer.

Policy Context

Professionalism in policing is also supported by Ontario Public Service (OPS) policies which apply to every OPP employee and with which every OPP employee shall be familiar. These policies aim to:

- avoid situations where an employee's private interests may be incompatible or in conflict with their public service responsibilities (Conflict of Interest and Post-Service Directive);
- prevent workplace discrimination and harassment (Workplace Discrimination and Harassment Prevention (WDHP) Policy);

PROFESSIONALISM IN THE OPP: INTRODUCTION: Page 1 of 26



- make human resource decisions based on merit (<u>Equal Opportunity</u> <u>Operating Policy</u>);
- identify, eliminate and prevent every employment barrier (<u>Equal</u> Opportunity Operating Policy); and
- provide employment accommodation for people with disabilities (Employment Accommodation for People with Disabilities Operating Policy).

6.10.3: ACCOUNTABILITY

Employee

Each employee should regard the discharge of duties as a public trust and recognize their responsibilities as a public servant (refer to the OPS
Accountability Directive for more information). In carrying out duties, an employee is accountable for:

Professional Ethics

- · promoting a positive professional image;
- serving with honesty and integrity, in a manner that places public interest above personal interests;
- behaving above reproach both on and off duty and not bringing discredit upon the reputation of the OPP;
- maintaining their composure in a trying situation, and refraining from using profane, abusive or insulting language;
- respecting the dignity of the OPP and its uniform:
- treating the public and employees in an impartial manner, in administering a program and service and responding to a problem;
- refraining from discrimination and harassment, including an offensive remark or any other action, both in the workplace and during service delivery;
- refraining from <u>illegal profiling</u>;
- demonstrating courage in confronting others when behaviour, policies or practices are inconsistent with human rights laws and the OPP's espoused ethics, values and policies;

FIPPA

 providing full disclosure of publicly accessible information while respecting statutory, e.g. <u>Freedom of Information and Protection of Privacy Act</u> (FIPPA), regulatory or administrative rules governing confidentiality and the protection of privacy;

Conflict Of Interest

 promptly bringing to the attention of their manager/supervisor any real, perceived or potential conflict of interest as described in the Code of Conduct in the OPP.

Manager/ Supervisor

A manager/supervisor is accountable for promoting the highest standards of conduct possible within the OPP by:

Positive Workplace

- being a leader who creates and maintains a positive working environment free of discrimination and harassment and prevents unacceptable behaviour from occurring;
- ensuring each employee knows that discrimination and harassment are not tolerated;

PROFESSIONALISM IN THE OPP: ACCOUNTABILITY: Page 2 of 26



- ensuring each employee knows that <u>illegal profiling</u> is not tolerated;
- creating a forum for staff to discuss ethical issues and dilemmas, encouraging people to bring issues forward and acting on those issues;
- helping each employee recognize and speak out appropriately against inappropriate behaviour;
- proactively monitoring the workplace to identify and address any potential issue;
- acting quickly, appropriately and objectively to resolve conflict and stop unacceptable behaviour as soon as possible upon becoming aware of it, i.e. not waiting to receive a complaint, so unacceptable behaviour will not escalate or be perceived to be condoned;
- restoring or improving a positive workplace relationship when an allegation, policy violation and/or their investigation have disrupted these relationships;

Performance Management

- treating people fairly, with dignity and respect, and ensuring all workplace practices allow each employee an equal opportunity to participate;
- clarifying expectations regarding performance and behaviour in the workplace and holding each employee accountable for both;
- developing the knowledge and skills of every employee;
- providing ongoing, honest and constructive performance feedback;
- · recognizing noteworthy performance;

Conflict Of Interest

 taking the appropriate action on a real, perceived or potential conflict of interest as described in the Code of Conduct for the OPP;

More Information

- contacting the <u>WDHP Information and Referral Service</u>; and
- referring to Workplace Discrimination and Harassment Prevention in the <u>OPS: A Manager's Guide</u> and to the OPP <u>Focus on Professionalism</u> web site for more information.

6.10.4: PREVENTING DISCRIMINATION & HARASSMENT

Provider of Policing Service

As a provider of a policing service to the public, the OPP strives to:

- provide the best possible service in a fair and equitable manner to every community and individual within its jurisdiction; and
- maintain a respectful and co-operative relationship with all communities, valuing their diversity, and thereby fostering the kind of community support that is essential to effective policing.

Employer

As an employer, the OPP strives to:

 implement fair and equitable employment practices for everyone's benefit;

PROFESSIONALISM IN THE OPP: PREVENTING DISCRIMINATION & HARASSMENT: Page 3 of 26



- support a positive and respectful workplace that is free from discrimination and harassment:
- undertake a range of preventative measures, especially communicating with every employee about this policy and the general effect of discrimination and harassment; and
- prevent, identify and correct actions of one employee towards another that, left unchecked, would result in employment-related discrimination and harassment.



Commitment

As both a provider of a policing service and as an employer, the OPP is committed to:

- zero tolerance of discrimination and harassment, i.e. appropriate action will be taken to address any incidence of discrimination or harassment;
- appropriate proactive, prevention-oriented and cost-effective service;
- alternate dispute resolution process; and
- resolution of discrimination and harassment, as soon as possible, and in a way that least disrupts ongoing working relationships.

6.10.5: COMPLAINT PROCESS

The Commander, Professional Standards Bureau (PSB) shall be responsible for the administration and monitoring of the complaint process. The process is now a single system incorporating both public complaint and internal complaint investigations. The change results from the 1997 amendments to the PSA, eliminating a separate public complaints system.

The Investigation Section of PSB is responsible for conducting and overseeing complaint investigations to ensure fairness and consistency of treatment to the public, our employees and the OPP. In addition, the Section conducts or oversees investigations into complaints of "workplace harassment" and violations of the Ontario Human Rights Code.

The Commander, PSB, shall conduct a yearly analytical review of all complaints to identify areas of concern to the Commissioner.

Internal Complaint

This policy concerning an internal complaint applies to all employment-related Application complaints, including a WDHP complaint and a complaint involving an auxiliary

member or volunteer. All employees are encouraged to determine the nature of the concern and to answer any questions or resolve the concern if appropriate.

This policy also applies to a complainant who is a former employee, auxiliary Former Employee member or volunteer, generally within six months of separation from the OPP.

PROFESSIONALISM IN THE OPP: COMPLAINT PROCESS: Page 4 of 26



- support a positive and respectful workplace that is free from discrimination and harassment;
- undertake a range of preventative measures, especially communicating with every employee about this policy and the general effect of discrimination and harassment; and
- prevent, identify and correct actions of one employee towards another that, left unchecked, would result in employment-related discrimination and harassment.



Commitment

Note: for definitions and prohibited conduct and grounds of employment-related discrimination and harassment, refer to Workplace Discrimination and Harassment Prevention (WDHP)

Policy or Workplace Discrimination and Harassment Prevention in the OPS: A Manager's Guide.

As both a provider of a policing service and as an employer, the OPP is committed to:

- zero tolerance of discrimination and harassment, i.e. appropriate action will be taken to address any incidence of discrimination or harassment;
- appropriate proactive, prevention-oriented and cost-effective service;
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The Commander, PSB, shall conduct a yearly analytical review of all complaints to identify areas of concern to the Commissioner.

Internal Complaint

Application

This policy concerning an <u>internal complaint</u> applies to all employment-related complaints, including a WDHP complaint and a complaint involving an auxiliary member or volunteer. All employees are encouraged to determine the nature of the concern and to answer any questions or resolve the concern if appropriate.

Former Employee

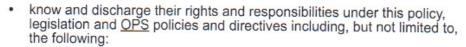
This policy also applies to a complainant who is a former employee, auxiliary member or volunteer, generally within six months of separation from the OPP.

PROFESSIONALISM IN THE OPP: COMPLAINT PROCESS: Page 4 of 26



Responsibilities

Employee An employee shall:





- PSA and regulations;
- Accountability Directive;
- Equal Opportunity Operating Policy;
- (Workplace Discrimination and Harassment Prevention (WDHP) Policy);
- Employment Accommodation for People with Disabilities Operating Policy;
- Conflict of Interest and Post-Service Directive; and

In addition to the above, an employee, auxiliary member or volunteer is encouraged to:

- let the alleged offender know about the unwelcome conduct or action and its impact;
- quickly notify the first level of management not involved in the complaint, i.e. free of bias and conflict of interest, about allegations; and
- make use of resources which provide neutral and confidential information about this policy and resolution options, e.g. the <u>WDHP</u> <u>Information and Referral Services</u>.

Manager/Supervisor A manager/supervisor shall:

- ensure that the workplace is free from discrimination and harassment, including clarifying the types of workplace behaviour expected under this policy;
- ensure that everyone under their command:
 - knows and discharges their rights and responsibilities under this
 policy, legislation and OPS policies and directives; and
 - knows about resources which provide neutral and confidential information about this policy and <u>resolution options</u>;
- upon becoming aware of a potential inappropriate workplace behaviour, engage in preliminary fact-finding and assessment about the nature of the issue in order to determine next steps;
- declare a potential conflict of interest where the manager is, or may be perceived to be, either condoning or directly involved with an allegation (in such a case, another manager must take over responsibilities associated with a resolution);



PROFESSIONALISM IN THE OPP: COMPLAINT PROCESS: Page 6 of 26



- determine which resolution option is best suited to effectively resolve the complaint/issue by considering the needs, interests and goals of the parties and the nature, severity and complexity of the issue;
- initiate the appropriate resolution option, in consultation with the appropriate resources as needed;
- advise everyone under their command not to threaten or retaliate against any complainant, respondent or witness to a complaint; and
- for a WDHP complaint resolved at any stage:
 - complete the WDHP Incident/Complaint Tracking Form; and
 - forward the form in a confidential envelope to the Commander. Career Development Bureau (CDB) who shall forward quarterly reports to the Ministry of Public Safety and Security, Human Resources Branch, Attention: Policy/Program Advisor, WDHP.



The OPP will make available resources that can provide neutral and confidential information about this policy and resolution options, e.g. the WDHP Information and Referral Service.

Employees Lodging Complaints

Where any OPP employee wishes to lodge a complaint concerning the conduct of another OPP employee they shall submit a memorandum outlining the specifics of the complaint through their immediate supervisor. Upon receipt, the supervisor shall consult with the detachment commander and the detachment commander shall forward the complaint to the Commander, PSB as an internal complaint.

If circumstances are such that this process is not appropriate for the employee. particularly in cases where the respondent of the complaint is the complainant's immediate supervisor or detachment commander, the complaint may be forwarded directly to the respective sergeant major.

Professional Standards Bureau Notification

A manager/supervisor shall immediately notify the Professional Standards Bureau (PSB) sergeant major where an allegation:

- involves comments or conduct that may constitute a criminal act; or
- could lead to discipline if substantiated.

Manager/Supervisor

A manager/supervisor shall ensure that:

- a criminal allegation is dealt with in the normal manner;
- duty reports are not requested until PSB has been contacted;
- witness(es) are not interviewed, except as necessary regarding shortlived evidence, or after discussion with PSB:
- every reasonable step is taken to secure and preserve evidence that might otherwise be lost:
- every reasonable step is taken to gather background information and evidence that the complainant can provide, for example, copies of photographs and witness statements;



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- any OPP record that relates to the event is collected including: copies of notebook entries, occurrence reports, traffic reports, <u>PCC</u> tapes, in-car video tapes, and any other relevant information;
- the complainant and respondent are advised that <u>PSB</u> is being consulted; and
- once PSB has been notified, the complaint investigation will not be continued without the approval of PSB.

Direct Management Action

A manager/supervisor shall:

- address issues personally and directly by:
 - calling attention to the event, indicating it is unacceptable behaviour;
 - taking action to ensure unacceptable behaviour is modified;
 - following-up to ensure unacceptable behaviour is not repeated; and
 - informing and educating employees about unacceptable behaviour;
- if at all unclear about how to proceed, consult resources that can provide neutral and confidential information about this policy and resolution options, in order to avoid prejudging a situation or inadvertently making things worse;
- ensure that all employees know the ways in which workplace complaints can be resolved and of their right to be accompanied by another person when attending a discussion related to this policy (any costs incurred in exercising this right will be at the employee's own expense);
- practice progressive discipline, as required; and
- · document the incident, including the resolution action taken.

Time frame

Unless the situation warrants immediate referral for formal alternate dispute resolution or investigation, a manager/supervisor shall attempt to resolve complaints within *four* weeks of becoming aware of an issue. While every effort must be made to comply with this time frame, failure to do so does not void the process.

Alternative Dispute Resolution

When applying the <u>alternative dispute resolution</u> option, a manager/supervisor shall:

- encourage and support parties to resolve issues and conflict cooperatively, voluntarily and on their own, if possible, but shall still follow up and reinforce positive resolutions/behaviour; or
- mediate a resolution with the parties, where the issue is not of a complex or serious nature.

Manager, Alternative Dispute Resolution, HRB A manager/supervisor considering mediation may consult with the Manager, Alternative Dispute Resolution—<u>HRB</u> or refer to <u>Workplace Discrimination and Harassment Prevention in the OPS: A Manager's Guide.</u>

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