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RECEIVED

MAY 06 2009

**PROBATIONARY CONSTABLE
WORK IMPROVEMENT PLAN**

ONTARIO PROVINCIAL POLICE
RECEIVED
APR 28 2009
MAIL LOG # 7715
PETERBOROUGH DISTRICT
CENTRAL REGION OFFICE

This plan is designed to assist the supervisor in addressing employee performance problems. The objective of this plan is to correct identified work performance deficiencies or behaviour problems in order to elicit an acceptable level of work performance and meet the requirements for Probationary Constable.

This plan will be initiated when the PCS 066P indicates:

- DOES NOT MEET REQUIREMENTS in any category, or
- NO BASIS FOR RATING for the same category for two consecutive months.

Note: Career Development Bureau shall be consulted regarding any evaluation for which a WORK IMPROVEMENT PLAN has been implemented.

Probationary Constable: Badge:	M. JACK 12690	Accountable Supervisor: Badge:	R FLINDALL
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**DESCRIPTION OF DEFICIENCIES THAT REQUIRE IMPROVEMENT
TO "MEET" WORK PERFORMANCE STANDARDS**

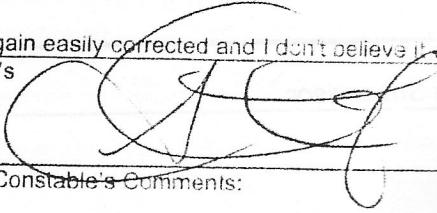
Radio Communications - PC JACK is fairly familiar with 10 codes however his phonetic alphabet has been lacking. This needs to be brought up to standard.

Clearing calls effectively is important. PC JACK needs to be clear and concise in order to ensure the summary is easily read on niche.

Coach Officer's Comments:

This task is again easily corrected and I don't believe it will be an issue on the next evaluation

Coach Officer's Signature:



Date:

15 APR 09

Probationary Constable's Comments:

Probationary Constable's Signature:



Date:

**ACTIONS/STEPS TAKEN
TO CORRECT PERFORMANCE DEFICIENCIES:
(specify time frame to compete)
To be completed by Accountable Supervisor**

- Learn phonetic alphabet
- Review Niche to see how other officers clear calls
- Pay attention to the radio when officers are clearing calls to gain this experience.

Comments mandatory at all levels

Accountable Supervisor's Comments:

**PROBATIONARY CONSTABLE
WORK IMPROVEMENT PLAN**

PC FILMAN and I will be actively monitoring PC JACK's usage and will provide constructive assistance to PC JACK when it is deemed necessary.	
Accountable Supervisor's Signature: <i>[Signature]</i>	Date: 15 Apr 09
Probationary Constable's Signature: <i>[Signature]</i>	Date: 26-APR-09
Detachment Commander's Comments: issues related to the members performance appear to be minor in nature. I expect Cst Jack & his Const and supervisor to work on his time management skills	
Detachment Commander's Signature: <i>[Signature]</i> M.R.J. Campbell SIG# 6385	Date: 27 APR 09
Regional Commander's (or designate) Comments: Progress in standards and learning calls to be maintained	
Regional Commander's (or designate) Signature: <i>[Signature]</i>	Date: 11 MAY 09
<div style="border: 1px solid black; padding: 5px; display: inline-block;"> Insp. Dave E. Lee Manager Staff Development and Training </div>	

RESULTS ACHIEVED
<i>To be completed by Accountable Supervisor</i>

Standards "met" have been indicated in the RESULTS ACHIEVED area. Standards that have not been "met" will continue to be documented in the next month's improvement plan.

Probationary Constable's Signature:	Date:
Accountable Supervisor's Signature:	Date:
Detachment Commander's Comments (mandatory)	
Detachment Commander's Signature:	Date:

**PROBATIONARY CONSTABLE
WORK IMPROVEMENT PLAN**

Regional Commander's (or designate) Comments:

Regional Commander's (or designate)
Signature:

Date:

**DESCRIPTION OF DEFICIENCIES THAT REQUIRE IMPROVEMENT
TO "MEET" WORK PERFORMANCE STANDARDS**

Flexibility - This is the worker at the detachment who is consistently necessary to be working on their own time at a time, however, when an officer is at the detachment, there is a call on to assist a work in or answer the phone.

Co-workers have brought concern that the worker has been ignored or when the shift is involved in a group effort, that task may be neglected. As the worker is involved in a group effort, there are tasks that need to be addressed and others.

Noted.

Teamwork - The worker is not always willing to help others in the detachment.

Communication - The worker is not always clear in their communication with others.

Attendance - The worker is not always present for work.

Supervisor's Signature: *[Signature]*
Date: 12 May 08

Probationary Constable's Signature: *[Signature]*
Date:

**TO CORRECT PERFORMANCE DEFICIENCIES
(Specify time frame to complete)**

To be completed by: *[Signature]*
Date: *[Date]*

Ontario
Provincial
Police

MAY 06 2009

#1318

**PROBATIONARY CONSTABLE
WORK IMPROVEMENT PLAN**

ONTARIO PROVINCIAL POLICE
RECEIVED
APR 28 2009
MAIL LOG # 7715
DETACHMENT

File: 291

This plan is designed to assist the Probationary Constable in addressing employee performance deficiencies or behaviour problems in order to elicit an acceptable level of work performance and meet the requirements for Probationary Constable. This plan will be initiated when the PCS 066P indicates:

- DOES NOT MEET REQUIREMENTS in any category, or
- NO BASIS FOR RATING for the same category for two consecutive months.

Note: Career Development Bureau shall be consulted regarding any evaluation for which a WORK IMPROVEMENT PLAN has been implemented.

Probationary Constable: Badge:	M. JACK 12690	Accountable Supervisor: Badge:	R FLINDALL
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**DESCRIPTION OF DEFICIENCIES THAT REQUIRE IMPROVEMENT
TO "MEET" WORK PERFORMANCE STANDARDS**

Flexability - Due to the workload at this detachment it is constantly necessary to be working on more than one event at a time. As well, when an officer is at the detachment, he/she may be called on to assist a walk in or answer the phone.
Co-workers have brought concern that the phone or the door has been ignored or when the shift is involved in a group effort (cruiser checks), that task may be avoided. As this job always requires a group effort these issues need to be addressed and satisfied.

Coach Officer's Comments:

This is a managable task. It is understandable that this job can be overwhelming at times, but in a team atmosphere it is important that everyone contribute equally. If an issue is of a less important nature it is important to join in on group efforts, and as well, make the job easier for each other by answering the phone or attending to the door as required.

Coach Officer's
Signature:

Date:

15 APR 09

Probationary Constable's Comments:

Probationary Constable's
Signature:

Date:

**ACTIONS/STEPS TAKEN
TO CORRECT PERFORMANCE DEFICIENCIES:
(specify time frame to compete)**

To be completed by Accountable Supervisor

- Be aware of calls for service in our zones and be flexible in taking more than one call when other officers are doing the same.
- Be aware of the phone it really shouldn't ring more that three times.
- Be aware of the door buzzer and always go to the door if it buzzes even though someone may beat you to it.

PROBATIONARY CONSTABLE WORK IMPROVEMENT PLAN

Comments mandatory at all levels

Accountable Supervisor's Comments:	
It is not uncommon for a new officer to find the workload overwhelming, and in particular at this busy detachment. As PC JACK becomes more comfortable with policing and his experience grows, I expect this will no longer be an issue. PC FILMAN and his fellow shiftmates will monitor this and report back to me.	
Accountable Supervisor's Signature: <i>Robert Filman</i>	Date: 15 APR 09
Probationary Constable's Signature: <i>Man</i>	Date: 26 APR 09
Detachment Commander's Comments:	
DESCRIPTION OF DEFICIENCIES THAT REQUIRE CORRECTIVE ACTION TO MEET WORK PERFORMANCE STANDARDS	
Detachment Commander's Signature:	Date:
Regional Commander's (or designate) Comments:	
<i>Noted.</i>	
Regional Commander's (or designate) Signature: <i>David Lee</i>	Date: 11 MAY 09

RESULTS ACHIEVED <i>To be completed by Accountable Supervisor</i>	

Standards "met" have been indicated in the RESULTS ACHIEVED area. Standards that have not been "met" will continue to be documented in the next month's improvement plan.

Probationary Constable's Signature:	Date:
Accountable Supervisor's Signature:	Date:
Detachment Commander's Comments (mandatory):	

**PROBATIONARY CONSTABLE
WORK IMPROVEMENT PLAN**

Detachment Commander's Signature:	Date:
Regional Commander's (or designate) Comments:	
Regional Commander's (or designate) Signature:	Date:

Coach Officer: _____
Supervisor: _____

**DESCRIPTION OF DEFICIENCIES THAT REQUIRE IMPROVEMENT
TO "MIST" WORK PERFORMANCE STANDARDS**

Flexibility - Due to the workload at this detachment it is necessary to be working on more than one event at a time. When an officer is at this detachment, he/she may be called on to assist a work in progress.

Co-workers have brought concern that the phone or the door has been ignored or closed (check), that task may be assigned. As this job always requires a second person to assist in the task.

Coach Officer's Comments: _____

This is understandable that this job can be overwhelming at times, but everyone contribute equally. It is of a less important nature it is important to join in on group efforts, and as well, make the job easier for each other by answering the phone or standing by the door as required.

Coach Officer's Signature: _____ Date: 15 APR 02

To be completed by Accountable Supervisor

Probationary Constable's Comments: _____

Probationary Constable's Signature: _____ Date: _____

TO CORRECT PERFORMANCE DEFICIENCIES

(specify time frame to complete)

To be completed by Accountable Supervisor

Be aware of calls for assistance in our zone and not only respond but also when other officers are ready to respond to the phone it should be answered. It is also important to be aware of the phone or the door to be answered.

RECEIVED

Ontario
Provincial
Police

MAY 06 2009 **PROBATIONARY CONSTABLE**
#13189 **WORK IMPROVEMENT PLAN**

ONTARIO PROVINCIAL POLICE RECEIVED
APR 28 2009
MAIL LOG # 7715
PETERBOROUGH COUNTY ATTACHMENT
File: 291

CENTRAL REGION ORILLIA

This plan is designed to assist the supervisor in addressing employee performance problems. The objective of this plan is to correct identified work performance deficiencies or behaviour problems in order to elicit an acceptable level of work performance and meet the requirements for Probationary Constable.

This plan will be initiated when the PCS 066P indicates:

- DOES NOT MEET REQUIREMENTS in any category, or
- NO BASIS FOR RATING for the same category for two consecutive months.

Note: Career Development Bureau shall be consulted regarding any evaluation for which a WORK IMPROVEMENT PLAN has been implemented.

Probationary Constable: Badge:	M. JACK 12690	Accountable Supervisor: Badge:	R FLINDALL
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DESCRIPTION OF DEFICIENCIES THAT REQUIRE IMPROVEMENT TO "MEET" WORK PERFORMANCE STANDARDS

Police vehicle operation - maintain safe operation of vehicle without any incidents. During this evaluation period PC JACK was involved in a motor vehicle collision with a cruiser.

Maintain acceptable speeds in appropriate zones - this includes driving too slow.

Coach Officer's Comments:

This is a managable task and little changes are needed. The main issue is PC JACK's cruiser collision. Also his driving speedss has been too slow at times and this can aggitate other drivers.

Coach Officer's Signature:

Date:

15 APR 09

Probationary Constable's Comments:

Probationary Constable's Signature:

Date:

ACTIONS/STEPS TAKEN TO CORRECT PERFORMANCE DEFICIENCIES:
(specify time frame to compete)
To be completed by Accountable Supervisor

Maintain reasonable patrol speeds.
Be aware of the roadway and the capabilities of a police cruiser in order to avoid collisions.

Comments mandatory at all levels

Accountable Supervisor's Comments:

**PROBATIONARY CONSTABLE
WORK IMPROVEMENT PLAN**

PC JACK has been spoken to about the importance of safe cruiser operations. PC JACK is also aware of OPP policy in relation to safe cruiser operations. PC FILMAN will be monitoring his driving capabilities over PC JACK's evaluation period and will be reporting directly to me of any deficiencies.

Accountable Supervisor's Signature: <i>[Signature]</i>	Date: 15 APR 09
Probationary Constable's Signature: <i>[Signature]</i>	Date: 26-APR-09
Detachment Commander's Comments: <i>I concur with the evaluation</i>	
Detachment Commander's Signature: <i>[Signature]</i> S/Sgt-6385	Date: 27 APR 09
Regional Commander's (or designate) Comments: <i>Noted</i>	
Regional Commander's (or designate) Signature: <i>[Signature]</i>	Date: 11 MAY 09

Insp. Dave E. Lee
 Manager
 Staff Development and Training

RESULTS ACHIEVED

To be completed by Accountable Supervisor

Standards "met" have been indicated in the **RESULTS ACHIEVED** area. Standards that have not been "met" will continue to be documented in the next month's improvement plan.

Probationary Constable's Signature:	Date:
Accountable Supervisor's Signature:	Date:
Detachment Commander's Comments (mandatory):	
Detachment Commander's Signature:	Date:

**PROBATIONARY CONSTABLE
WORK IMPROVEMENT PLAN**

Regional Commander's (or designate) Comments:	
Regional Commander's (or designate) Signature:	Date:

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Ontario
Provincial
Police

ONTARIO PROVINCIAL POLICE
RECEIVED
APR 28 2009
MAIL LOG # 7714
PETERBOROUGH COUNTY DETACHMENT

ENTRANCE

File: 291

PROBATIONARY CONSTABLE PERFORMANCE EVALUATION REPORT (PCS-066P)

ONTARIO PROVINCIAL POLICE
RECEIVED

Probationary Constable Category (select one):	<input checked="" type="checkbox"/> 4 th Class Constable, Probationary Status	Report Month: 2 MAY 06 2009
	<input type="checkbox"/> Experienced Officer	Report Month: select month # 13179
	<input type="checkbox"/> Amalgamated Officer	Report Month: select month

CENTRAL REGION ORILLIA

Surname:	Jack	Given Name:	Micheal
Badge:	12690	WIN:	
Detachment/Section:	Peterborough County	Region/Bureau	Central East
Evaluator:	Filman	Badge:	11212
Evaluation Period:	(DD/MM/YY) Start: 09 Jan 09	End:	09 Mar 09
Probationary Period Start Date*	(DD/MM/YY) 09 Jan 09		

**4th Class Constables begin their probation period on the date of their graduation from the Provincial Police Academy

** Experienced Officers and Amalgamated Officers begin their probationary period on their start date with the OPP

Coach Officers and Accountable Supervisors have responsibilities associated with the day-to-day coaching, development and supervision of the Probationary Constable utilizing the Recruit Field Training Manual.

All completed PCS 066P documents are to be sent to the Career Development Bureau after Regional Command comments and signatures are obtained.

Ontario Public Service (OPS) policy requires every OPS employee to have an annual Performance Development Plan (PDP) and Learning and Development Plan. The Probationary Constable Evaluation form, in conjunction with the Constable position description constitutes the PDP for OPP Constables while on probation. This form specifies the criteria by which the performance of Probationary Constables is evaluated and establishes the basis for recommending (or not) a change from probationary to permanent status.

The Recruit Field Training Manual is the generic Performance Evaluation Plan for Probationary Constables. It is supplemented with an individualized Work Improvement Plan when necessary to help a Probationary Constable satisfactorily meet all expectations set out in this form. The Coach Officer and Supervisors roles are essential to the Probationary Constable's success in obtaining permanent status.

PERFORMANCE ASSESSMENT

The Performance Assessment Criteria have been developed to provide a standardized rating for levels of performance. Probationary Constables must achieve "Meets Requirements" in all categories in order to be recommended for permanent status.

Meets Requirements	Performance consistently meets requirements.
Does Not Meet Requirements	Performance fails to meet requirements. (Mandatory that Work Improvement Plan be completed)
No Basis for Rating	Not demonstrated or observed. (Mandatory comment required)

JOB KNOWLEDGE & SKILLS	RATING
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<p>ATTITUDE TOWARDS LEARNING</p> <p>Able to re-evaluate personal opinions, judgments and assumptions based on new information and experiences; able to learn from mistakes and accept disappointments as well as successes.</p> <p>Specific example: PC JACK shows a very positive attitude towards learning. He was interested in reviewing the Niche manual and when one was not available he searched one out and in fact his efforts had the OPP intranet website updated with the manual.</p>	<p>Meets Requirements</p>
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<p>PROVINCIAL STATUTES</p> <p>Able to identify, articulate and process applicable elements in Provincial Statutes.</p> <p>Specific example: PC JACK has issued several Provincial offences notices for a variety of different offences. PC JACK has demonstrated no issues in identifying and processing the offences.</p> <p>PC JACK issued 24 speeding tickets 1 seatbelt ticket 1 headlight ticket 1 fail to display plate ticket</p>	<p>Meets Requirements</p>
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<p>FEDERAL STATUTES</p> <p>Able to identify, articulate and process applicable elements in Federal Statutes.</p> <p>Specific example: PC JACK responded to a harassment complaint SP09042962. PC JACK performed a thorough investigation and ultimately found that no grounds existed for a charge. PC JACK provided the complainants with advice that served to ease their concerns.</p>	<p>Meets Requirements</p>
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POLICE ORDERS/PROCEDURES/TECHNICAL SKILLS

Able to identify, locate, articulate and demonstrate applicable elements of Police Orders pertaining to policy, procedure, and guidelines. Able to utilize CPIC, E-mail, RMS Systems.

Meets Requirements

Specific example:

PC JACK has on his own time reviewed police orders and the Niche manual. He has made himself well versed in the use of these systems

POLICE VEHICLE OPERATION

Drives a motor vehicle in compliance with traffic laws in a safe and proficient manner. Employs appropriate pursuit and emergency driving strategies in compliance with policy. Able to multitask effectively.

Does Not Meet Requirements

Specific example:

PC JACK has demonstrated that he can operate the police vehicle in a safe manner, although he has not yet been tested in pursuit driving. He did receive a negative 233-10 for a minor collision in which he drove a cruiser into the ditch.

TRAFFIC ENFORCEMENT

Able to maintain a consistent level of proactive visible deterrence patrol in conjunction with enforcement and motorist contacts. Generates a level of productivity and enforcement quantity consistent with a conscientious effort balanced against the requirements of other duties. Takes ownership of Road Safety, participates in initiatives, ensures data integrity, seeks and identifies solutions to problems, and shares relevant information/ideas.

Meets Requirements

Specific example:

PC JACK has been active in RIDE initiatives and as well whenever time permits is active in RADAR and observation of other traffic infractions. PC JACK has investigated 3 MVC's and has identified and laid appropriate charges in these investigations.

PC JACK issued
24 speeding tickets
1 seatbelt ticket
1 headlight ticket
1 fail to display plate ticket
and participated in three RIDE checks

COMMUNICATION SKILLS

RATING

ORAL

Questions and interviews others appropriately to gain information. Communicates ideas and concepts clearly, effectively and in a professional manner.

Meets Requirements

Specific example:

PC JACK has performed several audio video interviews including SP09034153 which was a

landlord tenant dispute. PC JACK received two video interviews and laid an appropriate utter threats charge based on the information he received.

WRITTEN

Expresses self clearly and concisely in writing. Documents information accurately in a timely manner and includes all necessary information that is required for reports utilizing electronic forms such as RMS.

Meets Requirements

Specific example:

PC JACK has responded to 37 calls for service, 22 of which have been reportable. His reports have had to have some fine tuning but for the most part contain the relevant information required. The reports have also been done in a timely manner

LISTENING SKILLS

Expresses active listening skills; accurately understands and attends to the facts and feelings of the sender. Able to clarify and re-frame the message with the sender in a professional manner.

Meets Requirements

Specific example:

PC JACK has demonstrated that he has effective listening skills. As indicated above he has performed several video interviews gathering appropriate information and using that to complete accurate reports.

NON-VERBAL

Uses appropriate body language, gestures, and demeanor; is aware of their effect on others.

Meets Requirements

Specific example:

PC JACK uses appropriate body language, gestures and has a positive demeanor when dealing with the public.

RADIO COMMUNICATIONS

Uses appropriate and respectful language when utilizing the communications system, communicates effectively, uses 10 codes.

Does Not Meet Requirements

Specific example:

PC JACK is becoming better at using 10 codes and the phonetic alphabet but requires some assistance at times. PC JACK does need to do some work on clearing events effectively.

COMMUNITY FOCUS

RATING

COMMUNITY FOCUS

Demonstrates a desire to help and serve others; works to discover and meet community needs; demonstrates a customer service orientation towards the public; develops culturally appropriate contacts that can provide support to victims of crime.

Meets Requirements

Specific example:

PC JACK has been attending at community events like the BEL Rotary polar plunge and as well PC JACK has attended at 2 community policing meetings

VALUING DIVERSITY

Works effectively with a wide cross-section of the community representing diverse backgrounds, cultures and socio-economic circumstances.

Meets Requirements

Specific example:

PC JACK has never displayed any bias during his time at Peterborough Detachment

PROBLEM SOLVING SKILLS**RATING****DECISIVE INSIGHT**

Uses knowledge and training to effectively problem solve situations and make the best decision at the most appropriate time.

Meets Requirements

Specific example:

PC JACK reported to a phone calls complaint SP09049751 in which business owners received a nuisance phone call. PC JACK followed up by locating the originator of the calls and issuing a warning at the complainants request.

ANALYTICAL THINKING

Demonstrates logical cause and effect thinking; systematically identifies basic patterns or connections between situations, persons or events; identifies key elements in complex situations.

No Basis For Rating

Specific example:

RESOLUTION

Selects the most effective problem-solving strategy and (when appropriate) implements this strategy involving the community

Meets Requirements

Specific example:

PC JACK responded to a neighbor dispute SP09036655 the neighbors involved have an ongoing dispute and in this instance one neighbor caused contractors to stop working on the others property. PC JACK completed an extensive investigation and although there were no grounds for charges, PC JACK provided valuable advice in order to avoid a similar situation in the future.

FOLLOW-UP ORIENTATION

Conducts appropriate follow-up as required to complete a thorough investigation.

Meets Requirements

Specific example:

PC JACK has had several calls that required follow up interviews SP09036655. These have been completed in a timely fashion without reminder.

LEADERSHIP ATTRIBUTES**RATING****INITIATIVE**

Meets Requirements

Tries to make a positive difference, improve outcomes and effectively manage problems.

Specific example:

PC JACK has made efforts to participate in RIDE initiatives and target high complaint areas during patrol.

PERSONAL ACCOUNTABILITY

Meets Requirements

Takes responsibility for one's own actions and consequences and willingly deals with any identified performance deficiencies.

Specific example:

When advised of a deficiency PC JACK is receptive and strives to remedy the issue

PLANNING & ORGANIZING

Meets Requirements

Sets priorities, co-ordinates and schedules each task in a logical manner while exercising time management skills.

Specific example:

PC JACK is a very organized person. He usually comes to work with a pre-written task list.

FLEXIBILITY

Does Not Meet Requirements

Adapts to a variety of changing situations, individuals and groups.

Specific example:

PC JACK does need to understand that more than one call requiring follow-up will be on his task list. Other officers have raised concerns that PC JACK has not answered the door or phone when he is doing something else that could wait.

INTERPERSONAL ATTRIBUTES

RATING

INTEGRITY

Meets Requirements

Demonstrates courage of convictions and ethical standards as set out in The Promise of the OPP. Protects the rights of all persons (inclusive of victims, accused persons and marginalized persons) consistent with the Canadian Charter of Rights and Freedoms and the Ontario Human Rights Code.

Specific example:

RESPECTFUL RELATIONS

Meets Requirements

Exercises the skill and willingness to react sensitively; to be empathic, compassionate and sincere. Recognizes the positive contributions of others; demonstrates trust in others by acknowledging their strengths, skills and expertise.

Specific example:

PC JACK has shown that he values the experience of other officers and recognizes

when they are giving him positive assistance

SELF-CONFIDENCE

Meets Requirements

Believes in one's abilities, understands one's own strengths and limitations, able to receive constructive criticism while maintaining professionalism

Specific example:

TEAM WORK

Meets Requirements

Works effectively with others towards a common purpose while putting the group's goals ahead of personal achievement

Specific example:

PC JACK has always asked other officers, who are working on calls for service well into overtime, what assistance he can provide. He often stays with them not leaving until the last of his shift has gone home

PERSONAL IMPACT

RATING

SELF-AWARENESS

Meets Requirements

Recognizes and manages personal biases, assumptions and stereotypes that can influence actions, communication, relationships, judgments and decisions.

Specific example:

DEPORTMENT

Meets Requirements

Controls emotions, especially when provoked or when facing opposition or hostility. Takes constructive action, deals with situations while maintaining professionalism.

Specific example:

PC JACK remains professional. To date I am unaware of anytime that PC JACK has been faced with a confrontational person.

APPEARANCE

Meets Requirements

Projects a positive and professional image; maintains uniform and equipment.

Specific example:

PC JACK is always early for his scheduled shift. PC JACK continues to attend work with his uniform neat and clean, all uniform is properly maintained

COMMENTS AND SIGNATURES

Evaluation Meeting

- I have met and discussed my performance with my coach officer or my accountable supervisor.
- I have reviewed and discussed with my coach officer or my supervisor, my responsibilities under the policy on Safe Storage and Handling of Firearms.
- I have reviewed and discussed with my coach officer, or my supervisor, my performance in relation to my responsibilities under the Professionalism, and Workplace Discrimination and Harassment Prevention policies.

Employee's Comments: *I ONLY DISAGREE ON THE FLEXIBILITY ASPECT OF MY EVALUATION. SHOULD HAD I BEEN INFORMED TO BE PROACTIVE AT ANSWERING THE PHONES FIRST, I WOULD HAVE KNOWN BETTER AND WOULD HAVE DONE SO.*

Employee's Signature: *[Handwritten Signature]*

Date: *26-APR-09*

Coach Officer Comments:

A few issues need to be worked on i.e. flexibility and P.V.O. but ultimately PC JACK is progressing positively.

Coach Officer's Signature (Performance has been observed that supports the rating assigned for each category): *[Handwritten Signature]*

Date: 18 Mar 09

Accountable Supervisor's Comments (Mandatory):

PC JACK is progressing positively through his first months at the office. His Coach Officer has identified some deficiencies, which in my opinion, will be easily overcome in the following months. Keep up the good work.

Accountable Supervisor: *FLINDALL, R*

Accountable Supervisor's Signature: *[Handwritten Signature]*

Date: 15 Apr 09

Detachment Commander

Comments (Mandatory): *Issues Reflected by the member's coach & Supervisor are relatively minor. I am sure [Name] will fulfill the outlined short comings in his upcoming evaluation.*

Detachment Commander: *Campbell MET*

Detachment Commander's Signature: *[Handwritten Signature]* 5155+6385

Date: *27Apr09*

Instructions:

At the conclusion of each evaluation period:

- Forward the completed and signed ORIGINAL document to Region/Bureau for signatures and tracking purposes.

Regional Commander (or designate)

Comments (Mandatory)

Progress Noted

Insp. Dave E. Lee

Regional Commander (or designate)
Manager
Staff Development and Training

Regional Commander's (or designate)
Signature

Date:

11 MAY 09

Instructions:

At the conclusion of the evaluation period:

- Return a signed COPY of completed document to the member
- Forward the completed and signed ORIGINAL document to Career Development Bureau for tracking purposes.

Personal information on this form is collected under the authority of Sec. 17(2) of the Police Services Act, R.S.O. 1990, and will be used for the purpose of evaluating your job performance with the Ontario Provincial Police.

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ONTARIO PROVINCIAL POLICE RECEIVED
 APR 28 2009
 MAIL LOG # 7713
 PETERBOROUGH COUNTY DETACHMENT

ENTERED

File: 291

**PROBATIONARY CONSTABLE
 PERFORMANCE EVALUATION REPORT
 (PCS-066P)**

ONTARIO PROVINCIAL POLICE RECEIVED

Probationary Constable Category (select one):	<input checked="" type="checkbox"/> 4 th Class Constable, Probationary Status	Report Month: 3
	<input type="checkbox"/> Experienced Officer	Report Month: select month
	<input type="checkbox"/> Amalgamated Officer	Report Month: select month

#13180
 MAY 06 2009

CENTRAL REGION ORILLIA

Surname:	Jack	Given Name:	Micheal
Badge:	12690	WIN:	393080
Detachment/Section:	Peterborough County	Region/Bureau	Central East
Evaluator:	Filman	Badge:	11212
Evaluation Period:	(DD/MM/YY) Start: 09 Mar 09	End: 09 Apr 09	
Probationary Period Start Date*	(DD/MM/YY) 25 Aug 09 025-1		

**4th Class Constables begin their probation period on the date of their graduation from the Provincial Police Academy

** Experienced Officers and Amalgamated Officers begin their probationary period on their start date with the OPP

Coach Officers and Accountable Supervisors have responsibilities associated with the day-to-day coaching, development and supervision of the Probationary Constable utilizing the Recruit Field Training Manual.

All completed PCS 066P documents are to be sent to the Career Development Bureau after Regional Command comments and signatures are obtained.

Ontario Public Service (OPS) policy requires every OPS employee to have an annual Performance Development Plan (PDP) and Learning and Development Plan. The Probationary Constable Evaluation form, in conjunction with the Constable position description constitutes the PDP for OPP Constables while on probation. This form specifies the criteria by which the performance of Probationary Constables is evaluated and establishes the basis for recommending (or not) a change from probationary to permanent status.

The Recruit Field Training Manual is the generic Performance Evaluation Plan for Probationary Constables. It is supplemented with an individualized Work Improvement Plan when necessary to help a Probationary Constable satisfactorily meet all expectations set out in this form. The Coach Officer and Supervisors roles are essential to the Probationary Constable's success in obtaining permanent status.

ONTARIO PROVINCIAL POLICE RECEIVED

MAY 06 2009

PERFORMANCE ASSESSMENT

The Performance Assessment Criteria have been developed to provide a standardized rating for levels of performance. **Probationary Constables must achieve "Meets Requirements" in all categories in order to be recommended for permanent status.**

Meets Requirements	Performance consistently meets requirements.
Does Not Meet Requirements	Performance fails to meet requirements. (Mandatory that Work Improvement Plan be completed)
No Basis for Rating	Not demonstrated or observed. (Mandatory comment required)

JOB KNOWLEDGE & SKILLS	RATING
<p>ATTITUDE TOWARDS LEARNING</p> <p>Able to re-evaluate personal opinions, judgments and assumptions based on new information and experiences; able to learn from mistakes and accept disappointments as well as successes.</p> <p>Specific example: PC JACK continues to show a positive attitude towards learning and is continually asking questions about anything that he is not sure of.</p>	Meets Requirements
<p>PROVINCIAL STATUTES</p> <p>Able to identify, articulate and process applicable elements in Provincial Statutes.</p> <p>Specific example: PC JACK has issued several Provincial offences notices for a variety of different offences. PC JACK has had no issues in identifying and processing the offences.</p> <p>Between March 23 and April 09: 15 tickets all Sec. 128 1 ticket Sec 158(1) (Follow too closely) 1 ticket Sec 7(1)(a) (Drive motor vehicle, no currently validated permit)</p>	Meets Requirements
<p>FEDERAL STATUTES</p> <p>Able to identify, articulate and process applicable elements in Federal Statutes.</p> <p>Specific example: PC JACK assisted with an Impaired/police pursuit SP09051011. The accused in this matter was charged with several Federal and Provincial statutes. PC JACK demonstrated that he could identify the offences and which one best fit the circumstances.</p>	Meets Requirements
<p>POLICE ORDERS/PROCEDURES/TECHNICAL SKILLS</p> <p>Able to identify, locate, articulate and demonstrate applicable elements of Police Orders pertaining to policy, procedure, and guidelines. Able to utilize CPIC, E-mail,</p>	Meets Requirements

RMS Systems.

Specific example:

PC JACK has versed himself well in using the OPP systems and has even taken it upon himself to get the proper training manuals and review them in his own personal time.

POLICE VEHICLE OPERATION

Drives a motor vehicle in compliance with traffic laws in a safe and proficient manner. Employs appropriate pursuit and emergency driving strategies in compliance with policy. Able to multitask effectively.

Specific example:

PC JACK has been patrolling on his own and has had no issues during this evaluation period. He has been able to arrive at his destinations in a timely fashion.

Meets Requirements

TRAFFIC ENFORCEMENT

Able to maintain a consistent level of proactive visible deterrence patrol in conjunction with enforcement and motorist contacts. Generates a level of productivity and enforcement quantity consistent with a conscientious effort balanced against the requirements of other duties. Takes ownership of Road Safety, participates in initiatives, ensures data integrity, seeks and identifies solutions to problems, and shares relevant information/ideas.

Specific example:

PC JACK has issued several Provincial Offences notices for a variety of different offences. PC JACK has demonstrated no issues in identifying and processing the offences.

Between March 23 and April 09: 15 tickets all Sec. 128

1 ticket Sec 158(1) (Follow too closely)

1 ticket Sec 7(1)(a) (Drive motor vehicle, no currently validated permit)

Meets Requirements

COMMUNICATION SKILLS

RATING

ORAL

Questions and interviews others appropriately to gain information. Communicates ideas and concepts clearly, effectively and in a professional manner.

Specific example:

PC JACK has completed several audio/visual interviews which have been detailed and useful.

As well PC JACK has investigated several motor vehicle collisions and completed written statements during these investigations that have been very detailed SP09054802

SP09058044 SP09060250 SP09060269 SP09068609

Meets Requirements

WRITTEN

Expresses self clearly and concisely in writing. Documents information accurately in a timely manner and includes all necessary information that is required for reports utilizing electronic forms such as RMS.

Meets Requirements

<p>Specific example: During this evaluation period PC JACK has responded to 27 calls for service, 13 of which have been reportable. The reports have been done in a timely manner. His reports are detailed but do require some fine tuning in order to make them a little more concise SP09051134</p>	
<p>LISTENING SKILLS</p> <p>Expresses active listening skills; accurately understands and attends to the facts and feelings of the sender. Able to clarify and re-frame the message with the sender in a professional manner.</p> <p>Specific example: PC JACK has demonstrated that he has effective listening skills. As indicated above he has performed several video interviews gathering appropriate information and using that to complete accurate reports.</p>	<p>Meets Requirements</p>
<p>NON-VERBAL</p> <p>Uses appropriate body language, gestures, and demeanor; is aware of their effect on others.</p> <p>Specific example:</p>	<p>Meets Requirements</p>
<p>RADIO COMMUNICATIONS</p> <p>Uses appropriate and respectful language when utilizing the communications system, communicates effectively, uses 10 codes.</p> <p>Specific example: PC JACK has been patrolling on his own and using the radio system properly and effectively. He has demonstrated no issues with 10 codes or the phonetic alphabet. His only area requiring any work, is clearing calls. This item still requires a bit of attention to accurately clear calls in a concise manner.</p>	<p>Meets Requirements</p>

COMMUNITY FOCUS	RATING
<p>COMMUNITY FOCUS</p> <p>Demonstrates a desire to help and serve others; works to discover and meet community needs; demonstrates a customer service orientation towards the public; develops culturally appropriate contacts that can provide support to victims of crime.</p> <p>Specific example:</p>	<p>Meets Requirements</p>
<p>VALUING DIVERSITY</p> <p>Works effectively with a wide cross-section of the community representing diverse backgrounds, cultures and socio-economic circumstances.</p> <p>Specific example: PC JACK has never displayed any bias during his time at Peterborough Detachment</p>	<p>Meets Requirements</p>

PROBLEM SOLVING SKILLS	RATING
------------------------	--------

<p>DECISIVE INSIGHT</p> <p>Uses knowledge and training to effectively problem solve situations and make the best decision at the most appropriate time.</p> <p>Specific example: PC JACK reported to a phone calls complaint SP09049751 in which business owners received a nuisance phone call. PC JACK followed up by locating the originator of the calls and issuing a warning at the complainants request.</p>	<p>Meets Requirements</p>
<p>ANALYTICAL THINKING</p> <p>Demonstrates logical cause and effect thinking; systematically identifies basic patterns or connections between situations, persons or events; identifies key elements in complex situations.</p> <p>Specific example:</p>	<p>No Basis For Rating</p>
<p>RESOLUTION</p> <p>Selects the most effective problem-solving strategy and (when appropriate) implements this strategy involving the community.</p> <p>Specific example: PC JACK responded to a nuisance phone calls incident SP09049751. The nature of the calls suggested that youths were using the telephone to make prank calls. PC JACK contacted the complainant who wished to report the matter but didn't want to make a big deal out of it. PC JACK went a step further and identified the youths and warned them for their actions.</p>	<p>Meets Requirements</p>
<p>FOLLOW-UP ORIENTATION</p> <p>Conducts appropriate follow-up as required to complete a thorough investigation.</p> <p>Specific example: PC JACK has had several calls that required follow up, if only to notify the complainants of what action has transpired. PC JACK has also taken initiative to do more than the complainant had requested as mentioned above with the nuisance phone calls incident. PC JACK also followed up with the complainant in that matter to ensure he was aware of what had been done and to ensure he was satisfied with the police involvement. SP09049751</p>	<p>Meets Requirements</p>

LEADERSHIP ATTRIBUTES	RATING
<p>INITIATIVE</p> <p>Tries to make a positive difference, improve outcomes and effectively manage problems.</p> <p>Specific example: PC JACK has made efforts to participate in RIDE initiatives and target high complaint areas during patrol. PC JACK is always vigilant in using his patrol time effectively by being proactive either with RADAR, RIDE or seatbelt checks.</p>	<p>Meets Requirements</p>

<p>PERSONAL ACCOUNTABILITY</p> <p>Takes responsibility for one's own actions and consequences and willingly deals with any identified performance deficiencies.</p> <p>Specific example: When advised of a deficiency PC JACK is receptive and strives to remedy the issue.</p>	<p>Meets Requirements</p>
<p>PLANNING & ORGANIZING</p> <p>Sets priorities, co-ordinates and schedules each task in a logical manner while exercising time management skills.</p> <p>Specific example: PC JACK is a very organized person. He usually comes to work with a pre-written task list.</p>	<p>Meets Requirements</p>
<p>FLEXIBILITY</p> <p>Adapts to a variety of changing situations, individuals and groups.</p> <p>Specific example: During this evaluation period PC JACK has demonstrated that he can be flexible in attending to more than one task at a given time and responding to a call even though he wasn't fully completed the previous task.</p>	<p>Meets Requirements</p>

INTERPERSONAL ATTRIBUTES	RATING
<p>INTEGRITY</p> <p>Demonstrates courage of convictions and ethical standards as set out in The Promise of the OPP. Protects the rights of all persons (inclusive of victims, accused persons and marginalized persons) consistent with the Canadian Charter of Rights and Freedoms and the Ontario Human Rights Code.</p> <p>Specific example:</p>	<p>Meets Requirements</p>
<p>RESPECTFUL RELATIONS</p> <p>Exercises the skill and willingness to react sensitively; to be empathic, compassionate and sincere. Recognizes the positive contributions of others; demonstrates trust in others by acknowledging their strengths, skills and expertise.</p> <p>Specific example: PC JACK has shown that he values the experience of other officers and recognizes when they are giving him positive assistance.</p>	<p>Meets Requirements</p>
<p>SELF-CONFIDENCE</p> <p>Believes in one's abilities, understands one's own strengths and limitations; able to</p>	<p>Meets Requirements</p>

<p>receive constructive criticism while maintaining professionalism.</p> <p>Specific example: PC JACK was advised of areas of his work that needed some improvement. PC JACK took note of what was addressed and made obvious strides to correct these areas.</p>	
<p>TEAM WORK</p> <p>Works effectively with others towards a common purpose while putting the group's goals ahead of personal achievement.</p> <p>Specific example: PC JACK has always asked other officers who are working on calls for service, well into overtime, what assistance he can provide and often stays with them not leaving until the last of his shift is gone home</p>	<p>Meets Requirements</p>

PERSONAL IMPACT	RATING
<p>SELF-AWARENESS</p> <p>Recognizes and manages personal biases, assumptions and stereotypes that can influence actions, communication, relationships, judgments and decisions.</p> <p>Specific example: I have yet to observe a circumstance where PC JACK has shown a bias or jumped to a conclusion about anyone or anything. PC JACK will attack an issue head on, he is frank in his manners and doesn't appear to make judgement ahead of time.</p>	<p>Meets Requirements</p>
<p>DEPORTMENT</p> <p>Controls emotions, especially when provoked or when facing opposition or hostility. Takes constructive action, deals with situations while maintaining professionalism.</p> <p>Specific example: PC JACK remains professional. To date I am unaware of anytime that PC JACK has been faced with a confrontational person.</p>	<p>Meets Requirements</p>
<p>APPEARANCE</p> <p>Projects a positive and professional image; maintains uniform and equipment.</p> <p>Specific example: PC JACK is always early for his scheduled shift. PC JACK continues to attend work with his uniform neat and clean and properly maintained.</p>	<p>Meets Requirements</p>

COMMENTS AND SIGNATURES

Evaluation Meeting

- I have met and discussed my performance with my coach officer or my accountable supervisor.
- I have reviewed and discussed with my coach officer or my supervisor, my responsibilities under the policy on Safe Storage and Handling of Firearms.
- I have reviewed and discussed with my coach officer, or my supervisor, my performance in relation to my responsibilities under the Professionalism, and Workplace Discrimination and Harassment Prevention policies.

Employee's Comments:

Employee's Signature:

[Handwritten Signature]

Date:

26-APR-09

Coach Officer Comments:

PC JACK has made positive progress this evaluation period and most of the issues brought forth in the previous evaluation have been addressed. I would like for PC JACK to remain flexible in his ability to take on calls as the busy summer months are approaching and we all will be expected to take on more work. As well I would like to see PC JACKS practice stats increase with more provincial offences notices issued in the next evaluation period, as the seatbelt campaign occurs in this time frame a number of seatbelt violations should be expected.

Coach Officer's Signature (Performance has been observed that supports the rating assigned for each category):

[Handwritten Signature]

Date: 15 Apr 09

Accountable Supervisor's Comments (Mandatory):

I concur with the above evaluation. PC JACK is progressing well. He is encouraged to increase and maintain his proactive enforcement levels.

Accountable Supervisor:

FLINDALL, R

Accountable Supervisor's Signature:

[Handwritten Signature]

Date: 26Apr09

Detachment Commander

Comments (Mandatory): *I concur with the results reported. Cst Jack will continue to develop his skills as his experience continues to grow*

Detachment Commander:

Campbell MRJ S14T 638T

Detachment Commander's Signature:

[Handwritten Signature]

Date:

27APR09

Instructions:

At the conclusion of each evaluation period:

- Forward the completed and signed ORIGINAL document to Region/Bureau for signatures and tracking purposes.

Regional Commander (or designate)

Comments (Mandatory)

Regional Commander (or designate):

Regional Commander's (or designate)
Signature:

Date:

Instructions:

At the conclusion of the evaluation period:

- Return a signed COPY of completed document to the member.
- Forward the completed and signed ORIGINAL document to Career Development Bureau for tracking purposes.

Personal information on this form is collected under the authority of Sec. 17(2) of the Police Services Act, R.S.O. 1990, and will be used for the purpose of evaluating your job performance with the Ontario Provincial Police.

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RECRUIT LEADERSHIP ASSESSMENT TOOL

291 FILE

Name: Jack, Michael

Badge: 12690

Detachment: Peterborough County

OPP Class #: 411

General Observations

- Overall performance met standards at OPC and Provincial Police Academy. Continued development and training in field is required for further assessment.

Average Rating: 3

Leading Others

Decision Making and Problem Solving

Identifies and analyzes problems. Uses facts and input from others and sound reasoning.

- Scenario Evaluation - Fraud: Good comms. With partner. He asked good investigative questions about the dog. In dealing with fraud activities he and his partner recognized the illegal activities, asked good questions and affected an arrest.
- Assisted in support of Chase medical issue - Followed direction with minimal input- initiative to perform his assigned task
- Barricaded person Scenario: Failed to listen to partner and made own decisions that could have cost him his "life" in a real life situation. Many concerns with his comments "I can take him out" meaning shoot him.

Average Rating: 3

Team Building

Encourages co-operation, pride, trust and group identity and builds commitment, team spirit and strong relationships.

- IRD: Enthusiasm re learning in instructional environment structured for all skill levels has come into question on more than one occasion. EG: while instructing C8 refresher manipulation skills student was seen to yawn in a way instructor perceived as boredom with information. Recruit was debriefed on this and further debriefed on the student/instructor perception of him being a team player in question. Recruit was receptive to the debrief (Sgt. Morphet/Peacock) which included reiteration of core lethal confrontation training of shooting center body mass to stop the threat in a justifiable circumstance as articulated with the assistance of the Ontario Use of Force Model.

Average Rating: 1

Leading Self

sincere interest and exuberance in performance of duties – willing to accept challenges.

- ♦ Drug Lecture: Participated well in class and also officer safety class volunteered
- ♦ IRD: Enthusiasm re learning in instructional environment structured for all skill levels has come into question on more than one occasion. EG: while instructing C8 refresher manipulation skills student was seen to yawn in a way instructor perceived as boredom with information. Recruit was debriefed this and further debriefed on the student/instructor perception of him being a team player in question
- ♦ Radar Practical: Works very hard to overcome accent issues.

Average Rating: 3.3

Judgement

Ability to think about things clearly and make good decisions. Identifies and analyzes problems.

- ♦ Night survival: During the night shoot did not go for cover his trouble articulating his decisions
- ♦ OPC Performance: difficulty in PVO during difficult environmental driving conditions and was unsuccessful

Average Rating: 1.5

Technically and Tactically Competent

Demonstrates knowledge, skills and ability through academic and practical applications.

- ♦ Firearms/Tactics: Skill set level above average in firearms and tactics. One of the class "top dog" pistol shooters.
- ♦ Night Occurrence - EDU: Recognition of items as explosives. Used appropriate TAC Com. Safe handling of items/subject. Proper use of telecommunication equipment. Proper investigative questioning techniques. Utilized proper call out procedures. Considered safety of subject, public, self & fellow officer.

Radar Practical: Needs to practice driving skills & technical skills

Average Rating: 3.3

Additional Comments:

Strong will and excellent fitness level. Has problems working in teams and very driven and self motivated. Failed Night Pursuit PVO. Needs to be placed in primary roles in POST training as may have problems demonstrating discretion. Very direct with his approach to application of v. Communications with others is a problem.



RECRUIT LEADERSHIP ASSESSMENT TOOL

The Provincial Police Academy prepares, trains and develops our members to become fully functional Provincial Police Officers.

As Provincial Police Officers they are trained to be leaders; that process begins in week one of Pre-OPC training and continues for their entire careers.

The Provincial Police Academy has recently developed and implemented a Recruit Leadership Assessment Tool to assist Academy staff in identifying those recruits who have demonstrated the ability to lead themselves and others and class members who have met and exceeded expectations while attending OPC.

This assessment is completed by all OPP Instructors assigned to OPC and overseen by the OPP Staff Sergeant Liaison Officer.

During the Post OPC training, several recruits are given the opportunity to serve their class as leaders. They are given significant responsibilities and are held to a higher standard of accountability for their actions and the actions of others.

While attending the Academy training ALL recruits were evaluated by the instructors utilizing this assessment tool and signed off by the Director.

We utilize a 1-5 scale (see below) to assess each class member's leadership potential. There are two categories and several criteria used for assessment and evaluation.

	<u>Level</u>	<u>Demonstrated</u>
1	Low	Never
2	Fair	Very Rare
3	Good	Sometimes
4	Very Good	Most of the time
5	Excellent	Always

Should you have any questions or require further information regarding this assessment tool, please contact Mr. Peter Shipley, Chief Instructor at 705-329-7546.

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ONTARIO POLICE COLLEGE
 Ministry of Community Safety and Correctional Services
BASIC CONSTABLE TRAINING PROGRAM
Student Evaluation

291 FILE

Name JACK, Michael
Service Ontario Provincial Police

Date Sep 3 – Nov 27, 2008
Class BC-0828

The wide variety of subject areas in Basic Constable Training have been grouped into various categories (see attached BCT Program specifications). Certain aspects of each subject area that require pen and paper testing are assessed in midterm and final examinations, the overall pass mark being 75% in each of the seven examinations listed below.

<i>Examination</i>	<i>Student Mark (%)</i>	<i>Course Average (%)</i>
Community Policing (Closed Book) <i>Ethics / Community Policing / Anti-Racism / Domestic Violence / Death Notification / CPIC / Crime Scene Preservation</i>	Met Standard	
Federal Law (Closed Book) <i>Arrest / Criminal Offences / Evidence / Drugs / YCJA</i>	90.2	81.1
Traffic Law / Federal Law (Open Book) <i>Arrest / Criminal Offences / Drugs / YCJA / Highway Traffic Act / Criminal Driving Offences</i>	86.0	84.1
Police Vehicle Operations (Closed Book) <i>Legal Responsibilities / Vehicle Dynamics / Environmental Factors / Suspect Apprehension Pursuits Regulation</i>	95.0	86.8
Provincial Law (Closed Book) <i>POA / MHA / LLA / Child and Family Services Act / Children's Law Reform Act / Family Law Act / Trespass to Property Act / HTA / Police Services Act</i>	90.3	82.2
Use of Force/Officer Safety (Closed Book) <i>Defensive Tactics / Firearms / Officer Safety / Tactical Communications / Use of Force / Study Guide / Use of Force Model</i>	96.7	89.1
Average	91.6	81.5

<i>Physical Skills Training</i>		
Defensive Tactics	<i>Skill Components / Applied Scenarios</i>	Passed
Firearms	<i>Skill Components / Applied Scenarios</i>	Passed
Police Physical Training	PREP	Passed
Police Vehicle Operations	<i>Skill Components / Applied Scenarios</i>	Passed

Retested Police Vehicle Operations

December 17, 2008

JACK, Michael
Ontario Provincial Police
BC-0828



General Comments

Comments pertaining to training issues are generally reserved for those students who either demonstrated outstanding capabilities or experienced significant difficulties in various training activities. Lack of written comments in the training areas listed below indicates that the candidate performed satisfactorily in these components and progressed steadily throughout the course.

Defensive Tactics

This student has successfully completed an Aerosol Weapon exam to comply with Police Services Act Regulations and Policing Standards guidelines.

Firearms

Police Physical Training

All Basic Constable Training students are given the opportunity to test for and receive the Ontario Police Fitness Award. This candidate is to be commended for receiving a perfect score of 100% on this fitness test.

The Physical Training Department recognizes this student for demonstrating a high proficiency level in both the Ontario Police Fitness Award and the PREP test.

Police Vehicle Operations

Special Mention

Comments

Diploma Awarded.

Component	Grade	Comments
Defensive Tactics	Pass	
Firearms	Pass	
Police Physical Training	Pass	
Police Vehicle Operations	Pass	



ONTARIO POLICE COLLEGE
 Ministry of Community Safety and Correctional Services
BASIC CONSTABLE TRAINING PROGRAM
Student Evaluation

Name JACK, Michael
 Service Ontario Provincial Police

Date Sep 3 – Nov 27, 2008
 Class BC-0828

The wide variety of subject areas in Basic Constable Training have been grouped into various categories (see attached BCT Program specifications). Certain aspects of each subject area that require pen and paper testing are assessed in midterm and final examinations, the overall pass mark being 75% in each of the seven examinations listed below.

Examination	Student Mark (%)	Course Average (%)
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Federal Law (Closed Book) <i>Arrest / Criminal Offences / Evidence / Drugs / YCJA</i>	90.2	81.1
Traffic Law / Federal Law (Open Book) <i>Arrest / Criminal Offences / Drugs / YCJA / Highway Traffic Act / Criminal Driving Offences</i>	86.0	84.1
Police Vehicle Operations (Closed Book) <i>Legal Responsibilities / Vehicle Dynamics / Environmental Factors / Suspect Apprehension Pursuits Regulation</i>	95.0	86.8
Provincial Law (Closed Book) <i>POA / MHA / LLA / Child and Family Services Act / Children's Law Reform Act / Family Law Act / Trespass to Property Act / HTA / Police Services Act</i>	90.3	82.2
Use of Force/Officer Safety (Closed Book) <i>Defensive Tactics / Firearms / Officer Safety / Tactical Communications / Use of Force / Study Guide / Use of Force Model</i>	96.7	89.1
Average	91.6	81.5
Physical Skills Training		
Defensive Tactics	<i>Skill Components / Applied Scenarios</i>	Passed
Firearms	<i>Skill Components / Applied Scenarios</i>	Passed
Police Physical Training	<i>PREP</i>	Passed
Police Vehicle Operations	<i>Skill Components / Applied Scenarios</i>	Failed

JACK, Michael
Ontario Provincial Police
BC-0828



General Comments

Comments pertaining to training issues are generally reserved for those students who either demonstrated outstanding capabilities or experienced significant difficulties in various training activities. Lack of written comments in the training areas listed below indicates that the candidate performed satisfactorily in these components and progressed steadily throughout the course.

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This student has successfully completed an Aerosol Weapon exam to comply with Police Services Act Regulations and Policing Standards guidelines.

Firearms

Police Physical Training

All Basic Constable Training students are given the opportunity to test for and receive the Ontario Police Fitness Award. This candidate is to be commended for receiving a perfect score of 100% on this fitness test.

The Physical Training Department recognizes this student for demonstrating a high proficiency level in both the Ontario Police Fitness Award and the PREP test.

Police Vehicle Operations

This candidate demonstrated acceptable proficiency in each of the driving skill components, but did experience significant difficulty when attempting to apply some of these skills in a motor vehicle pursuit simulation. At a later date, this candidate was given an opportunity to repeat this exercise and again was unable to operate the vehicle in a reasonably safe and proficient manner. Therefore, this candidate has not successfully completed this area of training. Further instruction and evaluation will be made available upon your request.

Special Mention

Comments

Diploma Not Awarded.

Component	Result
Defensive Tactics	Passed
Firearms	Passed
Police Physical Training	Passed
Police Vehicle Operations	Failed

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Ontario
Provincial
Police

Police
provinciale
de l'Ontario



Career Development Bureau
Bureau de l'avancement professionnel

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Reference No/N° de dossier:

August 25, 2008

MEMORANDUM TO:

Michael Jack
Badge #12690

Re: **PERFORMANCE AND CONDUCT REQUIREMENTS
OF A RECRUIT CONSTABLE**

On behalf of Commissioner Julian Fantino, I welcome you to the Ontario Provincial Police (OPP) as one of our newest Policing Services Constables. It is the intent of the OPP to give our new employees every opportunity to succeed and we feel that clearly stated expectations of performance and conduct are fundamental ingredients in this process.

This memorandum describes the OPP's performance and conduct requirements for all recruit constables. Performance and conduct matters include academic performance, performance in an operational setting, and conduct both on and off duty. A position description for Policing Services Constable is attached for your reference.

As described in your Offer of Employment, you will hold the rank of 5th Class Recruit Constable until you successfully complete the training requirements of the Ontario Police College (OPC) and the Provincial Police Academy (PPA).

Successful completion of all components of the Basic Constable Training Program at the Ontario Police College is a mandatory requirement for every recruit constable. **It is important to note that the OPP will be seeking your release from employment should any of the following circumstances arise:**

- If you do not achieve a passing grade (75% or higher) in three or more examinations, a recommendation will be made to the Commander, Career Development Bureau, that you be released from employment.
- If you do not achieve a passing grade (75% or higher) in one or two examinations, you will be allowed one opportunity to re-write those examinations to obtain a passing grade of 75% or higher. If you do not achieve a passing grade (75% or higher) on these examination re-writes, a recommendation will be made to the Commander, Career Development Bureau, that you be released from employment.

- If you do not achieve the required standard in Police Vehicle Operations (PVO), you will be allowed one additional testing opportunity to achieve this standard. If you do not achieve the required standard in PVO during the re-test, a recommendation will be made to the Commander, Career Development Bureau, that you be released from employment.
- If you do not achieve the required standard in Firearms, Defensive Tactics, or the Physical Readiness Evaluation for Police (PREP) test, you will be allowed one additional testing opportunity to achieve this standard. If you do not achieve the required standard during this re-test, a recommendation will be made to the Commander, Career Development Bureau, that you be released from employment.

When you successfully complete all of the requirements of both OPC and PPA training, you will proceed to your assigned detachment. Your one-year probation period will commence and you will be promoted to a 4th Class Recruit Constable status with a corresponding wage increase (unless otherwise affected by a pre-existing OPS contract).

Your performance and conduct will be assessed and documented by a Coach Officer. Performance evaluations will assess your development and performance as a recruit constable. All of these evaluations will be shared with you and any performance rating in the "Does not meet" category will be brought to your attention. You will be given every opportunity to improve any identified performance deficiencies.

In order for your employment with the OPP to be confirmed beyond the probationary period, the evaluation of your work performance and conduct must demonstrate that you meet the requirements of this position. A recommendation to confirm your appointment as a Provincial Constable will be made after the tenth (10) month of your probationary period.

Pursuant to the Public Service of Ontario Act, a recommendation that you be released from employment for failure to meet the requirements of your position, based on unsatisfactory work performance or inappropriate conduct, may be made at any time during your training and probation period.

I extend my very best wishes for a successful and fulfilling career.

Nora M. Skelding
 Nora M. Skelding
 Chief Superintendent
 Bureau Commander

ACKNOWLEDGEMENT

I, MICHAEL JACK have read, understand and accept the contents of this memorandum "PERFORMANCE AND CONDUCT REQUIREMENTS OF A RECRUIT CONSTABLE", Rev: Aug 26

Michael Jack
 Employee

25/06/08
 Date

MSM SR Brown

25/08/08
 Date

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MIKE

-----Original Message-----

From: Johnston, Mike P. (JUS)
Sent: Tuesday, August 05, 2008 10:57 AM
To: Rathbun, Brad (JUS); Campbell, Ron (JUS)
Cc: Thomas, Sandy (JUS)
Subject: RE: Upcoming recruit

Sandy

Please see Sgt Rathburn's concerns about this future recruit coming to Peterborough Detachment.

Mike

-----Original Message-----

From: Rathbun, Brad (JUS)
Sent: Tuesday, August 05, 2008 12:01 AM
To: Campbell, Ron (JUS)
Cc: Johnston, Mike P. (JUS)
Subject: Upcoming recruit

S/Sgt Campbell: On one of our recent shifts I met a gentleman who is apparently coming to our detachment from the next recruitment class. He did a ride-along with our shift and I would like to talk to you about some concerns that have been raised.

Apparently he is a Russian male who has also spent time in the Israeli Army, with the name of Michael JACK (DOB: 16 Dec 1972)

In my short encounter he made a comment about how he likes guns.

He commented about guns continuously during his ride-along. He apparently has 32 registered guns. His obsession with guns was quite disturbing. He also mentioned the persons he killed (shot) during his time in the Army. The officer he rode with will make notes with all concerns, should this be required.

A concern by the officer was what the result would be in making command staff aware of an officer's "instincts" that were a bit "hair raising".

As I was being told, I felt that these points should at least be looked into or brought to the attention of our recruiting department.

I understand this recruit may be riding with PC Pollock today (05 Aug 2008).

Sgt Rathbun

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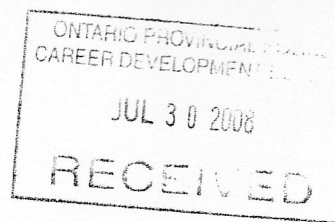
Phone: (705) 329-6663

225 - 080558

18 July 2008

Mr. Michael Jack

Dear Michael,



Congratulations! On behalf of the Commissioner, I am pleased to inform you that as a successful candidate for appointment to the Ontario Provincial Police, you are invited to report to the OPP Headquarters, Provincial Police Academy, 777 Memorial Avenue, Orillia on Sunday August 24, 2008 between 1700 and 2100 hours.

- You will attend the Provincial Police Academy for Orientation Training from Monday August 25, 2008 until Friday August 29, 2008.
- You will then be required to report to the Ontario Police College at Aylmer, Ontario on Tuesday September 2, 2008 between 1600 and 2200 hours for Level II Recruit Training starting Wednesday September 3, 2008 until Thursday November 27, 2008.
- You will then report to the Provincial Police Academy on Sunday November 30, 2008 between 1600 and 2200 hours to complete Orientation Training from Monday December 1, 2008 to Friday January 2, 2009, after which you will join your assigned detachment which has been identified as Peterborough County located in Central Region.
- Upon commencement of your employment with the OPP, you will be classified as a 5th Class Recruit Constable. After successfully completing the requirements of the initial period of training at the Ontario Police College and the Provincial Police Academy, you will be promoted to a 4th Class Recruit Constable with a corresponding wage increase unless otherwise affected by a pre-existing OPS contract.
- Your probationary period will begin on the day that you report to your detachment/home location upon successful completion of your training and will last for 1 year from that reporting date.
- All OPP officers must be willing to serve anywhere in the province of Ontario. By accepting this offer you are also accepting this condition as part of your employment.

JOINING INSTRUCTIONS ARE ENCLOSED AND SHOULD BE READ CAREFULLY.

Please complete the acknowledgement and immediately return one copy of this invitation in the pre-addressed envelope. Retain the originals for your reference.

S. Thomas

Sandy Thomas
Inspector
Manager, Uniform Recruitment

- Note: This offer of employment is revocable should any information detrimental to your file come to our attention between this date and the end of your probationary period.
- Note: A Medical Evaluation received by the Ontario Provincial Police after an offer of employment, that does not support your appointment, will impact on your continued employment.

ACKNOWLEDGEMENT: Mark the appropriate box with an (X)

I *Mark* agree with the conditions of appointment
Signature

Date of Signature: 24-JUL-08 will not report

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Phone: (705) 329-6663

225 - 080558

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Sandy Thomas
Inspector
Manager, Uniform Recruitment

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- Note: A Medical Evaluation received by the Ontario Provincial Police after an offer of employment, that does not support your appointment, will impact on your continued employment.

ACKNOWLEDGEMENT: Mark the appropriate box with an (X)

I, *Michael Jack*
Signature agree with the conditions of appointment

Date of Signature: 29-JUL-08 will not report

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ONTARIO CONSTABLE SELECTION SYSTEM
Consent and Release of Liability Form

JACK	0	3	0
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Last Name (Please Print) 3rd, 6th & 9th digits of SIN

Please read the following form carefully.

The purposes of parts A and B of this form are to authorize police services and other individuals and entities noted below to collect, to use and to disclose personal information about you for the purpose of assessing your abilities to be a police constable under the Ontario Constable Selection System, and for related research, information and statistical tracking.

The purpose of part C of this form is to release any of the individuals or entities named on this form from liability that might arise as a result of the collection, use or disclosure of your personal information in accordance with parts A and B.

A. CONSENT/ASSESSMENT

I hereby authorize any police service in Ontario to which I have submitted an application to be hired as a constable, and that is a licensed member of the Constable Selection System, to request and obtain personal information about me as described below from any or all of the following individuals or entities:

- the Ontario Association of Chiefs of Police (OACP), which is licensed by the Ontario Government to operate the Constable Selection System, stores personal information belonging to police constable applicants in a secure electronic database, and uses this information to track demographic data and assessment results;
- the OACP Constable Selection System-licensed assessment firm, which provides assessment services on behalf of the OACP, and which collects assessment results as well as the personal information required for Constable Selection System registration;
- the Ontario Ministry of Community Safety and Correctional Services, which is the licensor of the Constable Selection System, and which conducts research using personal information to support the validity and reliability of the Constable Selection System;
- the Ontario Ministry of Transportation, which maintains driving records of Ontario residents;
- any other Ontario police service or law enforcement agency, which may hold personal information about me;
- the Canadian Police Information Centre, which is owned by the RCMP, and which maintains a computerized system to provide law enforcement agencies with information on individuals with criminal records;
- any health care practitioner (including doctors, nurses, psychologists and their agents) who has provided me with health care treatment, either as part of this constable selection process or otherwise;
- any previous employer who may hold personal information about me;
- any consumer reporting agency, which maintains credit or other personal information about a consumer;
- any educational institution in which I have been, or am currently, enrolled and which has information about me, including my grade or performance results; and

I further hereby authorize any of the above-noted individuals or entities to collect or use personal information about me as described above, and to disclose such personal information to a requesting police service as part of this Constable Selection System.

I further acknowledge that any of the above-noted individuals or entities may disclose to the requesting police service to which I have submitted an application any or all of the following records, including any parts of the following records:

- ✓ academic records and transcripts;
- ✓ employment records (Police Service and other), including performance evaluation / reviews, discipline, complaint and attendance information;
- ✓ police records and history of law involvement, including criminal and provincial reports and convictions, and intelligence information;
- ✓ police service applications;
- ✓ medical information;
- ✓ background and security checks (including CPIC, NCIC, Interpol, etc.);
- ✓ financial information, including credit bureau check;
- ✓ driving record;
- ✓ physical, psychological, visual, aptitude and other employment-related tests, including but not limited to MMPI-2 -questions, answers and scores, and the interview notes, summaries, opinions, assessments and evaluations of psychologists;
- ✓ applicant survey information; and,
- ✓ training record.

B. CONSENT/RESEARCH

I understand that personal information about me may be required occasionally for research purposes, and in particular for documenting findings and trends, and for reviewing the validity and reliability of the Constable Selection System. I hereby consent to any of the personal information collected about me, pursuant to this form or at any point while I am being trained to be a constable, to be used and to be disclosed to a researcher or to an entity listed in Part A of this form for these purposes. I understand that in providing this consent no personal information that identifies me shall ever be published in a publication that is available to the general public.

C. RELEASE OF LIABILITY

By signing this form, I agree that in consideration for applying to be a constable pursuant to this Constable Selection System, I hereby release and forever discharge all of the individuals, entities, and classes of individuals and entities referred to on this form, and their agents, licensees, employees, directors, officers, and subcontractors, including but not limited to Her Majesty the Queen in Right of Ontario, the OACP, any Ontario police services board, and their respective agents, licensees, employees, directors, officers, and subcontractors, from any and all actions, causes of action, claims, demands, and remedies, for any and all damages, losses, injuries and expenses of any nature or kind howsoever arising, which hereafter may be sustained by me in connection with the collection, use, and disclosure of information about me in accordance with the consents provided by me in this form, and from the use or reliance upon information about me obtained in accordance with these consents.

And I further agree that this Release of Liability shall apply to and be binding on my heirs, administrators, executors, and assigns and each of them.

I have read both pages of this Consent and Release of Liability Form, and by signing below, I certify that I understand its content, agree to its terms, and am at least eighteen (18) years of age.

MICHAEL JACK

Candidate's Name (Please Print)

Michael Jack

Candidate's Signature

[Handwritten Signature]

Name of Witness (Please Print)

Signature of Witness

30-MAR-08

Date of Signatures

Personal information about the candidate that is obtained through the OACP Constable Selection System process is collected under the authority of section 43 of the *Police Services Act*. Questions concerning the collection, use or disclosure of this information or concerning the Release of Liability should be addressed to:

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6.4: HUMAN RESOURCES

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6.4.8: PROBATIONARY CONSTABLE

Probationary Period

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

Failure to Meet Requirements of Position

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

Posting

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

CONFIDENTIAL
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intended for circulation or external distribution.

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

Variance

The detachment commander, 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 regional commander shall be notified of this decision on a Form PCS066P—Probationary Constable Performance Evaluation.

Recruit Field Training Program—Detachment

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

Responsibilities

Supervisor

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 detachment work;
- confer with the respective coach officer when commenting on the probationary constable's Form PCS066P—Probationary Constable Performance Evaluation; 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 detachment commander 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, re-assign 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 Form PCS066P—Probationary Constable Performance Evaluation is completed in accordance with the Probationary Constable Guidelines; and
- review, comment and forward Form PCS066P—Probationary Constable Performance Evaluation to the regional commander each month.

Supplemental Training

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

Review by Region

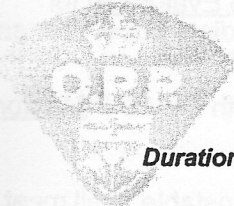
The regional commander, or designate, shall review/comment/distribute Form PCS066P—Probationary Constable Performance Evaluation. The original



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

Diversity Awareness

Once a probationary constable is posted to a detachment, the detachment commander, the accountable supervisor and coach officer shall ensure that the probationary constable is made aware of the diverse make-up of the community, including, but not limited to First Nations and other diverse groups within a detachment's boundaries. Arrangements shall be considered for the probationary constable to meet and work with as many diverse groups as practicable. This will enable the probationary constable to foster awareness, increase understanding and build relationships of mutual understanding and respect.



Duration

The duration of these assignments shall be for a reasonable period as determined by the detachment commander 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 Form PCS066P—Probationary Constable Performance Evaluation that this assignment has been completed.

Orientation to Provincial Communication Centre

Once a probationary constable is posted to a detachment, the detachment commander 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 PCC 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 Form PCS066P—Probationary Constable Performance Evaluation can be found on the Career Development Bureau Intranet Website.

Coach Officer

Selection

A regional/detachment commander shall, when recommending a member 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 detachment 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.



Responsibility The coach officer shall be responsible for:

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



Probationary Officer Suitability

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 Form PCS066P—Probationary Constable Performance Evaluation; 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—Regular Staff

The appointment of a member 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.

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6.10: PROFESSIONALISM IN THE OPP

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6.10.1: INTRODUCTION

CONFIDENTIAL

For review exclusively by the intended recipient. This document is highly confidential and is not intended for circulation or external distribution.

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 Relationship

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);



- make human resource decisions based on merit (Equal Opportunity Operating Policy);
- identify, eliminate and prevent every employment barrier (Equal 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 illegal profiling;
- 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. Freedom of Information and Protection of Privacy Act (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;



- ensuring each employee knows that illegal profiling 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 WDHP Information and Referral Service; and
- referring to Workplace Discrimination and Harassment Prevention in the OPS: A Manager's Guide and to the OPP Focus on Professionalism 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.



- make human resource decisions based on merit (Equal Opportunity Operating Policy);
- identify, eliminate and prevent every employment barrier (Equal 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:

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- 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 illegal profiling;
- 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;

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- providing full disclosure of publicly accessible information while respecting statutory, e.g. Freedom of Information and Protection of Privacy Act (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;



- 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.

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.

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

Application This policy concerning an internal complaint 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.



Resolution Process **Time Frame**

A complaint should be raised immediately but not later than six months of an alleged offence. Any situation older than six months that comes to a supervisor's attention may be addressed if there is a strong reason for the complainant not acting sooner and if an appropriate resolution is feasible given the passage of time.

Multiple Redress

Resolution processes under this policy do not preclude, where applicable, a complainant making use of other collectively bargained (grievance) and statutory rights, e.g. anyone may file a complaint under the Ontario Human Rights Code and, where the respondent is a police officer, under the PSA.

Goals

The goals of the resolution process are to:

- determine the problem, complaint, or issue;
- meet the interests of the parties to the complaint and the organization, in the most effective and least adversarial way possible and in a way that least disrupts ongoing relationships;
- stop the conflict or inappropriate behaviour and/or correct the problem;
- restore or improve positive workplace relationships, as soon as possible; and
- prevent recurrences of the conflict or inappropriate conduct.

Process Characteristics

The resolution process shall be:

- fair;
- responsive;
- timely;
- confidential;
- professional;
- impartial;
- consistently applied; and
- shall aim to preserve the dignity, self-respect and rights of all parties.

Options

The four resolution options are:

- direct management action;
- alternative dispute resolution (ADR);
- investigation; and
- police referral.



Responsibilities

Employee An employee shall:

- know and discharge their rights and responsibilities under this policy, legislation and OPS policies and directives including, but not limited to, the following:
 - Ontario Human Rights Code;
 - 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 WDHP Information and Referral Services.

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 resolution options;
- 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);



- 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.

Employer 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 short-lived 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;



- any OPP record that relates to the event is collected including: copies of notebook entries, occurrence reports, traffic reports, PCC tapes, in-car video tapes, and any other relevant information;
- the complainant and respondent are advised that PSB 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 alternative dispute resolution option, a manager/supervisor shall:

- encourage and support parties to resolve issues and conflict co-operatively, 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–HRB or refer to Workplace Discrimination and Harassment Prevention in the OPS: A Manager's Guide.



Time Frame Mediation shall be completed within three weeks of a manager/supervisor assigning a complaint to a provider of alternate dispute resolution services, unless extenuating circumstances exist, such as one person being ill. While every effort must be made to comply with this time frame, failure to do so does not void the process.

Investigation

Consult A manager/supervisor shall consult with PSB to determine if an investigation is required where:

- one or both parties are unwilling to participate in ADR;
- management needs to determine the facts of an allegation;
- there is a significant power imbalance between respondent and complainant;
- an attempt to resolve the complaint/issue through the ADR process has been unsuccessful; or
- the allegation is serious enough that, if proven, could result in management taking disciplinary/corrective action.

Cooperation A manager/supervisor shall cooperate with the PSB investigator by sharing information, discussing issues and providing their opinion on issues that arise during the investigation.

Confidentiality A manager/supervisor shall ensure the confidentiality of information.

ADR Where an investigation is initially chosen as the option for resolving conflict, PSB and the manager/supervisor may refer the complaint/issue for ADR, where appropriate.

Time Frame An investigation shall be:

- assigned to an investigator no later than two weeks after deciding that a complaint/issue will be investigated; and
- completed and a final report submitted within 12 weeks of assigning an issue or complaint to an investigator, unless there are extenuating circumstances.

Notification Parties to an investigation and their managers/supervisors shall be notified of the outcome of an investigation within six weeks of an investigation report being finalized and, where the allegation has been upheld, the notification should indicate that discipline has been imposed and/or other appropriate action has been taken.

While every effort must be made to comply with these time frames, failure to do so does not void the process.

Police Referral A manager/supervisor shall refer a complaint to the police agency with jurisdiction where a comment or conduct may constitute a criminal act. One or more of the other resolution options may be used concurrently with a police referral.



Documentation

There must be no reference to an issue or complaint under this policy in an employee's personnel file 291-00 file, unless disciplinary action was taken against the employee. All other related documentation shall be securely maintained separately from an employee's personnel file, in the employee's personnel evaluation file—233 10 file, or AP 66 file for an auxiliary member, with access restricted to those persons who need the record to perform necessary and appropriate functions. Documentation maintained in the 233 10 or AP 66 file shall be retained and disposed of in accordance with the Records Maintenance Manual.

6.10.6: PUBLIC COMPLAINT

Complaint Categories

Complaints by members of the public are categorized as follows:

- provincial policy;
- services;
- local policies of a contract location; or
- the conduct of an employee of the OPP.

Accepting a Complaint

An employee at an OPP location shall accept any written and signed complaint from a member of the public and the matter shall be referred to the officer-in-charge. Complaints received electronically are not acceptable and the complainant shall be directed to submit the complaint in person or by mail.

Verbal Complaints

A member of the public making a verbal complaint shall be advised that the PSA requires the complaint to be in writing and signed by the complainant.

Other Police Service

The legislation directs the OPP to accept complaints only about the OPP.

An employee receiving a complaint about another police service or their employees shall direct the complainant to forward the complaint to the applicable station or detachment of the police service to which the complaint relates or to the Commission either:

- personally;
- by mail;
- by telephone; or
- fax or e-mail.

Non-Members of the Public

An employee who receives a complaint from an individual who is not a "member of the public", and the complaint is about:

- OPP policy;
- the service provided; or
- misconduct/inappropriate behaviour that may bring discredit to either the employee or the OPP

shall request that the complaint be in writing outlining the specifics of the complaint and submitted to the respondent's detachment commander.



**Employee Charged
HTA Violation**

In cases where a HTA charge is laid as a result of a MVC, the submission of Form TP022—Vehicle Damage Report, must include:

- a copy of the traffic collision report;
- driver or witness statements; and
- any other documentary evidence.

A Complaint Intake Form is not required with the submission of the TP022.

**Anticipating a
Complaint**

An employee who anticipates that they may be subject of a complaint or contemplates initiating a complaint shall:

- record as completely as possible, the circumstances surrounding the incident including any statements made; and
- notify their supervisor of the circumstances as soon as possible.

**Anonymous
Complaints**

Anonymous complaints, regardless of subject, received in writing shall be forwarded to the Commander, PSB for consideration.

Anonymous complaints made verbally, where the subject of the complaint constitutes "misconduct of a serious nature", shall be recorded on the OPP Complaint Intake Form and forwarded to the Commander, PSB.

**Resolution Of A
Complaint—Public**

If the complaint allegation(s) does not constitute "misconduct of a serious nature," a supervisor shall ensure an attempt is made to resolve the issues prior to accepting any formal complaint.

A resolution may only be completed if the respondent and the complainant both agree to it.

A resolution may include:

- an explanation of policy or law;
- a face-to-face meeting between the parties;
- an apology;
- identification of a training need;
- informal discipline; or
- any other action(s) that will satisfy the involved parties.

In deciding whether a resolution is appropriate, the officer-in-charge should consider whether the action is in accordance with the principles set out in the Performance Management Manual concerning performance improvement.

The parties involved in the complaint shall be made aware by the coordinating supervisor, that no statement made by a respondent or a complainant, in the course of an attempt to resolve a complaint informally, shall be admitted in evidence at a discipline hearing, except with the consent of the person who made the statement.



Complaint Resolved

Where a resolution is successful, the employee resolving the issue should make detailed notes of the process and notify the detachment commander.

Unsuccessful Attempt to Resolve

If the supervisor is unable to resolve the matter at this time, the supervisor may suggest to the complainant that the matter will be reviewed by the detachment commander. The detachment commander may attempt to resolve the matter prior to forwarding the complaint to PSB.

The written complaint and Complaint Intake Form concerning any matter not resolved informally by a supervisor shall be forwarded to PSB and to the sergeant major by fax within five business days. All additional information, including OPP records relating to the complaint, shall be forwarded to PSB by regular mail with a copy retained at detachment.

6.10.7: RESPONSIBILITIES OF PROFESSIONAL STANDARDS BUREAU

Classification of a Complaint

Upon receipt of a complaint, PSB will review and classify the complaint in one of the following areas:

- provincial policy;
- services;
- local policy of a contract location; or
- the conduct of an employee of the OPP.

The Commander, PSB shall determine if the complaint is:

- frivolous;
- vexatious;
- made in bad faith;
- over six months; or
- whether the complainant was not directly affected by the:
 - policy;
 - service; or
 - conduct that is the subject of the complaint.

Further Information

The Commander, PSB may request the detachment commander collect additional preliminary information to assist with the classification or review of the complaint.

Involved employees will be provided with the substance of the complaint and asked to respond in an effort to assist with the classification and review.

Notifications Upon Classification

Notifications pertaining to the classification of the complaint, will be forwarded to the:

- complainant (within 30 days after the complaint was made unless the Commander, PSB notifies the complainant in writing before the expiry of the 30 day period that they are extending the 30 day period);



- respondent (providing the classification decision does not inhibit the investigation);
- sergeant major;
- detachment commander; and
- bureau/regional commander (in the event of a complaint against a detachment commander).

Review Request

A public complainant may request a review by the Commission of the classification decision within 30 days of receiving their classification notice, and no investigation will be done during this period on a public complaint unless the complainant has stated in writing or signed a waiver that they will not appeal the classification.

Classification Review Waiver

PSB will forward a waiver to each public complainant, so that they may request that the investigation proceed prior to the end of the 30-day appeal period.

Withdrawal Of A Complaint

When a complainant wishes to withdraw a complaint because the matter has been resolved or the allegations against the respondent are totally unfounded, the withdrawal shall be in writing and signed by the complainant, expressing the reason for the withdrawal.

The investigating member shall provide the complainant and the respondent with a copy of the withdrawal, and shall submit the original directly to the appropriate sergeant major who will review and forward the withdrawal to the Commander, PSB.

Withdrawal of a complaint does not automatically preclude further investigation or any subsequent discipline by PSB.

Complaints Proceeding To Investigation

A conduct issue shall be assigned to the respective sergeant major for their action and assignment as appropriate. The sergeant major shall, where appropriate, ensure that an attempt is made to resolve the complaint.

OPP provincial policy or service issues shall be dealt with by PSB in concert with the appropriate bureau/region.

Local Policy Issues

A local policy issue shall be forwarded to the detachment commander, in the jurisdiction concerned, for the appropriate action.

6.10.8: COMPLAINT OF MISCONDUCT OF A SERIOUS NATURE

Responsibilities

Employee

When a charge under any statute has been laid against an employee, the employee shall apprise their immediate supervisor of the circumstances of the incident. Should the matter adversely affect the reputation of the OPP or the morale of its employees, the supervisor shall report the matter on a Complaint Intake Form and forward it to the Commander, PSB.

Where an employee is alleged to have been involved in a matter that may constitute "misconduct of a serious nature", that employee shall apprise their immediate supervisor, if available, or detachment commander of the circumstances of the event at the earliest opportunity.



An employee becoming aware of an allegation(s) of misconduct of a serious nature involving another employee, shall report the matter forthwith to their immediate supervisor, or if appropriate, directly to their bureau/regional commander.

Supervisor

Where an alleged misconduct of a serious nature is reported, the supervisor shall ensure their bureau/regional commander has been notified of the allegation(s) made against an employee.

Bureau/Regional Commander

A bureau/regional commander receiving such notification shall immediately notify:

- the appropriate provincial commander;
- the Commander, PSB;
- if applicable, the bureau/regional commander of the employee involved; and
- the bureau commander in charge of any specific program involved, e.g. First Nations Program.

Where appropriate, the bureau/regional commander will also advise:

- the First Nations policing committee; or
- the First Nations Government; or
- the municipal police services board or committee.

Commander, PSB

The Commander, PSB, upon notification of the above, shall be responsible for:

- advising the Commissioner, initially and on an ongoing basis, of the progress of any subsequent investigation; and
- liaising with Media Relations.

Sergeant Major Consult

Any employee may contact the sergeant major for advice and guidance on the process and procedure regarding a complaint.

SIU Investigation

Where the SIU has initiated an investigation and an incident gives rise to both a complaint being lodged and an SIU investigation being conducted, investigation of the complaint may be delayed until the SIU Director has made a decision regarding criminal charges.

Initial Response

**Supervisor/
Detachment
Commander's
Responsibilities**

A supervisor or detachment commander responding to an allegation of misconduct of a serious nature shall ensure that:

- the complainant is advised that the complaint will be forwarded to PSB for processing and appropriate action;
- all criminal allegations are dealt with in the normal manner;
- the OPP "Complaint Intake Form" is completed and attached to the letter of complaint as a covering document;



- the Complaint Intake Form and letter of complaint are forwarded immediately to PSB and the sergeant major by fax or e-mail. The remainder of the file shall be forwarded by regular mail to PSB, once compiled;
- all reasonable steps are taken to secure and preserve evidence that might otherwise be lost;
- all reasonable steps are taken to gather background information and evidence that the complainant can provide such as: photographs, witness statement, offence notice;
- OPP records that relate to the event are collected including: copies of notebook entries, occurrence reports, traffic reports, provincial communication center (PCC) recorded audio tapes, in-car video tapes, and any other information relevant to the complaint; and
- once PSB has been notified, the complaint investigation will not be continued without the approval of PSB.

Restrictions

Duty reports are not requested until PSB has been contacted and witness(es) are not interviewed except as necessary re short-lived evidence, or after discussion with PSB.

SUSPENSION

A bureau/regional commander or designee of superintendent rank or above, may suspend an employee from duty where such suspension is justified and it is in the best interests of the OPP/public where circumstances indicate that:

- it is unacceptable to the OPP/public to allow the member to continue to act as a police officer;
- there is a potential of danger to the public, other members or the member personally by allowing that member to continue duties; or
- the member is in custody.

Consultation

Where it is determined that a member is to be suspended from duty, the bureau/regional commander or designee of superintendent rank, shall consult with the Commander, PSB, prior to suspending the individual.

Professional Standards Bureau

The Commander, PSB, upon receipt of notification, is responsible to prepare and present to the Commissioner the appropriate documentation for confirmation.

Commissioner

The Commissioner may confirm the suspension/reinstate the member to duty.

Notice

Where a member has been suspended from duty, the bureau/regional commander or designee of superintendent rank will ensure that:

- the member is notified in writing, including the date and time effective; and



- the member's issued firearm(s), oleoresin capsicum spray canister, ASP baton, handcuffs, warrant card and badge are retrieved and securely stored.

Other Police Service

Member's Responsibilities

When a police investigation is being conducted, and it is determined that an employee of the OPP or a police officer of an other police service is involved and the substance of the investigation may indicate a misconduct, the investigating member shall notify their supervisor.

Supervisor's Responsibilities

When the supervisor has been notified regarding an allegation of misconduct of a police officer of another police service, the supervisor shall submit a memo with the attached report(s) to the Chief of Police of the involved officer's police service with an information only copy forwarded to the Commander, PSB. If the matter involves an allegation of a misconduct of a serious nature, the supervisor shall immediately notify the respective Chief of Police and forward any documentation as soon as practicable with an information copy forwarded to the Commander, PSB.

Crown Consultation

Upon completing a complaint investigation which directly or indirectly involves an allegation of "misconduct of a serious nature," the investigator shall approach the Regional Director of Crown Attorneys for a legal opinion, unless a decision has already been made to lay a criminal charge or the allegation does not constitute criminal conduct.

A crown brief pertaining to the investigation must be provided to the Regional Crown Attorney at the time the opinion is requested.

Employee Statements

A respondent must be given the opportunity to give an explanation regarding a complaint prior to the submission of the investigative report.

At the request of a superior, an employee shall provide a duty report in writing or appear in person to answer question from the superior. More than one written duty report or interview may be necessary at the discretion of the superior.

Statements made by the employee in writing in a duty report or made orally to a superior in answer to questions of a superior as part of the duty report are admissible against the officer at any discipline hearing that may occur as result of the PSB investigation.

SIU

The Commissioner will, upon request, supply copies of all statements or duty reports made by an employee, except a respondent(s) who has withheld consent, to the Director, SIU.

All statements or accounts reduced to writing are subject to judicial order by any judicial body.

Investigative Report

An investigative report shall contain:

- a summary of the complaint, including a description of the respondent(s) alleged misconduct;
- a brief description of the investigative steps taken;



- summaries of statements from the complainant and/or witnesses, or duty reports from the respondent(s) and any witness officers;
- investigative "findings and conclusions" with regard to each allegation; and
- a description and analysis of any physical evidence obtained.

In order to avoid reinvestigation for clarification purposes, it is imperative that the investigative report depict the true circumstances of the complaint in clear and concise terminology. To ensure a fair disposition is reached, the investigative report shall not contain any personal opinion or unsubstantiated remarks.

OPP complaint files are periodically required to be released for civil and/or criminal proceedings. Therefore, comments made by the investigator must be supported by fact.

Investigative Report Submission

Copies of all documentary evidence (statements, medical reports, daily journals/notebooks, photographs) shall be submitted together with the investigative report directly to the sergeant major.

The sergeant major shall obtain the bureau/regional commander's assessment and recommendations where any of the allegations have been substantiated in whole or in part or where the investigative findings require comment.

The investigative report, with the appropriate regional command staff recommendations or comments, shall be forwarded to the Commander, PSB within four months of receipt of the complaint. The Commander, PSB may grant an extension of time to complete the investigation.

Retention of the Investigative Report

The investigator shall retain custody of all original documents and any physical evidence obtained during the investigation for a period of one year after submission of the final investigative report; or

- until the conclusion of the outstanding appeal process period; or
- until advised otherwise by the Commander, PSB.

Distribution of Investigative Report

The Commander, PSB shall provide the complainant and the respondent(s) with a copy of the investigative report for the public complaint.

6.10.9: COMMISSIONER'S DECISION

Upon receipt and review of a investigative report regarding an employee, the Commissioner shall decide one or more of the following:

- that no further action is necessary;
- that a non-disciplinary discussion be held with the member;
- that a bureau/regional representative contact the complainant and respondent and attempt an informal resolution;
- to informally discipline the respondent(s);
- to hold a disciplinary hearing;



- to cause an information to be laid against the employee and refer the matter to the Crown Attorney for prosecution; or
- to refer the matter to Discipline Committee if deemed appropriate.

Substantiated allegations concerning employees who are not members of the OPPA or COA will be addressed pursuant to the OPP Auxiliary Program Standard Operating Procedure Manual, the PSOA and any other appropriate Collective Agreement.

Notice of Decision The Commander, PSB will give notice of the decision reached on a complaint to all concerned persons, including the investigator, within six months of receipt of the complaint, unless an extension is granted in accordance with the PSA.

Advising Disposition The Commissioner, through the Commander, PSB, will ensure that all affected persons are apprised, in writing, of the disposition of complaints.

A bureau/regional commander may personally apprise those concerned, of the disposition of a complaint.

Complaint Filing A complaint report is filed in accordance with the Records Maintenance Manual.

6.10.10: RESOLUTION OF A COMPLAINT

Introduction Self-discipline is an integral and necessary ingredient in a member's ability to perform duties in the manner expected by the public and prescribed by the OPP. Where self-discipline is lacking, discipline must be applied in order to maintain acceptable levels of police service. Discipline is initiated as an educational and correctional process of ensuring member awareness of the type of behaviour that is deemed detrimental to the OPP and through this awareness, ensure future adherence to orderly prescribed conduct.

The Commissioner is responsible to maintain the highest level of discipline within the OPP. To this end the Commissioner has charged the Commander, PSB and the Discipline Committee with the responsibility to ensure consistent and just disciplinary decisions are made based upon the evidence placed before them.

Normally, a member's self-esteem and positive association with supervisors and peers sufficiently keeps that member within the bounds of good conduct. However, instances of "substantiated" complaints of misconduct or unsatisfactory work performance are clear indicators that corrective action is required.

Discipline Process Where a complaint investigation determines the alleged member's misconduct is "substantiated" and corrective action is recommended, the Commander, PSB shall conduct a review of each file, and:

- decide whether corrective action is required;
- determine what corrective action is required to address the issue; and
- ensure the corrective action is carried out.



Where a PSA charge is indicated, refer the matter to the Manager, Prosecution Section, PSB for processing.

Discipline Committee

The Commander, PSB, may refer an investigative file to the Discipline Committee or the investigative file may also be referred to discipline committee at the request of a bureau/regional commander.

The Discipline Committee when reviewing an investigative file shall exercise the authority of the Commander, PSB.

The Commander, PSB is responsible to ensure that the decision of the Discipline Committee is carried out.

Dress Code

The following dress code for attendance at a PSA hearing is:

- Dress Order #2, for commissioned officer or sergeant major; and
- Dress Order #1, for non-commissioned member.

A member seeking an exemption to the order of dress shall contact the Manager, Prosecution Section, PSB.

The member shall be accompanied by a supervisor to a PSA hearing.

Informal Discipline

Informal discipline is offered in those circumstances where corrective action is appropriate and the respondent agrees. It should be noted that informal discipline is generally offered as an alternative to a PSA charge. Therefore, on all complaints in which informal discipline is being considered, the sergeant major shall review the file to ensure there is sufficient evidence to support a PSA charge. The Commander, PSB will then be consulted on the recommended amount of informal discipline to ensure organizational consistency.

Application

When the complaint does not involve allegations of misconduct of a serious nature, the provisions of this section may be applied, at the following intervals:

- attempting an informal resolution when the involved respondent and complainant both agree;
- during the course of the investigation of the complaint; or
- following the completion of the complaint investigation.

In dealing with an allegation not involving misconduct of a serious nature or unsatisfactory work performance, the officer-in-charge/investigator shall ensure an attempt is made to resolve the issue as indicated in topic area entitled Resolution of a Complaint.

Restrictions

Informal discipline at this stage usually will not be appropriate where circumstances include any of the following:

- the allegation indicates the use of force, including the use or threatened use of firearms;
- the allegation involves all other allegations of misconduct of a serious nature.



- the member has been found guilty under the PSA within the previous five years; or
- the member has been subject to corrective action under the informal discipline program twice within the previous two years.

Responsibilities *Supervisor or PSB Investigator*

Where it appears that informal discipline would be an appropriate part of an informal resolution, the supervisor or PSB investigator shall not proceed with the informal resolution, but shall refer the matter to the respective detachment commander or sergeant major.

Detachment Commander

The detachment commander shall review the matter, and if they agree that informal discipline would be appropriate as part of an informal resolution, either alone or in combination with other elements, then the detachment commander shall forward the complaint and a copy of the background information forthwith, together with the detachment commander's appended comments as to the applicability of informal discipline, to the sergeant major.

Sergeant Major

The sergeant major shall review the investigative file submitted from the detachment commander or investigator and shall forward their recommendations to the respective bureau/regional commander concerning the informal discipline.

Bureau/Regional Commander

Where the bureau/regional commander, in consultation with the Commander, PSB, determines that informal discipline is applicable to the case, they may approve one of the following corrective actions:

- a reprimand;
- undergo specific counselling, treatment or training;
- participate in a specific program or activity;
- any remedial action in conjunction with any of the above; or
- a deduction of up to a maximum of 24 hours from the member's overtime bank or statutory holiday bank.

The bureau/regional commander shall advise the detachment commander or sergeant major of the approved level of informal discipline, and request that an appropriate attempt be made at an informal resolution.

Notice For Meeting

The detachment commander or sergeant major shall serve the member involved with notice, either verbal or written, advising the time, date and location of the meeting pertaining to the offer of informal discipline. The notice shall be served upon the member a least three clear days prior to the meeting.

Member's Option

A member has the option of being accompanied by a representative during this meeting. The representative may only offer the member assistance in making a decision.



**Member Advised of
Corrective Action
Offered**

The bureau/regional commander shall advise the member of the corrective action which has been selected and offer the member the option of either accepting the corrective action or proceeding with a PSA charge. The member has three clear days to notify the bureau/regional commander of their decision.

Form X005

Form X005 shall be utilized to record the corrective action offered and the member's response to the offer. This form will be generated by the sergeant major or bureau/regional staff, once completed it shall be forwarded to PSB.

Upon receipt of a completed Form X005, the Commander, PSB shall review the corrective action taken and ensure proper filing.

Decision-Irreversible

A decision to proceed by way of PSA charge shall be considered irreversible and no appeal of the informal discipline process by the member will be considered.

Record Retention

The member shall be advised that the informal discipline, if accepted, will be processed and subject to all the retention provisions as set out in topic area Record of Informal Discipline.

**Informal Resolution
Post-Acceptance**

Where at the conclusion of the meeting the detachment commander or sergeant major is still of the opinion that the informal resolution would be appropriate after the acceptance of the informal discipline, and the involved parties all agree to it, they may secure the parties agreement and confirm the informal resolution.

**Record Of Informal
Discipline**

A record of informal discipline shall be kept on a member's personnel file 291-00 at all administrative levels for two clear years from the date of disposition.

Where there is a further occurrence of a similar nature and the allegation is sustained, the original record shall remain on file for an additional two clear years from the date of disposition.

A record of informal discipline may be utilized at subsequent informal discipline proceedings as well as PSA proceedings for a sustained allegation of similar behaviour.

It shall be the responsibility of the Commander, PSB to notify all administrative levels when a record of informal discipline is to be purged.

Corrective Action

Where a member is required to work as a corrective action, that work shall be completed at a time mutually agreed upon by the detachment commander and the member.

Time worked as a corrective action shall be completed within 45 days from the date the corrective action is offered and shall not be in conjunction with any scheduled shift.

Where a member is required to work as a corrective action, no overtime shall be allowed unless the overtime hours worked were at the completion of the corrective action time worked.

Distribution

Where informal discipline is accepted, the employee who arranges for the member's signature shall provide one copy to the member, and shall forward:



- one copy to the member's detachment commander with written instruction to monitor the corrective action;
- one copy to the sergeant major; and
- the original to PSB.

When the corrective action is completed, the detachment commander shall complete the pertinent section of the form and return one copy to the sergeant major, and one copy to PSB.

Where the corrective action is not accepted within three clear days, the employee who arranges for the member's signature shall forward the original investigative file to the Commander, PSB with written direction that a PSA charge is to be initiated; or

Where a member wishes to exercise the three day option, the member will be provided with a copy of Form X005 and the original shall be forwarded to the member's detachment commander with written instructions concerning:

- where corrective action is accepted:
 - obtain the member's signature on the form;
 - monitor the corrective action; and
 - forward a copy to the sergeant major and the original to PSB; or
- where the corrective action is not accepted or no response is received:
 - complete the pertinent areas of the form; and
 - forward a copy to the sergeant major and the original to PSB.

Upon final distribution of the investigation, copies of Form X005 shall be distributed to:

- Commander, PSB;
- RHQ or Bureau;
- Detachment/Unit; and
- Member.

Filing

Documentation concerning this program shall be filed in accordance with the provisions of the Records Maintenance Manual. Documentation placed in a member's personnel file as described in the Memorandum of Understanding, Article 28.02 shall remain within the file until the provisions of Article 28.02 and section 64(16) of the PSA have been satisfied.

6.10.11: OPP AWARDS SOP MANUAL

Commander, CCB The Commander, CCB shall be responsible for:

- maintaining the OPP Awards Standard Operating Procedure (SOP) Manual; and



- auditing the content for relevancy on an annual basis.

6.10.12: PUBLIC APPRECIATION TRIBUTE

Introduction A tribute is an expression of appreciation pertaining to an OPP employee's meritorious conduct and service. It is a valuable indicator of our success in working with our partners/stakeholders. Measured in conjunction with other evaluators, a tribute demonstrates that organizationally we are adhering to The Promise of the OPP.

Acknowledgement Each tribute received shall be acknowledged to the sender by the detachment commander, at point of receipt as follows:

- verbal tribute:
 - verbal acknowledgement; or
- written tribute:
 - written acknowledgement.

A verbal tribute is to be processed in the same manner as a written tribute.

Processing In cases where a tribute is received personally by an employee it shall be forwarded to their immediate supervisor for comments.

Supervisor The immediate supervisor shall review each tribute, provide comments and forward it to the respective detachment commander.

Detachment Commander The detachment commander shall review each tribute submitted, provide comments and forward it to the respective bureau/regional commander.

Bureau/Regional Commander The bureau/regional commander shall:

- review each tribute submitted;
- provide comments; and
- ensure each tribute, and a copy of any written acknowledgement or a notation that a verbal acknowledgement was given, is forwarded to:
 - HRB, GHQ Files Room; and
 - Awards and Recognition Unit, Corporate Communications Bureau (CCB).

Filing The tribute shall be placed in the employee's personnel file 291-00 at HRB.

Distribution A copy of a tribute forwarded in accordance with this policy, shall also be distributed as follows:

- where it refers to a member—filed in the respective personnel file 291-00 at the individual's OPP work location; or
- where it pertains to OPP Service—file in RHQ and detachment file.

Posting An OPP service tribute should be posted at detachment for a reasonable period prior to filing.



- Monthly Report** An e-mail or fax message, shall be sent from each detachment commander and bureau commander to the Commander, CCB, advising of the number of tribute(s) on a monthly basis.
- Publication** The Awards and Recognition Unit Co-ordinator may select a written tribute to be forwarded to the editor of the OPP Review for publication.

6.10.13: HONORARY TRIBUTE

- OPP Asset** Occasionally, a request is made to name an OPP asset in honour of an individual. An employee generating/receiving a request to name an OPP asset that is not already guided by another policy/procedure shall submit the request through normal channels to the bureau/regional commander in charge of the asset.
- Approval** Only approved names may be displayed on any OPP asset.
- Building Name** The naming of OPP buildings and real property is governed by the Management Board Secretariat, Realty Group policy.
- Vessel Name** At the discretion of Commissioner's Committee, the naming of OPP vessels is co-ordinated by the Commander, Highway Safety Division (HSD).
- Eligibility Criteria** Names must have a direct relationship to the OPP, past or present.
- Process** A request submitted to Marine Programs Coordinator, HSD shall include:
- biographical information in relation to the proposed person named;
 - background information sufficient to demonstrate that the proposed name has been selected on a properly informed basis;
 - an analysis of any fiscal implications;
 - documentation of community consultation/support for the name, if appropriate; and
 - alternative name(s) with supporting details as Transport Canada requires the name to be unique from other registered vessels in Canada.
- Approval** Where a request is approved by the Commander, HSD, the Marine Programs Coordinator, HSD shall forward the request to Commissioner's Committee for final approval.
- After Approval** Upon approval by Commissioner's Committee, the Marine Programs Coordinator, HSD in conjunction with Fleet & Asset Services Section, Business and Financial Services Bureau (BFSB), shall:
- submit the Application for Registry to Transport Canada;
 - complete the registration process; and
 - prepare the vessel for christening.
- Vessel Christening** Upon notification of the completed registration, the respective region shall be



responsible for coordinating the official Christening Ceremony.

6.10.14: AWARDS & RECOGNITION

Awards & Recognition Program

There shall be an Awards and Recognition Program administered by CCB.

OPP Awards Manual

Procedures related to awards and recognition are found in the OPP Awards SOP Manual and shall include information concerning—but not be restricted to—the following:

- the types of awards available through the Awards and Recognition Program;
- the Awards Advisory Committee;
- the criteria for awards; and
- procedures at an awards ceremony.

Auxiliary

Direction relating to Auxiliary Awards may be found in the OPP Auxiliary Program Standard Operating Procedure Manual.

Accolade

The OPP Accolade Awards is an initiative supporting a culture of recognition within the OPP; a culture that reinforces the OPP's Vision, Mission, the Commissioner's Annual Directional Statement and The Promise of the OPP. The goal of the Awards and Recognition Program is to make recognition an even more prominent and widespread practice within the organization.

Incentive Program

The Incentive Program was implemented to recognize a uniform member's efforts at the local level for proficiency, professionalism and dedication to duty. A uniform member shall have the option of accepting the incentive as pay or as a credit to the member's overtime bank.

Responsibility

Commander, CCB

The Commander, CCB, shall track the Incentive Program as administered by each bureau/region.

Recommendation

Supervisor

Where an employee has exhibited an outstanding contribution to policing services a supervisor may recommend on Form COM7—Request for Recognition, that the employee be appropriately rewarded.

Detachment Commander

A detachment commander shall append written comments to Form COM7 and forward it to the bureau/regional commander, provincial commander, or Commissioner, where applicable, for consideration.

Bureau/Regional/ Provincial Commander/ Commissioner

On receipt of Form COM7, a bureau/regional commander, provincial commander, or Commissioner, where applicable, shall:

- evaluate the submission and where appropriate;



- authorize a credit of up to a maximum of 24 hours to be granted to the employee; and
- provide written authorization to the Commander, CCB and to the respective detachment commander to effect the incentive.

Non-approval In the event that an award is not approved, Form COM7 shall be returned to the detachment commander and placed in the employee's personnel file 291-00.

Acceptance Whether an award is accepted as pay or as time off, it shall be entered on the Employee's Report of Regular and Premium Payment Hours, Single Employee, Form 7540-3002.

Recording HRB shall record the information contained on Form COM7 for statistical purposes and forward to HRB, for placement in the employee's personnel file 291-00.

Filing A record of an authorized award shall be retained on the employee's personnel file 291-00 at all administrative levels.



6.10: PROFESSIONALISM IN THE OPP

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6.10.1: INTRODUCTION

CONFIDENTIAL
For review exclusively by the intended recipient. This document is highly confidential and is not intended for circulation or external distribution.

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 Relationship

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:

- oaths of office and allegiance as stated in the Public Service of Ontario Act (PSOA); and
- oaths of office and secrecy as stated in the Police Services Act (PSA).

The highest standard of professionalism in policing enhances our opportunity to maintain a positive workplace, protect human rights, and 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 (PSOA, O. Reg. 381/07);



- prevent workplace discrimination and harassment (Workplace Discrimination and Harassment Prevention (WDHP) Policy);
- make human resource decisions based on merit (Equal Opportunity Operating Policy);
- identify, eliminate and prevent every employment barrier (Equal 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 illegal profiling;
- 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. Freedom of Information and Protection of Privacy Act (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;
- ensuring each employee knows that illegal profiling 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 WDHP Information and Referral Service; and
- referring to Workplace Discrimination and Harassment Prevention in the OPS: A Manager's Guide and to the OPP Focus on Professionalism 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;



- 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.

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.

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

Application This policy concerning an internal complaint applies to all employment-related complaints, including a WDHP complaint, allegations of workplace violence, and a complaint involving an auxiliary member or volunteer. All employee 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.

**Resolution Process****Time Frame**

A complaint should be raised immediately but not later than six months of an alleged offence. Any situation older than six months that comes to a supervisor's attention may be addressed if there is a strong reason for the complainant not acting sooner and if an appropriate resolution is feasible given the passage of time.

Multiple Redress

Resolution processes under this policy do not preclude, where applicable, a complainant making use of other collectively bargained (grievance) and statutory rights, e.g. anyone may file a complaint under the Ontario Human Rights Code and, where the respondent is a police officer, under the PSA.

Goals

The goals of the resolution process are to:

- determine the problem, complaint, or issue;
- meet the interests of the parties to the complaint and the organization, in the most effective and least adversarial way possible and in a way that least disrupts ongoing relationships;
- stop the conflict or inappropriate behaviour and/or correct the problem;
- restore or improve positive workplace relationships, as soon as possible; and
- prevent recurrences of the conflict or inappropriate conduct.

Process Characteristics

The resolution process shall be:

- fair;
- responsive;
- timely;
- confidential;
- professional;
- impartial;
- consistently applied; and
- shall aim to preserve the dignity, self-respect and rights of all parties.

Options

The four resolution options are:

- direct management action;
- alternative dispute resolution (ADR);
- investigation; and
- police referral.



Responsibilities

Employee

An employee shall:

- know and discharge their rights and responsibilities under this policy, legislation and OPS policies and directives including, but not limited to, the following:
 - Ontario Human Rights Code;
 - PSA and regulations;
 - Accountability Directive;
 - Equal Opportunity Operating Policy;
 - Workplace Discrimination and Harassment Prevention (WDHP) Policy;
 - Employment Accommodation for People with Disabilities Operating Policy;
 - PSOA, O. Reg. 381/07; 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 WDHP Information and Referral Services.

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 resolution options;
- 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);



- 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.

Employer

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 short-lived 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;



- any OPP record that relates to the event is collected including: copies of notebook entries, occurrence reports, traffic reports, PCC tapes, in-car video tapes, and any other relevant information;
- the complainant and respondent are advised that PSB 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 alternative dispute resolution option, a manager/supervisor shall:

- encourage and support parties to resolve issues and conflict co-operatively, 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—HRB or refer to Workplace Discrimination and Harassment Prevention in the OPS: A Manager's Guide.



Time Frame Mediation shall be completed within three weeks of a manager/supervisor assigning a complaint to a provider of alternate dispute resolution services, unless extenuating circumstances exist, such as one person being ill. While every effort must be made to comply with this time frame, failure to do so does not void the process.

Investigation

Consult A manager/supervisor shall consult with PSB to determine if an investigation is required where:

- one or both parties are unwilling to participate in ADR;
- management needs to determine the facts of an allegation;
- there is a significant power imbalance between respondent and complainant;
- an attempt to resolve the complaint/issue through the ADR process has been unsuccessful; or
- the allegation is serious enough that, if proven, could result in management taking disciplinary/corrective action.

Co-operation A manager/supervisor shall co-operate with the PSB investigator by sharing information, discussing issues and providing their opinion on issues that arise during the investigation.

Confidentiality A manager/supervisor shall ensure the confidentiality of information.

ADR Where an investigation is initially chosen as the option for resolving conflict, PSB and the manager/supervisor may refer the complaint/issue for ADR, where appropriate.

Time Frame An investigation shall be:

- assigned to an investigator no later than two weeks after deciding that a complaint/issue will be investigated; and
- completed and a final report submitted within 12 weeks of assigning an issue or complaint to an investigator, unless there are extenuating circumstances.

Notification Parties to an investigation and their managers/supervisors shall be notified of the outcome of an investigation within six weeks of an investigation report being finalized and, where the allegation has been upheld, the notification should indicate that discipline has been imposed and/or other appropriate action has been taken.

While every effort must be made to comply with these time frames, failure to do so does not void the process.

Police Referral A manager/supervisor shall refer a complaint to the police agency with jurisdiction where a comment or conduct may constitute a criminal act. One or more of the other resolution options may be used concurrently with a police referral.



Documentation There must be no reference to an issue or complaint under this policy in an employee's personnel file 291-00 file, unless disciplinary action was taken against the employee. All other related documentation shall be securely maintained separately from an employee's personnel file, in the employee's personnel evaluation file—233 10 file, or AP 66 file for an auxiliary member, with access restricted to those persons who need the record to perform necessary and appropriate functions. Documentation maintained in the 233 10 or AP 66 file shall be retained and disposed of in accordance with the Records Maintenance Manual.

6.10.6: PUBLIC COMPLAINT

Complaint Categories Complaints by members of the public are categorized as follows:

- provincial policy;
- services;
- local policies of a contract location; or
- the conduct of an employee of the OPP.

Accepting a Complaint An employee at an OPP location shall accept any written and signed complaint from a member of the public and the matter shall be referred to the officer-in-charge. Complaints received electronically are not acceptable and the complainant shall be directed to submit the complaint in person or by mail.

Verbal Complaints A member of the public making a verbal complaint shall be advised that the PSA requires the complaint to be in writing and signed by the complainant.

French Language Services Complaint A Justice Sector Complaints Protocol has been established for complaints pertaining to French Language Services (FLS) in partnership with the Office of the French Language Services Commissioner, to ensure a sector-wide prompt and effective identification and resolution of any service complaints.

Received from FLS Commissioner

Where a complaint is filed with the FLS Commissioner, the OPP French Language Strategy Lead shall be notified and will liaise with the designated region/bureau in an effort to resolve the complaint.

Received from Bureau/Region

When a complaint is received directly within a region/bureau, the manager/supervisor shall contact the OPP French Language Strategy Lead who will liaise in the resolution of the complaint.

Other Police Service The legislation directs the OPP to accept complaints only about the OPP.

An employee receiving a complaint about another police service or their employees shall direct the complainant to forward the complaint to the applicable station or detachment of the police service to which the complaint relates or to the Commission either:

- personally;
- by mail;



- by telephone; or
- fax or e-mail.

Non-Members of the Public

An employee who receives a complaint from an individual who is not a "member of the public", and the complaint is about:

- OPP policy;
- the service provided; or
- misconduct/inappropriate behaviour that may bring discredit to either the employee or the OPP

shall request that the complaint be in writing outlining the specifics of the complaint and submitted to the respondent's detachment commander.

Employee Charged HTA Violation

In cases where a HTA charge is laid as a result of a MVC, the submission of Form TP022—Vehicle Damage Report, must include:

- a copy of the traffic collision report;
- driver or witness statements; and
- any other documentary evidence.

A Complaint Intake Form is not required with the submission of the TP022.

Anticipating a Complaint

An employee who anticipates that they may be subject of a complaint or contemplates initiating a complaint shall:

- record as completely as possible, the circumstances surrounding the incident including any statements made; and
- notify their supervisor of the circumstances as soon as possible.

Anonymous Complaints

Anonymous complaints, regardless of subject, received in writing shall be forwarded to the Commander, PSB for consideration.

Anonymous complaints made verbally, where the subject of the complaint constitutes misconduct of a serious nature, shall be recorded on the OPP Complaint Intake Form and forwarded to the Commander, PSB.

Resolution of a Complaint—Public

If the complaint allegation(s) does not constitute misconduct of a serious nature, a supervisor shall ensure an attempt is made to resolve the issues prior to accepting any formal complaint.

A resolution may only be completed if the respondent and the complainant both agree to it.

A resolution may include:

- an explanation of policy or law;
- a face-to-face meeting between the parties;
- an apology;
- identification of a training need;



- informal discipline; or
- any other action(s) that will satisfy the involved parties.

The parties involved in the complaint shall be made aware by the coordinating supervisor, that no statement made by a respondent or a complainant, in the course of an attempt to resolve a complaint informally, shall be admitted in evidence at a discipline hearing, except with the consent of the person who made the statement.

Complaint Resolved

Where a resolution is successful, the employee resolving the issue should make detailed notes of the process and notify the detachment commander.

Unsuccessful Attempt to Resolve

If the supervisor is unable to resolve the matter at this time, the supervisor may suggest to the complainant that the matter will be reviewed by the detachment commander. The detachment commander may attempt to resolve the matter prior to forwarding the complaint to PSB.

The written complaint and Complaint Intake Form concerning any matter not resolved informally by a supervisor shall be forwarded to PSB and to the sergeant major by fax within five business days. All additional information, including OPP records relating to the complaint, shall be forwarded to PSB by regular mail with a copy retained at detachment.

6.10.7: RESPONSIBILITIES OF PROFESSIONAL STANDARDS BUREAU

Classification of a Complaint

Upon receipt of a complaint, PSB will review and classify the complaint in one of the following areas:

- provincial policy;
- services;
- local policy of a contract location; or
- the conduct of an employee of the OPP.

The Commander, PSB shall determine if the complaint is:

- frivolous;
- vexatious;
- made in bad faith;
- over six months; or
- whether the complainant was not directly affected by the:
 - policy;
 - service; or
 - conduct that is the subject of the complaint.

Further Information

The Commander, PSB may request the detachment commander collect additional preliminary information to assist with the classification or review of the complaint.



Involved employees will be provided with the substance of the complaint and asked to respond in an effort to assist with the classification and review.

Notifications upon Classification

Notifications pertaining to the classification of the complaint will be forwarded to the:

- complainant (within 30 days after the complaint was made unless the Commander, PSB notifies the complainant in writing before the expiry of the 30 day period that they are extending the 30 day period);
- respondent (providing the classification decision does not inhibit the investigation);
- sergeant major;
- detachment commander; and
- bureau/regional commander (in the event of a complaint against a detachment commander).

Review Request

A public complainant may request a review by the Commission of the classification decision within 30 days of receiving their classification notice, and no investigation will be done during this period on a public complaint unless the complainant has stated in writing or signed a waiver that they will not appeal the classification.

Classification Review Waiver

PSB will forward a waiver to each public complainant, so that they may request that the investigation proceed prior to the end of the 30-day appeal period.

Withdrawal of a Complaint

When a complainant wishes to withdraw a complaint because the matter has been resolved or the allegations against the respondent are totally unfounded, the withdrawal shall be in writing and signed by the complainant, expressing the reason for the withdrawal.

The investigating member shall provide the complainant and the respondent with a copy of the withdrawal, and shall submit the original directly to the appropriate sergeant major who will review and forward the withdrawal to the Commander, PSB.

Withdrawal of a complaint does not automatically preclude further investigation or any subsequent discipline by PSB.

Complaints Proceeding To Investigation

A conduct issue shall be assigned to the respective sergeant major for their action and assignment as appropriate. The sergeant major shall, where appropriate, ensure that an attempt is made to resolve the complaint.

OPP provincial policy or service issues shall be dealt with by PSB in concert with the appropriate bureau/region.

Local Policy Issues

A local policy issue shall be forwarded to the detachment commander, in the jurisdiction concerned, for the appropriate action.

6.10.8: COMPLAINT OF MISCONDUCT OF A SERIOUS NATURE

Definition

Misconduct of a serious nature is an allegation that an employee has:

- committed a criminal offence;



- been charged with a criminal offence; or
- engaged in conduct which may adversely affect the reputation of the OPP, or the morale of its employees.

Responsibilities

Employee

When a charge under any statute has been laid against an employee, the employee shall apprise his/her immediate supervisor of the circumstances of the incident. Should the matter adversely affect the reputation of the OPP or the morale of its employees, the supervisor shall report the matter on a Complaint Intake Form and forward it to the Commander, PSB.

Where an employee is alleged to have been involved in a matter that may constitute misconduct of a serious nature, that employee shall apprise his/her immediate supervisor, if available, or detachment commander of the circumstances of the event at the earliest opportunity.

An employee becoming aware of an allegation(s) of misconduct of a serious nature involving another employee, shall report the matter forthwith to his/her immediate supervisor, or if appropriate, directly to his/her bureau/regional commander.

Supervisor

Where an alleged misconduct of a serious nature is reported, or a charge is laid that qualifies under R. vs. McNeil, the supervisor shall ensure his/her bureau/regional commander has been notified of the allegation(s) made against an employee.

Bureau/Regional Commander

A bureau/regional commander receiving such notification shall immediately notify:

- the Commander, PSB or designee either directly or through the General Headquarters (GHQ) Duty Office;
- the appropriate provincial commander;
- the bureau/regional commander of the employee involved, if applicable; and
- the bureau commander in charge of any specific program involved, e.g. First Nations Program.

Where appropriate, the bureau/regional commander will also advise:

- the First Nations policing committee;
- the First Nations Government; or
- the municipal police services board or committee.

Note: Criminal matters that require immediate attention, such as offences of impaired driving or dangerous driving shall be investigated by the police service or detachment of jurisdiction where the offence has occurred with notification to PSB.

Commander, PSB

The Commander, PSB, or designee, upon notification of the above, shall be responsible for:



- assessing each complaint to determine if referral or assistance is required by another agency/unit/detachment;
- assigning an investigator in response to any allegation of criminal wrongdoing made against an employee of the OPP;
- advising the Commissioner, initially and on an ongoing basis, of the progress of any subsequent investigation;
- liaising with Media Relations, Corporate Communications Bureau (CCB); and
- updating the member's *R. vs. McNeil Report*, if appropriate.

Criminal Allegations In Relation to Civilian Employees

PSB shall investigate criminal allegations in relation to civilians who are governed by OPP policy, e.g. contractors/volunteers where the offence is committed in relation to an OPP premises/equipment/resource and does not fall within the jurisdiction of another police service.

Sergeant Major Consult

Any employee may contact the sergeant major for advice and guidance on the process and procedure regarding a complaint.

SIU Investigation

Where the SIU has initiated an investigation and an incident gives rise to both a complaint being lodged and an SIU investigation being conducted, investigation of the complaint may be delayed until the SIU Director has made a decision regarding criminal charges.

Initial Response

Supervisor/ Detachment Commander's Responsibilities

A supervisor or detachment commander responding to an allegation of misconduct of a serious nature shall ensure that:

- all criminal allegations are dealt with to ensure policy compliance;
- the complainant is advised that the complaint will be forwarded to PSB for processing and appropriate action;
- the OPP Complaint Intake Form is completed and attached to the letter of complaint as a covering document;
- the Complaint Intake Form and letter of complaint are forwarded immediately to PSB and the sergeant major by fax or e-mail. The remainder of the file shall be forwarded by regular mail to PSB, once compiled;
- all reasonable steps are taken to secure and preserve evidence that might otherwise be lost;
- all reasonable steps are taken to gather background information and evidence that the complainant can provide such as: photographs, witness statement, offence notice;
- OPP records that relate to the event are collected including: copies of notebook entries, occurrence reports, traffic reports, provincial communication center (PCC) recorded audio tapes, in-car video tapes, and any other information relevant to the complaint; and



- once PSB has been notified, the complaint investigation will not be continued without the approval of PSB.

Domestic Violence Regions shall investigate incidents of domestic violence involving a member of the OPP to ensure policy compliance. The police of jurisdiction where the domestic violence occurrence is alleged to have occurred is familiar with the resources available to the victim and can more easily refer them to those agencies. See Police Orders, Chapter 2, Law Enforcement, Domestic Violence Occurrence for additional information.

Restrictions Duty reports are not requested until PSB has been contacted and witness(es) are not interviewed except as necessary re short-lived evidence, or after discussion with PSB.

Suspension A bureau/regional commander or designee of superintendent rank or above, may suspend an employee from duty where such suspension is justified and it is in the best interests of the OPP/public where circumstances indicate that:

- it is unacceptable to the OPP/public to allow the member to continue to act as a police officer;
- there is a potential of danger to the public, other members or the member personally by allowing that member to continue duties; or
- the member is in custody.

Consultation Where it is determined that a member is to be suspended from duty, the bureau/regional commander or designee of superintendent rank, shall consult with the Commander, PSB, prior to suspending the individual.

Professional Standards Bureau

The Commander, PSB, upon receipt of notification, is responsible to prepare and present to the Commissioner the appropriate documentation for confirmation.

Commissioner

The Commissioner may confirm the suspension/reinstate the member to duty.

Notice

Where a member has been suspended from duty, the bureau/regional commander or designee of superintendent rank will ensure that:

- the member is notified in writing, including the date and time effective; and
- the member's issued firearm(s), oleoresin capicum spray canister, ASP baton, handcuffs, warrant card and badge are retrieved and securely stored.

Other Police Service *Member's Responsibilities*

When a police investigation is being conducted, and it is determined that an employee of the OPP or a police officer of another police service is involved and the substance of the investigation may indicate misconduct, the investigating member shall notify his/her supervisor.



Supervisor's Responsibilities

When the supervisor has been notified regarding an allegation of misconduct of a police officer of another police service, the supervisor shall submit a memo with the attached report(s) to the Chief of Police of the involved officer's police service with an information only copy forwarded to the Commander, PSB. If the matter involves an allegation of a misconduct of a serious nature, the supervisor shall immediately notify the respective Chief of Police and forward any documentation, as soon as practicable, with an information copy forwarded to the Commander, PSB.

Crown Consultation

Upon completing a complaint investigation which directly or indirectly involves an allegation of misconduct of a serious nature, the investigator shall approach the regional director of Crown attorneys for a legal opinion, unless a decision has already been made to lay a criminal charge or the allegation does not constitute criminal conduct.

A crown brief pertaining to the investigation must be provided to the regional Crown attorney at the time the opinion is requested.

Employee Statements

A respondent must be given the opportunity to give an explanation regarding a complaint prior to the submission of the investigative report.

At the request of a superior, an employee shall provide a duty report in writing or appear in person to answer question from the superior. More than one written duty report or interview may be necessary at the discretion of the superior.

Statements made by the employee in writing in a duty report, or made orally to a superior in answer to questions of a superior as part of the duty report, are admissible against the officer at any discipline hearing that may occur as result of the PSB investigation.

SIU

The Commissioner will, upon request, supply copies of all statements or duty reports made by an employee, except a respondent(s) who has withheld consent, to the Director, SIU.

All statements or accounts reduced to writing are subject to judicial order by any judicial body.

Investigative Report

An investigative report shall contain:

- a summary of the complaint, including a description of the respondent(s) alleged misconduct;
- a brief description of the investigative steps taken;
- summaries of statements from the complainant and/or witnesses, or duty reports from the respondent(s) and any witness officers;
- *investigative findings and conclusions* with regard to *each* allegation; and
- a description and analysis of any physical evidence obtained.

In order to avoid reinvestigation for clarification purposes, it is imperative that the investigative report depict the true circumstances of the complaint in clear and concise terminology. To ensure a fair disposition is reached, the



investigative report shall not contain any personal opinion or unsubstantiated remarks.

OPP complaint files are periodically required to be released for civil and/or criminal proceedings. Therefore, comments made by the investigator must be supported by fact.

Investigative Report Submission

Copies of all documentary evidence (statements, medical reports, daily journals/notebooks, photographs) shall be submitted together with the investigative report directly to the sergeant major.

The sergeant major shall obtain the bureau/regional commander's assessment and recommendations where any of the allegations have been substantiated in whole or in part or where the investigative findings require comment.

The investigative report, with the appropriate regional command staff recommendations or comments, shall be forwarded to the Commander, PSB within four months of receipt of the complaint. The Commander, PSB may grant an extension of time to complete the investigation.

Retention of the Investigative Report

The investigator shall:

- retain custody of all original documents and any physical evidence obtained during the investigation for a period of one year after submission of the final investigative report; or
- until the conclusion of the outstanding appeal process period; or
- until advised otherwise by the Commander, PSB.

Distribution of Investigative Report

The Commander, PSB shall provide the complainant and the respondent(s) with a copy of the investigative report for the public complaint.

6.10.9: COMMISSIONER'S DECISION

Upon receipt and review of an investigative report regarding an employee, the Commissioner shall decide one or more of the following:

- that no further action is necessary;
- that a non-disciplinary discussion be held with the member;
- that a bureau/regional representative contact the complainant and respondent and attempt an informal resolution;
- to informally discipline the respondent(s);
- to hold a disciplinary hearing;
- to cause an information to be laid against the employee and refer the matter to the Crown attorney for prosecution; or
- to refer the matter to Discipline Committee if deemed appropriate.

Substantiated allegations concerning employees who are not members of the OPPA or COA will be addressed pursuant to the OPP Auxiliary Program Standard Operating Procedure Manual, the PSOA and any other appropriate Collective Agreement.



Notice of Decision The Commander, PSB will give notice of the decision reached on a complaint to all concerned persons, including the investigator, within six months of receipt of the complaint, unless an extension is granted in accordance with the PSA.

Advising Disposition The Commissioner, through the Commander, PSB, will ensure that all affected persons are apprised, in writing, of the disposition of complaints.

A bureau/regional commander may personally apprise those concerned, of the disposition of a complaint.

Complaint Filing A complaint report is filed in accordance with the Records Maintenance Manual.

6.10.10: RESOLUTION OF A COMPLAINT

Introduction Self-discipline is an integral and necessary ingredient in a member's ability to perform duties in the manner expected by the public and prescribed by the OPP. Where self-discipline is lacking, discipline must be applied in order to maintain acceptable levels of police service. Discipline is initiated as an educational and correctional process of ensuring member awareness of the type of behaviour that is deemed detrimental to the OPP and through this awareness, ensure future adherence to orderly prescribed conduct.

The Commissioner is responsible to maintain the highest level of discipline within the OPP. To this end the Commissioner has charged the Commander, PSB and the Discipline Committee with the responsibility to ensure consistent and just disciplinary decisions are made based upon the evidence placed before them.

Normally, a member's self-esteem and positive association with supervisors and peers sufficiently keeps that member within the bounds of good conduct. However, instances of "substantiated" complaints of misconduct or unsatisfactory work performance are clear indicators that corrective action is required.

Discipline Process Where a complaint investigation determines the alleged member's misconduct is "substantiated" and corrective action is recommended, the Commander, PSB shall conduct a review of each file, and:

- decide whether corrective action is required;
- determine what corrective action is required to address the issue; and
- ensure the corrective action is carried out.

Where a PSA charge is indicated, refer the matter to the Manager, Prosecution Section, PSB for processing.

Discipline Committee The Commander, PSB, may refer an investigative file to the Discipline Committee or the investigative file may also be referred to discipline committee at the request of a bureau/regional commander.

The Discipline Committee when reviewing an investigative file shall exercise the authority of the Commander, PSB.

The Commander, PSB is responsible to ensure that the decision of the Discipline Committee is carried out.



Dress Code The following dress code for attendance at a PSA hearing is:

- Dress Order #2, for commissioned officer or sergeant major; and
- Dress Order #1, for non-commissioned member.

A member seeking an exemption to the order of dress shall contact the Manager, Prosecution Section, PSB.

The member shall be accompanied by a supervisor to a PSA hearing.

Informal Discipline

Informal discipline is offered in those circumstances where corrective action is appropriate and the respondent agrees. It should be noted that informal discipline is generally offered as an alternative to a PSA charge. Therefore, on all complaints in which informal discipline is being considered, the sergeant major shall review the file to ensure there is sufficient evidence to support a PSA charge. The Commander, PSB will then be consulted on the recommended amount of informal discipline to ensure organizational consistency.

Application

When the complaint does not involve allegations of misconduct of a serious nature, the provisions of this section may be applied, at the following intervals:

- attempting an informal resolution when the involved respondent and complainant both agree;
- during the course of the investigation of the complaint; or
- following the completion of the complaint investigation.

In dealing with an allegation not involving misconduct of a serious nature or unsatisfactory work performance, the officer-in-charge/investigator shall ensure an attempt is made to resolve the issue as indicated in topic area entitled Resolution of a Complaint.

Restrictions

Informal discipline at this stage usually will not be appropriate where circumstances include any of the following:

- the allegation indicates the use of force, including the use or threatened use of firearms;
- the allegation involves all other allegations of misconduct of a serious nature;
- the member has been found guilty under the PSA within the previous five years; or
- the member has been subject to corrective action under the informal discipline program twice within the previous two years.

Responsibilities

Supervisor or PSB Investigator

Where it appears that informal discipline would be an appropriate part of an informal resolution, the supervisor or PSB investigator shall not proceed with the informal resolution, but shall refer the matter to the respective detachment commander or sergeant major.

**Detachment Commander**

The detachment commander shall review the matter, and if they agree that informal discipline would be appropriate as part of an informal resolution, either alone or in combination with other elements, then the detachment commander shall forward the complaint and a copy of the background information forthwith, together with the detachment commander's appended comments as to the applicability of informal discipline, to the sergeant major.

Sergeant Major

The sergeant major shall review the investigative file submitted from the detachment commander or investigator and shall forward their recommendations to the respective bureau/regional commander concerning the informal discipline.

Bureau/Regional Commander

Where the bureau/regional commander, in consultation with the Commander, PSB, determines that informal discipline is applicable to the case, they may approve one of the following corrective actions:

- a reprimand;
- undergo specific counseling, treatment or training;
- participate in a specific program or activity;
- any remedial action in conjunction with any of the above; or
- a deduction of up to a maximum of 24 hours from the member's overtime bank or statutory holiday bank.

The bureau/regional commander shall advise the detachment commander or sergeant major of the approved level of informal discipline, and request that an appropriate attempt be made at an informal resolution.

Notice for Meeting

The detachment commander or sergeant major shall serve the member involved with notice, either verbal or written, advising the time, date and location of the meeting pertaining to the offer of informal discipline. The notice shall be served upon the member a least three clear days prior to the meeting.

Member's Option

A member has the option of being accompanied by a representative during this meeting. The representative may only offer the member assistance in making a decision.

Member Advised of Corrective Action Offered

The bureau/regional commander shall advise the member of the corrective action which has been selected and offer the member the option of either accepting the corrective action or proceeding with a PSA charge. The member has three clear days to notify the bureau/regional commander of their decision.

Form X005

Form X005 shall be utilized to record the corrective action offered and the member's response to the offer. This form will be generated by the sergeant major or bureau/regional staff, once completed it shall be forwarded to PSB.

Upon receipt of a completed Form X005, the Commander, PSB shall review the corrective action taken and ensure proper filing.

Decision-Irreversible

A decision to proceed by way of PSA charge shall be considered irreversible and no appeal of the informal discipline process by the member will be considered.



- Record Retention** The member shall be advised that the informal discipline, if accepted, will be processed and subject to all the retention provisions as set out in topic area Record of Informal Discipline.
- Informal Resolution Post-Acceptance** Where at the conclusion of the meeting the detachment commander or sergeant major is still of the opinion that the informal resolution would be appropriate after the acceptance of the informal discipline, and the involved parties all agree to it, they may secure the parties agreement and confirm the informal resolution.
- Record of Informal Discipline** A record of informal discipline shall be kept on a member's personnel file 291-00 at all administrative levels for two clear years from the date of disposition.
- Where there is a further occurrence of a similar nature and the allegation is sustained, the original record shall remain on file for an additional two clear years from the date of disposition.
- A record of informal discipline may be utilized at subsequent informal discipline proceedings as well as PSA proceedings for a sustained allegation of similar behaviour.
- It shall be the responsibility of the Commander, PSB to notify all administrative levels when a record of informal discipline is to be purged.
- Corrective Action** Where a member is required to work as a corrective action, that work shall be completed at a time mutually agreed upon by the detachment commander and the member.
- Time worked as a corrective action shall be completed within 45 days from the date the corrective action is offered and shall not be in conjunction with any scheduled shift.
- Where a member is required to work as a corrective action, no overtime shall be allowed unless the overtime hours worked were at the completion of the corrective action time worked.
- Distribution** Where informal discipline is accepted, the employee who arranges for the member's signature shall provide one copy to the member, and shall forward:
- one copy to the member's detachment commander with written instruction to monitor the corrective action;
 - one copy to the sergeant major; and
 - the original to PSB.
- When the corrective action is completed, the detachment commander shall complete the pertinent section of the form and return one copy to the sergeant major, and one copy to PSB.
- Where the corrective action is not accepted within three clear days, the employee who arranges for the member's signature shall forward the original investigative file to the Commander, PSB with written direction that a PSA charge is to be initiated; or
- Where a member wishes to exercise the three day option, the member will be provided with a copy of Form X005 and the original shall be forwarded to the member's detachment commander with written instructions concerning:



- where corrective action is accepted:
 - obtain the member's signature on the form;
 - monitor the corrective action; and
 - forward a copy to the sergeant major and the original to PSB; or
- where the corrective action is not accepted or no response is received:
 - complete the pertinent areas of the form; and
 - forward a copy to the sergeant major and the original to PSB.

Upon final distribution of the investigation, copies of Form X005 shall be distributed to:

- Commander, PSB;
- RHQ or Bureau;
- Detachment/Unit; and
- Member.

Filing Documentation concerning this program shall be filed in accordance with the provisions of the Records Maintenance Manual. Documentation placed in a member's personnel file as described in the OPPA Uniform Collective Agreement, Article 27.02 shall remain within the file until the provisions of Article 27.02 and section 66.(12) of the PSA have been satisfied.

6.10.11: OPP AWARDS SOP MANUAL

Commander, CCB The Commander, CCB shall be responsible for:

- maintaining the OPP Awards Standard Operating Procedure (SOP) Manual; and
- auditing the content for relevancy on an annual basis.

6.10.12: PUBLIC APPRECIATION TRIBUTE

Introduction A tribute is an expression of appreciation pertaining to an OPP employee's meritorious conduct and service. It is a valuable indicator of our success in working with our partners/stakeholders. Measured in conjunction with other evaluators, a tribute demonstrates that organizationally we are adhering to The Promise of the OPP.

Acknowledgement Each tribute received shall be acknowledged to the sender by the detachment commander, at point of receipt as follows:

- verbal tribute:
 - verbal acknowledgement; or
- written tribute:
 - written acknowledgement.

A verbal tribute is to be processed in the same manner as a written tribute.



- Processing** In cases where a tribute is received personally by an employee it shall be forwarded to their immediate supervisor for comments.
- Supervisor** The immediate supervisor shall review each tribute, provide comments and forward it to the respective detachment commander.
- Detachment Commander** The detachment commander shall review each tribute submitted, provide comments and forward it to the respective bureau/regional commander.
- Bureau/Regional Commander** The bureau/regional commander shall:
- review each tribute submitted;
 - provide comments; and
 - ensure each tribute, and a copy of any written acknowledgement or a notation that a verbal acknowledgement was given, is forwarded to the Awards and Recognition Unit, CCB who will place the tribute in the employee's personnel file 291-00.
- Distribution** A copy of a tribute forwarded in accordance with this policy, shall also be distributed as follows:
- where it refers to a member—filed in the respective personnel file 291-00 at the individual's OPP work location; or
 - where it pertains to OPP Service—file in RHQ and detachment file.
- Posting** An OPP service tribute should be posted at detachment for a reasonable period prior to filing.
- Monthly Report** An e-mail or fax message shall be sent from each detachment commander and bureau commander to the Commander, CCB, advising of the number of tribute(s) on a monthly basis.
- Publication** The Awards and Recognition Unit Co-ordinator may select a written tribute to be forwarded to the editor of the OPP Review for publication and/or post on the OPP Connections Intranet calendar—Recognizing Our Members.

6.10.13: HONORARY TRIBUTE

- OPP Asset** Occasionally, a request is made to name an OPP asset in honour of an individual. An employee generating/receiving a request to name an OPP asset that is not already guided by another policy/procedure shall submit the request through normal channels to the bureau/regional commander in charge of the asset.
- Approval** Only approved names may be displayed on any OPP asset.
- Building Name** The naming of OPP buildings and real property is governed by the Management Board Secretariat, Realty Group policy.
- Vessel Name** At the discretion of Commissioner's Committee, the naming of OPP vessels is co-ordinated by the Commander, Highway Safety Division (HSD).
- Eligibility Criteria** Names must have a direct relationship to the OPP, past or present.



Process A request submitted to Marine Programs Co-ordinator, HSD shall include:

- biographical information in relation to the proposed person named;
- background information sufficient to demonstrate that the proposed name has been selected on a properly informed basis;
- an analysis of any fiscal implications;
- documentation of community consultation/support for the name, if appropriate; and
- alternative name(s) with supporting details as Transport Canada requires the name to be unique from other registered vessels in Canada.

Approval Where a request is approved by the Commander, HSD, the Marine Programs Co-ordinator, HSD shall forward the request to Commissioner's Committee for final approval.

After Approval Upon approval by Commissioner's Committee, the Marine Programs Co-ordinator, HSD in conjunction with Fleet & Asset Services Section, Business and Financial Services Bureau (BFSB) shall:

- submit the Application for Registry to Transport Canada;
- complete the registration process; and
- prepare the vessel for christening.

Vessel Christening Upon notification of the completed registration, the respective region shall be responsible for coordinating the official Christening Ceremony.

6.10.14: AWARDS & RECOGNITION

Awards & Recognition Program There shall be an Awards and Recognition Program administered by CCB.

OPP Awards Manual Procedures related to awards and recognition are found in the OPP Awards SOP Manual and shall include information concerning—but not be restricted to—the following:

- the types of awards available through the Awards and Recognition Program;
- the Awards Advisory Committee;
- the criteria for awards; and
- procedures at an awards ceremony.

Auxiliary Direction relating to Auxiliary Awards may be found in the OPP Auxiliary Program Standard Operating Procedure Manual.

Accolade The OPP Accolade Awards is an initiative supporting a culture of recognition within the OPP; a culture that reinforces the OPP's Vision, Mission, the Commissioner's Annual Directional Statement and The Promise of the OPP.



The goal of the Awards and Recognition Program is to make recognition an even more prominent and widespread practice within the organization.

- Incentive Program** The Incentive Program was implemented to recognize a uniform member's efforts at the local level for proficiency, professionalism and dedication to duty. A uniform member shall have the option of accepting the incentive as pay or as a credit to the member's overtime bank.
- Commander, CCB Responsibility** The Commander, CCB, shall track the Incentive Program as administered by each bureau/region.
- Recommendation**
- Supervisor** Where an employee has exhibited an outstanding contribution to policing services a supervisor may recommend on Form COM 7—Request for Recognition, that the employee be appropriately rewarded.
- Detachment Commander** A detachment commander shall append written comments to Form COM 7 and forward it to the bureau/regional commander, provincial commander, or Commissioner, where applicable, for consideration.
- Bureau/Regional/Provincial Commander/Commissioner** On receipt of Form COM 7, a bureau/regional commander, provincial commander, or Commissioner, where applicable, shall:
- evaluate the submission and where appropriate;
 - authorize a credit of up to a maximum of 24 hours to be granted to the employee; and
 - provide written authorization to the Commander, CCB and to the respective detachment commander to effect the incentive.
- Non-approval** In the event that an award is not approved, Form COM 7 shall be returned to the detachment commander and placed in the employee's personnel file 291-00.
- Acceptance** Whether an award is accepted as pay or as time off, it shall be entered on the Employee's Report of Regular and Premium Payment Hours, Single Employee, Form 7540-3002.
- Recording** HRB shall record the information contained on Form COM 7 for statistical purposes and forward to HRB, for placement in the employee's personnel file 291-00.
- Filing** A record of an authorized award shall be retained on the employee's personnel file 291-00 at all administrative levels.