



North Bay Police Service Board

By-Law # 3: Code of Conduct Police Service Board Members

Legislative Reference / Authority

Community Safety and Policing Act, Regulations and Human Rights Code

1. **Preamble**

- a. As prescribed in the *Community Safety & Policing Act (CSPA)* and through *Regulation* the North Bay Police Service Board shall establish policy(ies) consistent with the *Act, Regulation(s)* and any other applicable legislation.

2. **Definitions**

Board – shall mean the North Bay Police Services Board.

Chair – shall mean the Board Chair.

Conflict of Interest – A situation in which a Member of a Police Service Board's private interests or personal relationships place, or may reasonable perceived to place, the Member in conflict with their duties as a Member of the Police Service Board.

Member – shall mean a Board Member.

3. **Personal Relationship**

A personal relationship includes, but is not limited to, a relationship with any of the following persons:

- a. A current or former spouse or common-law partner of the Member;
- b. A current or former intimate partner of the Member;
- c. The Member's children, including biological, adoptive and stepchildren;
- d. The legal dependants of the Member;
- e. A child in the Member's care; and
- f. The Member's grandparents, parents or siblings, including grandparents-in-law and siblings-in-law.

4. **Policy**

- a. It is the policy of the North Bay Police Services Board that Members will familiarize themselves and comply with *Ontario Regulation 408/23 – Code of Conduct for Police Service Board Members* and the *Municipal Conflict of Interest Act*; and
- b. No Member shall bid or purchase any item offered for sale, directly or indirectly, at an auction conducted by the North Bay Police Service.



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5. **Conduct Becoming of a Board Member**

- a. *Ontario Regulation 408/23* reads a Member shall:
 - i. Not conduct themselves in a manner that undermines or is likely to undermine the public's trust in the Police Service Board or the Police Service maintained by the Police Service Board.
 - ii. Not be subject to discipline for a contravention of subsection 4.a.i. if, on a balance of probabilities, their conduct was in the good faith performance of their duties as a Member;
 - iii. Comply with the *Act* and any *Regulations* made under it;
 - iv. Not, by act or omission, conduct themselves in a manner that is likely to cause the Board to fail to comply with the *Act* or the *Regulations* made under it;
 - v. Comply with any rules, procedures, policies, and by-laws of the Board.
 - vi. Not substantially interfere with the conduct of Board meetings;
 - vii. Be in contravention of this code of conduct if they are found guilty of an offence under the *Criminal Code*, the *Controlled Drugs & Substances Act*, or the *Cannabis Act* when committed after they were appointed as a Member;
 - viii. Not, in the course of their duties, treat any person in a manner that the Member, at the time, knows or reasonably ought to know would contravene the *Human Rights Code*;
 - ix. Not be subject to discipline for contravention of subsection 4.1.8 if, on a balance of probabilities, the Member's conduct was in the good faith performance of their duties;
 - x. Conduct themselves in a professional and respectful manner in the course of their duties, including, without limitation, not using abusive or insulting language in the course of their duties; and
 - xi. Not be subject to discipline for a contravention of subsection 4.a.x. if, on a balance of probabilities, the Member's conduct was in good faith performance of their duties.
 - xii. The Police Service Board shall not direct members of the police service other than the Chief of Police.

6. **Statements & Attendance**

- a. A Member shall:
 - i. Not knowingly make false statements pertaining to the duties of a Member of a Board;
 - ii. Not purport to speak on behalf of the Board unless authorized by the Board to do so;
 - iii. Clearly indicate when they are expressing a personal opinion when commenting on an action or omission of the Board, the Police Service maintained by the Board, or a Member of the Police Service;



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- iv. Not access, collect, use, alter, retain, destroy or disclose to any person, information that has been obtained or made available to the member in the course of their duties if doing so would be contrary to law;
- v. Not disclose to the public information obtained or made available in the course of their duties except as authorized by the Board or as required by law. This does not apply to information that was already made available to the public by a person who is authorized to do so prior to the Member's disclosure; and
- vi. Attend all Board meetings unless able to provide a reasonable explanation for the absence.

7. **Misconduct & Conflicts of Interest**

- a. A Member shall disclose any conduct of another Member that that they reasonably believe constitutes misconduct to:
 - i. The Board Chair; or
 - ii. The Inspector General if the conduct involved the Board Chair.
- b. A Member shall disclose any charges laid against them under the *Criminal Code*, the *Controlled Drugs and Substances Act*, or the *Cannabis Act*, and any finding of guilt made in relation to those charges;
- c. Section 7.b. only applies to charges of findings that were made after the Member's appointment to the Board; and
- d. The disclosure required in Section 7.b, must be made to the person or body that appointment the individual or, in the case of a Member appointed by the Lieutenant Governor in Council, to the Minister;
- e. A member of a police service board shall not use their position as a police service board member to:
 - i. Benefit themselves;
 - ii. Benefit one or more persons with whom they have a personal relationship; or
 - iii. Interfere with the administration of justice.
- f. A member of a police service board shall not participate in discussion of or voting with respect to matters at police service board meetings if the member has a conflict of interest in the matter.
- g. A Member shall not apply for employment with the North Bay Police Service unless they resign from the Board before applying.
- h. A Member of the Board shall promptly disclose any conflict of interest to:
 - i. The Board Chair; or
 - ii. The Inspector General if the conflict involves the Board Chair; and



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- iii. After making the disclosure required by subsection (1), the member shall disclose the conflict at the next meeting of the police service board.

Read the first time this 21 day of March, 2024

Read the second time this 21 day of March, 2024

Read the third time this 21 day of March, 2024

R. Stivrins

Board Chair