



Guardian of Public Trust

January 27, 2023

BRIEFING NOTE:

Purpose: Action

TO: Chair and Members of Governance Committee

FROM: Bonnie Riddell, Policy & Research Analyst

SUBJECT: Policy Approvals and Revisions

Recommendations:

- 1) That the Commission approves revisions to the following policies:
 - Staff Evaluation #3.1.3
 - Health & Safety Policy #3.1.5
 - Respectful Workplace Policy #3.1.6
 - Records Management Policy #3.2.1
 - Evaluation of Commission Policy #4.3.1
 - Establishing Rules of Order for Meetings Policy #5.1.1

Effective: Nov. 30, 2007 Repealed:	Revised: September 17, 2015 January 17, 2019
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3.1.3 STAFF EVALUATION AND DEVELOPMENT

The Edmonton Police Commission (Commission) places a high value on a skilled workforce and recognizes the necessity for providing performance reviews and maintaining effective and appropriate learning and development programs for employees in order to meet the current and future needs of the organization.

~~The Commission expects all employees to perform their duties in an efficient and effective manner.~~ (Moved to Guideline)

Guidelines:

1. ~~The Commission expects all employees to perform their duties in an efficient and effective manner.~~
2. In order to ensure a high level of performance, regular performance reviews will be carried out.
3. The objectives of these reviews are:
 - a) to achieve Commission goals;
 - b) to provide employees with a clear and concise understanding of their duties and responsibilities within their assigned jobs;
 - c) to establish measuring tools by which the employee's performance in completing their duties and responsibilities can be evaluated;
 - d) to identify employee training and staff development needs; and
 - e) to encourage employees to identify and overcome barriers which limit performance.
4. The Commission will conduct at a minimum an annual review of the Executive Director, the Public Complaints Director, the ~~Chief Internal Auditor~~ Director of Audit and Risk, and the Chief of Police.
5. The Executive Director will conduct at a minimum an annual review of all other Commission employees not listed in Guideline 4.

6. Where the Commission and/or the Executive Director initiates a request for employee development, the Commission will be responsible for all associated costs, including, but not limited to, tuition or registration fees, books and other resources, and if applicable travel and living expenses. This includes cases in which legislative or regulatory requirements change which require recertification or knowledge upgrading.

Full salary is paid for the necessary time off to attend approved courses and professional development opportunities and vacation and benefit entitlements are not affected by course attendance.

7. If an employee wishes to initiate training, then the employee must develop a business case establishing a work-related need for the skill development. Financial assistance will be at the discretion and approval of the Executive Director. In the event, the Executive Director or Public Complaints Director is the applicant assistance will be at the discretion and approval of the Commission.
8. Should an employee fail a course for such reasons as poor performance, poor attendance or poor conduct, the employee will be required to reimburse the Commission for all expenses incurred on the employee's behalf.

Procedures:

1. The Executive Director is responsible for:
 - a) ensuring that a job description exists for each employee
 - b) appraising current performance levels and discussing performance expectations with the employee on an ongoing basis
 - c) identifying areas ~~of~~ in each ~~job~~ position in which training is needed
 - d) determine what future objectives/expectations they wish to set
 - e) provide opportunities to employees to enhance their skills by, but not limited to, membership in professional organizations, attending conferences/seminars, completing post-secondary courses or programs that result in a diploma, degree, certificate, or designation.

Effective: September 17/15	Revised: September 20, 2018
Repealed:	

3.1.5 HEALTH AND SAFETY

The Edmonton Police Commission (Commission) promotes a safe and healthy workplace for all employees.

The Commission is committed to protecting the health and safety of all staff members and, ~~as such, the Executive Director~~ fully supports a health and safety management system that protects the staff and ~~any general~~ all public that may enter onto Commission property.

Definitions:

HAZARD ASSESSMENT: Hazard assessment is a formal process for identifying existing and potential hazards and determining the degree of danger or risk the hazards pose to employees.

IMMINENT DANGER: A danger that is not normal for that occupation or a situation under which a person is at immediate risk of serious physical harm or death.

LOW HAZARD WORK ENVIRONMENT: Means an administrative site where the work performed is clerical or administrative in nature.

SAFETY MANAGEMENT SYSTEM: A process used to effectively manage hazards. It includes the identification of hazards, ranking of hazards, and the control of identified hazards.

Guidelines:

1. All Commission staff members have a responsibility for ensuring healthy and safe workplace practices.
2. All Commissioners, volunteers and/or contractors performing services on behalf of the Commission are also responsible and will be held accountable to meet the requirements identified in the Alberta Occupational Health and Safety legislation and the Commission's health and safety policies and procedures.

3. The Executive Director (ED) will provide leadership in promoting a healthy and productive work environment and will support specific safety procedures including providing related health and safety training for staff members.
4. The ~~Executive Director~~ ED is responsible for assuring all health and safety processes implemented adhere to the Occupational Health and Safety regulations and any other relevant legislation.

Procedures:

1. All new staff members will be given an Occupational Health and Safety orientation within the first week of working in the new position.
2. One staff member will be assigned the responsibility of Fire Warden. One staff member will be the Deputy Fire Warden. Assignment will be reviewed every two years.
3. Emergency Response Procedures: The Fire Warden and Deputy Fire Warden shall, annually, attend the Emergency Response Procedures training provided by the lessor. After receiving the training, the procedures will be reviewed with all staff.
4. Annual Facility Inspection: The Fire Warden will conduct an annual facility inspection by March 31. The results of the facility inspection will be brought forward to the Executive Director for review and action, as necessary.
5. First Aid Supplies: The office shall have a first aid kit located in an area which is accessible by all employees. ~~The first aid kit will be stocked with items in accordance with the applicable requirements in the Occupational Health and Safety Code for a low hazard work environment.~~ The Fire Warden will assess and replenish the supplies of the first aid kit annually as part of the annual facility inspection.
6. Hazard Assessment: The ~~Executive Director~~ ED, in collaboration with all staff, will annually review the hazard assessment.
7. ~~Check In and Check Out Working Alone~~ Procedures: Where a staff member is working alone ~~or is in the office after 1900 1600hrs~~, that staff member will advise the ~~Executive Director~~ ED ~~or designate another staff member~~ that they are working ~~alone or after regular office hours~~. ~~If a staff member is working after hours then they and~~ will ~~also~~ advise when they are leaving work, and when they have safely reached their vehicle or have arrived home on public transit. Staff may also

take a taxi and seek reimbursement if the staff member feels they are too fatigued to drive home. This applies to both weekdays and weekends.

8. Attendance of Unknown Persons at ~~EPC Commission~~ Office: Where an unknown member of the public attends at the EPC offices, they will not be invited into the interview room but instead sent down to the area beside the lessor's security desk. The ~~Public Complaint Director (PCD)~~ will attend at the couches. If comfortable, the PCD will meet with the individual in the food court. If not comfortable, the PCD will meet with the individual at the couches (close to security) or another location deemed suitable to the PCD.
9. Attendance of Known Persons at ~~EPC Commission~~ Office: Only individuals known to ~~EPC Commission~~ staff will meet in the interview room and ONLY if ~~EPC Commission~~ staff agree that it is safe to do so. In most cases, all meetings will be conducted with two ~~EPC Commission~~ staff members present. Only if an ~~EPC Commission~~ staff member is confident that it is safe to do so as the individual is known to them and that they have sufficient experience with the individual to assess risk will an ~~EPC Commission~~ staff member meet with a member of the public alone.
10. Panic Alarm Response: In the event that the panic alarm is activated, lights and sirens in the ~~EPC Commission~~ space are engaged. The ~~Executive Director ED~~ will attend immediately to the interview room if in use prior to the alarm. The ~~Executive Assistant ED~~ or ~~Administrative Assistant~~ other available ~~Commission staff member~~ will call 911 and the Scotia Place security desk.
11. Injury or Illness: If a member of Commission staff has an acute illness or injury at work, the staff member must report the illness or injury to the ED as soon as practicable. Should a staff member require emergency transportation due to injury or illness, then the ED must ensure that an ambulance service licensed in accordance with the *Emergency Health Services Act* is made available.
12. Record of Injury or Illness: The ED must record every acute illness or injury that occurs at the office in a record kept for the purpose as soon as practicable after the illness or injury is reported to them. The record must include the following:
 - a) Name of employee;
 - b) Any first aid given;
 - c) Description of injury or illness;
 - d) Date and time of injury or illness;
 - e) Where the incident occurred; and,
 - f) Any work-related cause of the incident.

The ED must retain the records kept under this section for 3 years from the date the incident is recorded and must release a copy of the record to the staff member if they request one.

13. General Respiratory Illness: The Commission has developed a specific policy and subsequent guidelines to address COVID-19 (*EPC Policy # 3.1.7 – COVID-19 Policy*). All employees with other general respiratory illness symptoms are encouraged to:
 - a) Stay home if sick or displaying respiratory illness symptoms such as sneezing, congestion, sore throat, runny nose, fever, cough, fatigue; and,
 - b) Employees may discuss work from home options with the ED, but it should not be a substitute for taking the necessary sick time to recover; and,
 - c) If symptomatic and at work, employees are required to wear a N95 or KN95 mask to protect others.

14. No staff member shall carry out any work if, on reasonable and probable grounds, the employee believes that there exists an imminent danger to the health and safety of that employee.

References:

1. *Alberta Occupational Health & Safety Act, Legislation, Regulation and Code*
2. *Emergency Health Services Act*
- ~~3. *Edmonton Police Commission Security System Procedural Manual*~~
4. *EPC policy # 3.1.7 – COVID-19 Policy*

Effective: Sept. 20,2018	Revised:
Repealed:	

3.1.6 RESPECTFUL WORKPLACE

The Edmonton Police Commission (Commission) is committed to creating and maintaining a vibrant, healthy, safe and caring work environment for all Commission employees. The Commission promotes a work environment free from discrimination or harassment, one in which everyone treats each other with respect and dignity.

Harassment in the workplace creates an intimidating and offensive climate, is a form of discrimination, affects individual's dignity and self-esteem, and will not be tolerated by the ~~Edmonton Police~~ Commission.

The Commission upholds all laws in place including, but not limited to, the *Human Rights Act* for the Province of Alberta.

Definitions:

HARASSMENT: Is conduct by an individual that means to demean, humiliate or embarrass and is also any act of intimidation or threat that the individual knew or ought to reasonably have known would cause offense or harm. Harassment also occurs when an employee is subjected to unwelcome verbal or physical conduct because of race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation.

The behavior need not be intentional in order to be considered harassment.

Examples of harassment that will not be tolerated at the Commission include but are not limited to: verbal or physical abuse, threats, derogatory remarks, jokes, innuendo, or taunts related to any of the protected grounds listed above.

Bullying is a humiliating, offensive, and intimidating behavior and also a form of harassment. It is the impact of the behavior on others, not the intent, which determines whether or not bullying has occurred.

SEXUAL HARASSMENT: Unwanted sexual advances, unwanted requests for sexual favours, and other unwanted verbal or physical conduct of a sexual nature constitute sexual harassment.

Sexual harassment can include such things as pinching, patting, rubbing, leering, “dirty” jokes, pornographic materials, comments, suggestions, innuendoes, requests or demands of a sexual nature.

INDEPENDENT HUMAN RESOURCES (HR) CONSULTANT: A sole firm held on retainer by the Commission to provide advice to employees on issues of harassment or discrimination and may investigate harassment complaints on behalf of an employee.

Guidelines:

1. The Executive Director (ED) of the Commission will strive to realize a respectful workplace by setting, communicating and modeling clear expectations of employee behaviours in relation to other employees and stakeholders. The ~~Executive Director~~ ED may provide or facilitate appropriate training, education and awareness information for all employees that is congruent with a respectful workplace.
2. Any individual subjected to discrimination, harassment or sexual harassment has the right to bring their concern to the ~~Executive Director~~ ED, and/or the Chair of the Commission, and/or to an independent HR consultant, and/or to the alleged offender.
3. The ~~Executive Director~~ (ED) and/or the Chair of the Commission are responsible for ensuring that complaints are addressed in a timely manner.
4. Complaints may be resolved through an informal verbal complaint mechanism, which may involve mediation or by submitting a formal written complaint to the ~~Executive Director~~ ED and/or Chair of the Commission and/or an independent HR consultant.
5. Individuals alleged to have violated this policy are entitled to know the name(s) of individual(s) making an informal or formal complaint. In the case of a formal complaint, the respondent shall receive a copy of the written complaint.
6. Reasonable efforts shall be made to respect the confidential nature of all complaints while recognizing that absolute confidentiality cannot be guaranteed owing to the need for investigations and the need to inform the alleged individual; and
7. Nothing in this policy affects a complainant’s right from seeking a civil remedy or recourse through any administrative tribunal.

Procedures:

1) INFORMAL COMPLAINT:

- a) The complainant may convey objections to the individual directly or through the ~~Executive Director ED~~ and/or Chair of the Commission.
- b) If the complaint is about the ~~Executive Director ED~~ and the Chair of the Commission then the complainant may contact the Vice Chair.
- c) The complainant should keep written records regarding the incident(s) and of any attempts to inform the respondent directly.
- d) If the ~~Executive Director ED~~ , Chair of the Commission or Vice Chair receives an informal complaint they shall take action to resolve the complaint expediently.
- e) The ~~Executive Director ED~~, Chair or Vice Chair shall take the following actions:
 - 1) Provide the complainant and respondent with information regarding discrimination, harassment or sexual harassment, including this policy and advise them where assistance is available.
 - 2) Assist the complainant in speaking to the respondent directly, or speak to the respondent on the complainant's behalf to outline the allegations and attempt to resolve the complaint informally.
 - 3) Monitor the status of the complaint to see that it is satisfactorily resolved with a reasonable time limit.
 - 4) If the ~~Executive Director ED~~, Chair or Vice Chair is unable to resolve the complaint, the complainant and respondent will be asked whether they are willing to enter into voluntary mediation through a neutral third party selected by the ~~Executive Director ED~~, Chair or Vice Chair.
 - 5) If the informal complaint is not resolved through mediation then a formal complaint can be filed.
 - 6) If the behavior of the respondent appears to be in violation of this policy then a warning may be issued that such behavior is unacceptable. Failure to discontinue the behavior may result in a formal complaint.

2) FORMAL COMPLAINT:

- a) A formal complaint consists of a signed written statement outlining the allegations, describing the specific incident(s), the dates (if available) and any witness(es).
- b) The written statement can be delivered to either the ~~Executive Director ED~~ or Chair of the Commission. In the case the formal complaint is against both of these individuals then the statement can be submitted to the Vice Chair and/or independent HR consultant.
- c) In the event that the complaint submitted is against both the Chair and ~~Executive Director ED~~, then the Vice Chair will take on the responsibility of ensuring the formal complaint process is followed.
- d) The ~~Executive Director ED~~ or Chair of the Commission shall provide a copy of the complaint to the respondent.
- e) The ~~Executive Director ED~~ or Chair of the Commission may retain a third party to conduct an investigation regarding the complaint.

- f) The findings shall be detailed in a report back to the ~~Executive Director~~ ED or the Chair of the Commission.
- g) If the results of the investigation support the allegations in the letter of complaint, a range of sanctions may be imposed on the respondent by the ~~Executive Director~~ ED or Chair of the Commission. The sanctions depend upon the nature and seriousness of the offence and include a verbal warning, written reprimand with a copy retained in the respondent's file, suspension or termination of employment.
- h) If the results of the investigation do not support the allegations, the complaint will be deemed unfounded and a letter will be issued indicating that the respondent has been cleared of all allegations.
- i) If the evidence indicates that the complainant knowingly and willfully made false allegations in an attempt to cause harm to the respondent, a range of sanctions may be imposed as outlined in 2(g).
- j) Either party has the right to seek civil or criminal redress through the courts or to file a complaint with the Alberta Human Rights Commission.
- k) No employee shall take retaliatory action with the intent of dissuading or punishing an individual for participating in the complaint resolution process. Sanctions may be imposed for retaliation.

Reference:

- 1) *Human Rights Act*
- 2) *Policy # 1.1.3 Discrimination and Harassment*

Effective: Sept. 17, 2015	Revised: February 21, 2019
Repealed:	

3.2.1 RECORDS MANAGEMENT

Corporate Records are a valuable asset that must be managed throughout their lifecycle and preserved for future use. The Edmonton Police Commission (Commission) establishes a record and information management framework and procedures to capture, protect, use and preserve records under their control.

Definitions:

Archival Record: Records that are identified as having historical or research value warranting continued preservation beyond the time they are needed for administrative, legal, or fiscal purposes.

Corporate Record: Information recorded in any form, physical or electronic, which is in the custody or control of the Commission. It is also a record which has been created or received by Commissioners or staff of the Commission in connection with the transaction of public business and preserved as evidence of the organizations policies, decisions, functions, procedures, operations, or other activities of the Commission. The specific form of records include, but are not limited to, handwritten or printed notes, electronic correspondence or messages, images, audiovisual and sound recordings, documents, drawings, photographs, letters, and any other information that is written, photographed, recorded or stored in any manner.

Record and Information Management: Field of management responsible for the systemic control of the creation, receipt, maintenance, use and disposition of corporate records, including processes for capturing and maintaining evidence of, and information about business activities and transactions in the forms of records.

Records Retention Schedule: Describes the records under the control of the Commission and the associated “keeping” requirements. It identifies statutory and business requirements for document retention and ensures records are disposed of consistently or archived in a timely manner.

Transitory Record: Is a record that does not have long-term value. Transitory records contain information that is not required to meet legal or financial obligations or to sustain administrative or operational functions and have no historical value. Commission transitory records may

include, but are not limited to, notes taken to prepare official records or minutes, duplicate records, drafts and working materials, emails that do not solely document a decision or transaction of the Commission, and voice-mail messages.

Vital Record: Recorded information required by the Commission to recover from a disaster, emergency or loss of information.

Guidelines:

1. Management of all corporate records must comply with all business requirements, applicable legislation and corporate records and information management best practices.
2. All business processes established by the Commission must meet the requirements set out by the City of Edmonton Corporate Records and Information Management Program and City of Edmonton Archives.
3. Vital records must be protected to ensure the continuity of key services and business operations of the Commission in the event of a disaster, emergency or loss of information.
4. Transitory records should not be filed in any official record systems as these records are not required to meet any statutory obligation or to sustain administrative or operational function.
5. All records created by the Commission must be classified as per the **Commission's** Records Classification System and Retention Schedule.
6. The Commission shall maintain a file and document management system that allows for the efficient retrieval of records.
7. In the event the Commission is dissolved, all records will go to the Office of the City Clerk and the City of Edmonton will become the record holder.

Procedures:

1. The **Commission's** Records Classification System and Retention Schedule will be reviewed every five (5) years.
2. The Commission shall, by the end of March of every year, attend to the archival and destruction of records as required by the record retention schedule.

References:

1. *City of Edmonton Corporate Records and Information Management Program*
2. *Edmonton Police Commission Records Classification System and Retention Schedule*
3. *City of Edmonton Archives*

Effective: Nov. 30, 2007	Revised: April 19, 2012 JANUARY 17, 2019
Repealed:	

4.3.1 EVALUATION OF COMMISSION

The Edmonton Police Commission (Commission) is committed to effective board governance and acknowledges that the process of evaluation contributes to increased performance of the Commission as a whole and increased capacity-building.

A formal assessment of the Commission as an entity will assist in identifying strengths, achievements and areas for improvement.

Guidelines:

1. The Commission will carry out a formal assessment of their performance at a minimum of once per year. This assessment will measure how Commissioners perceive the Commission is performing its duties.
2. The Commission will carry out a comprehensive governance review of the Commission as a whole at a minimum of once every four years. This review will assess the state of the Commission's current governance model and assess processes to ensure they are effective in carrying out the responsibilities of the Commission. This process will involve input from Commission members, staff, the Chief of Police, and may involve input from other stakeholders.
3. **Prior to designing and implementing an evaluation process, the Commission will meet to determine the substantive and specific goals and objectives they want to achieve through each evaluation.**
4. **The Commission will also meet post evaluation to discuss and reach an agreement on action items and corresponding timelines to address any issues observed in each evaluation report.**
5. Results from these evaluations will be used to inform strategic planning, policy development and/or revision(s), educational opportunities and address any missing skills or competencies on the Commission.

Effective: Nov. 30, 2007	Revised: April 19, 2012 September 17, 2015 October 27, 2016 MARCH 21, 2019
Repealed:	

5.1.1 ESTABLISHING RULES OF ORDER FOR MEETINGS

The Edmonton Police Commission (Commission) is governed by the City of Edmonton Bylaw 14040, Edmonton Police Commission Bylaw, which outlines meeting procedures and rules for the Commission.

In accordance with this requirement the Commission has adopted Appendix B – Edmonton Police Commission Meeting Procedures.

Guidelines:

1. All members of the Commission have a responsibility to attend meetings, participate in discussions and exercise their voting rights.
2. Should a Commission member be unable to attend a meeting then they are expected to advise the Commission office.
3. Commission members may attend and participate in meetings from a remote location via telephone, video conferencing, **or other internet meeting platforms.**
4. The Commission’s schedule of regular meetings will be established annually at the last Commission meeting of the year and will be made available to the public.
5. The Chair or a majority of Commission members may call special meetings when they consider it expedient to do so.
6. The Commission may, by two-thirds vote of members present at a regular meeting, change the date, time or location of a subsequent meeting and/or cancel any meeting and will provide notice of this change to the public two weeks prior to the meeting.
7. Quorum for a meeting of the Commission will be a majority of the existing appointed Members, and Councillors who are Members shall be counted as existing appointed members for the purposes of determining quorum only if they are in attendance at that meeting.

8. The Chair will preside over Commission meetings and has full voting rights and privileges as other members.
9. As a general rule, the Commission will deal with matters in the order of business as shown on the agenda; however the Chair may, at their discretion, alter the order established to facilitate the business of the meeting.
10. Meetings of the Commission will be open to the public however pursuant to the *Freedom of Information and Protection of Privacy Regulation* the Commission may hold a meeting in the absence of the public if the subject matter being considered concerns:
 - a) the security of the property of the Commission;
 - b) personal information of an individual, including an employee of the Commission;
 - c) a proposed or pending acquisition or disposition of property by or for the Commission;
 - d) labour relations or employee negotiations;
 - e) a law enforcement matter
 - f) litigation or potential litigation, including matters before administrative tribunals affecting the Commission; or
 - g) the consideration of a request for access for information.
11. The Commission shall not exclude a member of the public from attending the public portion of a meeting except for improper conduct or safety.
12. Attendance at the closed in camera portion of the meeting is at the sole discretion of the Commission.
13. The Commission will abide by its adopted policy *Appendix B – Edmonton Police Commission Meeting Procedures* at all Commission and Committee meetings.
14. If there is a question relating to procedures of the Commission or one of its Committees which is not addressed in the Commission's Meeting Procedures then the question will be informed by referring to the most recent version of *Robert's Rules of Order*.
15. The Commission may suspend any provision of the rules of meeting procedures by a two-thirds vote of members present at a regular meeting provided that the proposal does not conflict with any of the Commission's policies or other applicable Act or regulation.

References:

1. *City of Edmonton Bylaw, No 14040, Edmonton Police Commission Bylaw*
2. *Freedom of Information and Protection of Privacy Act, RSA 2000, c F-25*
3. *Appendix B – Edmonton Police Commission Meeting Procedures*
4. *EPC Policy 4.1.2 – Roles and Duties of Chair and Vice Chair of Commission*