Effective: January 20, 2022 **Reviewed:**	**Revised:** July 17, 2025

3.1.8 ENHANCED SECURITY CLEARANCE RECONSIDERATION FOR COMMISSIONERS

Under section 3.1 of the Alberta *Police Act* the Province of Alberta has established standards for Municipal Police Commissions with respect to background checks of individuals to be appointed as Commissioners under the *Alberta Policing Oversight Standards for Municipal Police Commissions* as follows:

> RR2 Preamble: Once a municipal police service has been established, the second requirement is an oversight agency that will oversee the police service. To fulfill this requirement, the municipality **shall** select and appoint qualified oversight agency members through a process sensitive to the principles of openness and equity.
>
> RR 2.3 Security checks: The municipality shall conduct a background check/security clearance of each successful candidate (including those appointed as a member of the council or an employees of the municipality) before confirmation of his/her appointment to the oversight agency, including at a minimum:
>
> a. Criminal record check;
>
> b. Character / Reference checks;
>
> c. Interview of applicant (including an assessment of overall suitability)

In Edmonton, the criminal record check is done by the police service in the form of an Enhanced Security Check (ESC) and pass/fail results provided to the Executive Director of the Commission. City Council and their employees are responsible for items (b) and (c) above and are applicable to their appointees only. Provincial appointees are still required to submit an ESC.

This policy outlines the process to be used in the event an individual fails an ESC to become a Commissioner.

Definition(s):

Enhanced Security Clearance – means the submission of the Service's Enhanced Security Clearance Form for processing through the Enhanced Security Clearance Unit (ESCU).

Procedures:

1. In the event an applicant for an Enhanced Security Clearance comes back as classified "unable to clear" by the Service then the applicant will be notified by the City of Edmonton's Recruitment Team for their appointees or by the Executive Director of the Commission for Provincial appointees that they may request a reconsideration of the decision.

2. If an applicant decides they wish to proceed with the reconsideration process, then a private meeting shall be called by the Commission's Executive Director which will include the following individuals:
    - Chair of Commission
    - Vice Chair of Commission
    - Executive Director (who attends to take notes on behalf of the Commission)
    - Two members of City Council, designated by Council with the authority to make a decision on matters under review (NOTE: For City appointees only)
    - City staff member (who attends to take notes on behalf of Council) (NOTE: For City appointees only)
    - Provincial representative appointed by the Minister (who attends to take notes on behalf of the Minister) (NOTE: For Provincial appointees only)
    - Chief of Police or designate
    - Applicant and representative, if desired

3. The applicant needs to agree, in writing, to release all details of the ESC to designated members of EPC and City Council for the City appointees or the Minister for Provincial appointees for the purpose of reconsidering the ESC decision.

4. The applicant may provide information and/or additional evidence at the reconsideration meeting in support of their appointment to the Commission including that the findings of their ESC is not a barrier nor that they pose a risk to either the Commission or Service.

5. The Commission and/or the Service will provide additional information or evidence as to why the findings of the ESC may or may not present a risk in appointing the applicant as a Commissioner.

6. City Council representatives will make a decision on the matters for City appointees including whether or not the failure to clear an ESC creates a barrier to appointment as a Commissioner. Their decision will be shared with Council who will make the final decision on the appointment of the applicant as per *City of Edmonton Bylaw 14040*.

7. The Minister and/or their representative will make a decision on the matters for Provincial appointees including whether or not the failure to clear an ESC creates a barrier

to appointment as a commissioner. The Minister will make the final decision on the appointment of their applicant.

8. All information provided during the reconsideration meeting will be collected and retained in a secure manner in accordance with regulations under the *Protection of Privacy (POPA) Act.*

9. In the event that Council or the Province appoints an individual as a Commissioner that, in the opinion of the Commission poses a risk to the organization, then the Commission's Executive Director shall craft provisions and processes for Commission approval related to this specific individual that limit the risk to both the Commission and the Service. These provisions will be unique to the circumstances of each individual and may include, but are not limited to the following:
    - Access to Commission and Service's buildings and facilities;
    - Restricted access to receipt of sensitive documents including, but not limited to, historical and/or ongoing police investigations;
    - Exclusion from all or portions of Commission meetings in which sensitive information or presentations are being discussed.

10. The Commission may also choose to notify the Minister of Justice and seek direction on a case-by-case basis.

References:

1. *Police Act, RSA 2000, cP-17*
2. *Protection of Privacy (POPA) Act*
3. *Alberta Policing Standards for Municipal Police Commissions*
4. *City of Edmonton Bylaw (No 14040), Edmonton Police Commission Bylaw, December15, 2015*
5. *EPC Policy # 3.1.2 – Security Clearances*