



PUBLIC REPORT

December 5, 2023

To: Chair and Members
Toronto Police Services Board

From: Dubi Kanengisser
Executive Director

Subject: Toronto Police Services Board 2024 Operating Budget Request

Purpose: Information Purposes Only Seeking Decision

Recommendation(s):

This report recommends that the Toronto Police Services Board (Board):

- (1) Approve the Board's 2024 net operating budget request of \$2,355,300, which is a \$178,500 increase over the 2023 approved budget; and,
- (2) Forward this report to the City's Budget Committee for consideration, and to the City's Chief Financial Officer and Treasurer for information.

Financial Implications:

This Toronto Police Services Board 2024 operating budget request is a net amount of \$2,355,300, which represents an increase of \$178,500 over the 2023 approved budget.

A summary of the net operating budget request is as follows:

Category (\$000s)	2023 Budget	2024 Request	\$ Increase / (Decrease) over 2023	% Increase/ (Decrease) over 2023
2023 Net Budget - \$2,176.8				
(a) Impact of 2024 Collective Agreement	\$0.0	\$0.0	\$0.0	0.00%
(b) Salary & Benefit Requirements	\$1,561.4	\$1,749.2	\$187.8	8.63%
(c) Net Non-Salary Expenditures	\$615.4	\$606.1	(\$9.3)	-0.43%
2024 Net Budget Request	\$2,176.8	\$2,355.3	\$178.5	8.20%

Summary:

This report proposes a 2024 operating budget that will ensure the Board, with the support of the Office of the Police Services Board (Board Office), is able to discharge its statutory police governance and oversight responsibilities in the context of a significant and evolving police reform and modernization agenda, and at the same time, prepare to comply with new provincial policing legislation and its associated impacts on police governance and the Board's operations.

The proposed budget recognizes that the Board's work and the work of its professional staff occurs in the country's largest municipality, with Canada's largest municipal police service. In her report, *Missing and Missed*, The Honourable Gloria Epstein detailed the role and work of the Board and the Board Office, recognizing its importance in maintaining public confidence in the Toronto Police Service.

Commenting on the increasing complexity and significance of the work required to fulfil the Board's statutory role, Judge Epstein recommended that the Board "should be allocated sufficient funding to ensure it can perform its extensive governance and oversight responsibilities under the *Police Services Act* and the new *Community Safety and Policing Act, 2019*." To address these recommendations, the Board was given approval to add three (3) additional staff members in 2023, to inform and support the Board's governance and oversight function in priority areas. The increase to the Board's 2024 budget reflects the annualized cost of adding these three staff members.

Discussion:

Background and the Board's Legislative Responsibilities

The Toronto Police Services Board is a seven-member, statutory civilian body that governs and oversees the Toronto Police Service. The Board is dedicated to ensuring that Toronto's police services are delivered in partnership with our communities, to keep the city the best and safest place to be.

Under Ontario's *Police Services Act*, the Board is responsible for ensuring the provision of adequate and effective police services in Toronto, including the development of policies for the effective management of the Service.

The *Police Services Act* requires the Board to, among other things, to (i) generally determine the objectives and priorities for police services in the municipality; (ii) set policies for the effective management of the police force; (iii) recruit and appoint the Chief of Police and other Command Members of the Service (Deputy Chiefs, the Chief Administrative Officer, and the Chief Information Officer); (iv) direct the Chief of Police and monitor their performance; (v) negotiate labour relations contracts with the two bargaining agents for the Service's Members; and (vi) determine the budget for the police service.

Relevant Board Policies and Compliance

This report complies with the Board's Budget Transparency Policy.

Collaboration and Consultation as Key Tools for Effective Governance

Ontario's municipal policing model is founded on the concept of independent civilian governance. It is a responsibility taken very seriously by the Board and the professional team that supports it. The Board and Board Office work closely with the Chief of Police to set the strategic vision for the Service, and to provide evidence-based governance through policies and other legally binding direction. Importantly, the Board also creates opportunities for members of the public, government bodies and stakeholder groups to engage and provide their perspectives and input concerning contemporary policing issues.

Over the past year, the Board has continued to modernize its approach to governance, introducing practices that enhance the relationship of the Board with both internal and external stakeholders. These relationships are crucial to the effective development and implementation of initiatives that respond to the Board's reform agenda, including its 81 directions for policing reform approved in August 2020.

Throughout 2023, the Board has continued to engage extensively with regulatory bodies, different levels of government, community organizations, academic experts, subject-matter experts within the Service, the Board's own Anti-Racism and Mental Health and Addictions Advisory Panels, and the public as a whole, on a series of issues and initiatives related to policing reform and improved services. These ongoing consultations, meetings, and conversations ensure that we remain current in matters of community safety and well-being, and that we deliver comprehensive civilian governance and oversight.

Key Successes and Ongoing Work

Building on the roadmap for reform established by the Board in 2020, work in the past year has focused on the continued implementation of the recommendations approved by the Board, and the development of new initiatives and approaches that enhance the effective governance of policing in Toronto. Some key accomplishments in 2023 include:

- Completion of several executive searches, resulting in the appointment of two Deputy Chiefs of Police, a Chief Administrative Officer (C.A.O.) for the Service, and a new Executive Director for the Board Office;
- Continuing to work with the Service on the implementation of the 81 recommendations on comprehensive policing reform in Toronto – a body of work that other police boards and commissions in Canada have relied on, and used to guide their own work, as well as the recommendations from the *Missing and Missed* report on missing person investigations;
- Continuation of a public-facing consultative process on the upcoming revision to the Use of Force Policy;
- Extensive consultations with partners, community organizations and members of the public, to inform the development of the Board's Four Year Strategic Plan;

- Continuation of a close working relationship with the City as it transitions from the development into the implementation of SafeTO, the City's community safety and well-being plan;
- Ongoing work with the Board's Anti-Racism Advisory Panel (A.R.A.P.) and Mental Health and Addictions Advisory Panel (M.H.A.A.P.);
- Increased transparency and engagement through our website (e.g., regular press releases, increasing the accessibility for our agendas by including a user-friendly HTML format, up-to-date information on Board initiatives, enhanced public consultation on policy development, etc.);
- Participation in professional forums to profile the innovative practices developed by Board Office staff, and to contribute to modern civilian police governance approaches in Canada and abroad;
- Continued engagement with policing governance bodies (i.e., the Ontario Association of Police Services Boards and the Canadian Association of Police Governance) to enhance and align practices of police governance in Ontario and across Canada;
- Continued engagement with the Province on the regulatory development process led by the Ministry of the Solicitor General ahead of the coming into force of the *Community Safety and Policy Act, 2019*, including providing commentary on and proposals concerning new regulations;
- Continuation of the implementation of a Memorandum of Understanding with Midaynta Community Services (Mending a Crack in the Sky [MCIS]), developing sustained links with Neighbourhood Community Officers located within the west end Divisions (22, 12, 13, 23) and the Service's Community Partnerships & Engagement Unit; and,
- Enhancing the Board's governance supports through work undertaken pursuant to an MOU with the Auditor General, and with Ombudsman Toronto to diversify information channels and expertise.

Key Challenges and Risks

The Board, with the support of the Board Office:

- Must continue its high degree of engagement with diverse communities on significant policing and police governance and oversight issues;
- Continue to evolve its civilian governance structures, processes, policies and approaches to maintain its position as a national and international leader in this space, and in the midst of the most significant legislative changes to Ontario's policing environment in decades;
- Continue to improve its access to information and analysis on the impact and effectiveness of implementing policing standards, Board Policies and direction to the Chief, and the Service's programs and initiatives, so as to ensure a constant 'feedback loop' that drives improvement and innovation;
- Continue to improve public transparency and accessibility to its work and governance processes; and,

- Address the many and wide-ranging priorities, initiatives, and projects that are currently being implemented or that are forecasted to be addressed in 2024, in a manner that maintains public confidence in police governance and oversight in Toronto, while ensuring Board Members and Board Office staff can respond to unanticipated events.

Key Priorities for 2024

There are many priorities, initiatives, and projects that are currently being implemented or that are forecasted to be addressed in 2024 that will require Board Members and Board Office staff to be nimble, engaging, and accessible to the public.

For example:

- Continued collaboration with the Service in the implementation of the remainder of the Board's 81 recommendations on Police Reform, 151 Recommendations from the *Missing and Missed* report concerning missing persons investigations, and the Auditor General's recommendations on 9-1-1 response;
- Engaging and working collaboratively with the Ontario Human Rights Commission on the inquiry into racial profiling and racial discrimination of Black persons by the Toronto Police Service;
- Continued work with City of Toronto partners on the *SafeTO: Community Safety and Well-Being Plan* and the implementation of the City's Alternative Community Crisis Support Service pilot;
- Enhanced outreach and engagement of diverse communities, including Black, Indigenous and other racialized communities across Toronto;
- Enhanced work to streamline, modernize and improve the Board's governance approaches through analysis of the impacts of statutory adequacy standards, Board Policies and directions, and the development of new leading police governance policies in Canada; and,
- Continually enhancing the quality of information and level of analysis on the effectiveness and the impacts of the Service's various initiatives that are made available to the Board and the public.

Throughout 2024, the Board will continue this and other work in a transparent and consultative spirit, in a manner that works to ensure continued effective governance, and fair and accountable policing in Toronto.

Impact of 2024 Collective Agreement

Cost of Living Adjustments for Board Office staff are usually in line with the collective agreement increases for the Toronto Police Senior Officers' Organization (S.O.O.). The current agreement is set to expire on December 31, 2023 and a new collective agreement will have to be negotiated. No funding is included in the 2024 budget request, nor the future year outlooks, and the City will make an estimated provision in its corporate accounts for the purpose of funding the collective agreement that is ultimately negotiated.

Salary and Benefit Requirements

The Board Office's approved staffing complement is 10.5 staff members, which comprises: an Executive Director; Senior Advisor, Policy and Communications; Senior Advisor, Strategic Analysis and Governance; Senior Advisor, Strategic Policy & Stakeholder Relations; Board Administrator; Executive Assistant to the Chair; Executive Assistant to the Executive Director; Part Time Administrative Assistant; and newly added in 2023 are an Indigenous Engagement Advisor and two Governance Quality Assurance Analysts.

Together, these staff members provide a large spectrum of professional support in a wide range of areas associated with the Board's statutory function, including: policy development, labour relations, executive human resources, budget development and support, Board meeting administration, public and community engagement, research and analysis, communications, legal matters (with the assistance of counsel from City of Toronto Legal Services), government relations and administrative support. The work performed by the team of professional staff is essential to the Board's ability to ensure adequate and effective police services to the communities we serve.

The additional staff added in 2023 enhance the Board's governance and oversight functions in the context of addressing Judge Epstein's relevant recommendation in *Missing and Missed*. These new staff roles permit the Board Office to create additional capacity in important governance and oversight areas.

The budget request for the salary and benefit requirements, totalling \$ 1,749,200, includes salary/benefits for its approved staff complement, as well as the annualized costs for the three (3) new staff members added in 2023.

Non-Salary Expenditures

The base budget for non-salary expenditures will allow for the continued implementation of police reform and other strategic initiatives, as well as honouraria for community members on the Board's Advisory Panels. In addition, new funding is allotted for the provision of American Sign Language (A.S.L.) translation services at all of the Board's public meetings, to increase the public's access to this important forum.

A portion of the non-salary accounts has also been allotted to training and development for the Board Members and the Board Office staff, and membership dues for two police governance organizations, the Ontario Association of Police Services Boards (O.A.P.S.B.) and the Canadian Association of Police Governance (C.A.P.G.), both of which provide opportunities for training and professional development to both Board Member and Board Office staff.

The Board Office staff are critical to delivering professional, best-in-class services to support the Board's various functions. The Board Office must be able to function as a fully independent policy, quality assurance, evaluation, communications, stakeholder engagement and government relations shop. Both Board Members and Board Office staff are better equipped to perform their key functions and duties through accessing specific and topical professional development training programs and learning opportunities to keep their skills and knowledge relevant. Additionally, members of the

Board Office staff frequently contribute to professional development conferences, seminars and other forums hosted by C.A.P.G., O.A.P.S.B., and other organizations focused on police governance, oversight and contemporary policing topics.

A significant portion of the non-salary costs are allotted for arbitrations/grievances. It is not possible to predict or control the number of grievances filed or referred to arbitration, as filings are at the discretion of bargaining units. In order to deal with this uncertainty, the 2023 budget includes a \$424,800 contribution to a Legal Reserve for the costs of independent legal advice – an amount that is unchanged from the 2023 budget.

Fluctuations in legal spending will be dealt with by increasing or decreasing the budgeted reserve contribution in future years' operating budgets so that the Board has funds available in the Reserve for these variable expenditures.

The Legal Reserve ensures that funds are available in the event that the Board requires legal advice other than that made available from the City of Toronto Legal Services. Similarly, funds will be available should the Board require any additional external consulting advice or professional services.

Expenditures within the proposed legal services accounts are difficult to predict as they are often incurred directly in response to an action or event. Recent settlement statistics related to labour disputes and grievances indicate that fewer matters proceed to a hearing, but that the matters that do proceed to hearings are increasingly complex and often costly.

An adjustment has been made in the 2024 budget to reduce the anticipated consulting and professional services costs, in order to align the budget with historical spending. This reduction is partially offset by increases to the training accounts in order to accommodate the new staff, as well as the addition of A.S.L. translation services.

The remaining portion of the proposed non-salary budget is for the running of the day-to-day operations of the Board Office.

Equity Analysis

The annualized impact of 2023's increase in staffing within the Board Office will have a **high positive** equity impact. Indigenous peoples, immigrants, refugees and undocumented individuals, women, 2SLGBTQ+, persons with disabilities, racialized groups, Black, vulnerable youth, and vulnerable seniors will be positively impacted by the additional focus that can be brought to bear by professional staff on matters of relevance to these groups and communities.

Additional staff members will enable the Board to increase its capacity to address the Service's role in systemic inequities and better meet the needs of various equity-deserving groups within Toronto, in particular Indigenous peoples.

In addition, the proposed Operating Budget includes funding for A.S.L. translation services at the Board's public meetings, to enhance meeting accessibility and engagement. This funding will allow Toronto residents who are hearing impaired to engage more effectively with the Board's work.

Conclusion:

The budget proposed in this report is founded on the Board's continued commitment to meet its legislative mandate in a manner that inspires public confidence, is meaningful to those we serve, and is fiscally responsible. Through this budget, I believe that the Board and Board Office will deliver modern independent police governance that continues to lead the country.

Respectfully submitted,

Dubi Kanengisser
Executive Director