



TORONTO POLICE SERVICES BOARD

PROTECTED DISCLOSURE

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| DATE APPROVED | October 9, 2014 | Minute No: P227/14 |
| DATE(S) AMENDED | | |
| DATE REVIEWED | | |
| REPORTING REQUIREMENT | | |
| LEGISLATION | <i>Police Services Act, R.S.O. 1990, c.P.15, as amended, s. 31(1)(c).</i> | |
| ASSOCIATED POLICY | | |
| DERIVATION | | |

For the purposes of this policy, "Member" means Service members, Auxiliary members and other persons associated with the Service, such as volunteers, interns and summer students, the Chief of Police, Deputy Chiefs of Police, the Chief Administrative Officer, Board members and Board employees.

The Toronto Police Services Board recognizes that it is in the public interest to foster and maintain confidence in the honesty and integrity of the Board, the Service and its Members. The Board places a very high value on organizational integrity and ethical practice at all levels of the organization and believes that every Member has a role to play in this regard. Through Service procedures, as well as a robust system of governance and accountability, Members should feel assured that they will be protected if they come forward with information that helps to maintain these values.

Any allegations of wrongdoing must be reported and thoroughly investigated. Wrongdoing includes, but is not limited to, fraud, inappropriate use of resources, corruption, discreditable conduct that is criminal in nature, discreditable conduct that lies entirely within the realm of employee misconduct, misconduct in respect of the policies of or services provided by the Service, and the misconduct of a police officer.

It is in the interest of both the public and of Members that there be a comprehensive process in place that encourages and provides ready access to Members to report alleged acts of wrongdoing. Further, the Board recognizes that proactive measures along with responsible oversight of existing reporting processes are necessary to ensure effective policing. The Board also recognizes that there may be circumstances in which Members may be reluctant to identify

themselves when reporting alleged wrongdoing and, therefore, any process must provide the opportunity for protected and anonymous reporting.

It is critical that any reporting process clearly and expressly prohibits any acts of reprisal or retaliation against any individual who makes a good faith report of possible wrongdoing.

It is the policy of the Toronto Police Services Board that the Chief of Police will:

1. Develop and maintain a comprehensive process (the "Reporting Process") that enables Members to report alleged wrongdoing of Members and ensure that any Member who knows, or has reason to believe, that wrongdoing has occurred, is encouraged to report it and can easily do so;
2. As part of the Reporting Process, establish and operate an independent, dedicated telephone line(s), available to Members to report alleged wrongdoing, including on an anonymous basis;
3. Ensure that the availability of the Reporting Process and the dedicated anonymous telephone line are consistently publicized to all Members, as part of an ongoing communications plan;
4. Ensure that the Reporting Process protects the identity and confidentiality of any Member that uses it to report any instance of wrongdoing;
5. As part of the continuous improvement and oversight of the Reporting Process, publicly report to the Board, on an annual basis in respect of the number and types of allegations of wrongdoing reported anonymously or in a protected manner by Members and any other information relating to the nature of the allegation of wrongdoing that is deemed necessary by the Board.

It is also the policy of the Toronto Police Services Board that the Chief of Police will:

6. With the exception of the Members identified in section 9, investigate allegations of wrongdoing by Members and, when it appears that such wrongdoing has occurred, take disciplinary or corrective action through established processes; and
7. Ensure that, where wrongdoing has been found and corrective action has been taken, a further review is also conducted to ensure that steps are taken to address the underlying causes and to take the appropriate actions to mitigate the risk of future occurrences.
8. In order to ensure that steps are taken to address the underlying causes and to mitigate the risk of future occurrences, report to the Board, on an annual basis, the results of any and all investigations undertaken in respect to allegations reported anonymously or in a protected manner by Members and any steps taken as part of a review to address the underlying causes and actions undertaken to mitigate the risk of future occurrence. Such

reporting shall include details on the substance of the allegation of wrongdoing and any actions taken in response to it.

It is also the policy of the Toronto Police Services Board that the Chief of Police will:

9. In respect of allegations relating to the Chief of Police, a Deputy Chief of Police, the Chief Administrative Officer, a Board member or a Board employee, notify the following persons of any and all such allegations:
 - a. Where the allegation of wrongdoing is in respect of the Chief of Police, a Deputy Chief of Police or the Chief Administrative Officer, notify the Chair of the Board;
 - b. Where the allegation of wrongdoing is in respect of a Board member who is not the Chair, or a Board employee, notify the Chair of the Board;
 - c. Where the allegation of wrongdoing is in respect of the Chair of the Board, notify the Vice-chair of the Board.

It is also the policy of the Toronto Police Services Board that it will:

10. In respect of any allegations of wrongdoing of which the Board is notified under section 9, review such allegation and, when it appears that wrongdoing has occurred, request an investigation, or take disciplinary or corrective action through established processes.
11. Ensure that, where wrongdoing has been found and corrective action has been taken, a further review is also conducted to ensure that steps are taken to address the underlying causes and to take the appropriate actions to mitigate the risk of future occurrences.

It is also the policy of the Toronto Police Services Board that:

12. For the purposes of this policy, reprisal includes any harassment, intimidation or threat of negative consequences against a Member as a direct result of the Member, in good faith, reporting a perceived wrongdoing;
13. No Member shall take any action in reprisal against a Member for making, or being suspected of making, a good faith allegation of wrongdoing;
14. Where an allegation of reprisal is received, an investigation shall be carried out in accordance with this policy and established processes.
15. Where an investigation conducted under section 14 determines that a Member, other than the types of Members identified in section 16, is responsible for reprisal, that Member shall be subject to discipline in accordance with the established processes

16. Where an investigation conducted under section 14 determines that the Chief of Police, a Deputy Chief of Police, the Chief Administrative Officer, a Board member or a Board employee is responsible for reprisal, that Member shall be subject to discipline in accordance with established processes
17. Any Member who knowingly makes a false allegation of wrongdoing in bad faith or who knowingly makes a false or misleading statement that is intended to mislead an investigation of an allegation of wrongdoing, may be subject to disciplinary or other applicable action.