

CHAPTER 3: TERMS OF REFERENCE

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## SECTION 5: CHIEF CONSTABLE TERMS OF REFERENCE

### 5.1 OVERVIEW

- 5.1.1 The Chief Constable is appointed by, employed by and is accountable to, the Vancouver Police Board and reports to the full Board and not to any individual Board member or the Board Chair.
- 5.1.2 The Chief Constable has responsibility for general supervision and command over the municipal police department and must perform the other functions and duties assigned to the chief constable under the regulations or under any Act.
- 5.1.3 As required by the *Act*, the Chief Constable is responsible to:
  - a. Collaborate with the Board and VPD Leadership to create a strategic plan that sets out the multi-year priorities, goals and objectives of the VPD.
  - b. Consult with the Board to prepare an operating plan and provisional budget for the following year, for the Board's submission to council on or before November 30<sup>th</sup> each year.
  - c. Report to the Board each year on the implementation of programs and strategies to achieve the priorities, goals and objectives.
  - d. Oversee the day-to-day management and operation of the VPD within the parameters established by legislation, the strategic plan, the annual plan and budget, the objectives and the policies approved by the Board.
  - e. Maintain a relationship with the City and the Mayor that fosters timely, informative communication exchanges and avoids surprises.

### 5.2 SPECIFIC DUTIES OF THE CHIEF CONSTABLE

#### 5.2.1 ORGANIZATIONAL AND HUMAN RESOURCES LEADERSHIP:

- a. Provide leadership and vision to the VPD.
- b. Develop a visible, credible and respected profile for the VPD.
- c. Provide leadership and guidance to the senior leadership team responsible for the major divisions of the VPD and ensure that responsibilities and authorities are clearly established.
- d. Develop and maintain a sound, effective organizational structure.
- e. Develop management succession plans, progressive employee training and development programs and review them annually with the Board.
- f. Foster a culture that promotes ethical practices and encourages individual integrity and accountability.

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- g. Develop, for Board approval, the compensation philosophy and guidelines for the VPD, taking into account collective agreements and City of Vancouver guidelines for exempt staff.
- h. Develop recommendations for approval by the Board, regarding the appointment and remuneration of the Deputies.
- i. Maintain and encourage the climate of constructive engagement with the Vancouver Police Union, the Teamsters Local Union No. 31 and the Vancouver Police Officers' Association.
- j. Develop and recommend to the Board a set of personal objectives which the Chief Constable is responsible for achieving over the next performance period.

### **5.2.2 STRATEGIC AND ANNUAL OPERATING PLANS:**

- a. In consultation with the Board, develop and recommend the strategic planning process for the Board's approval.
- b. Working closely with the Board, develop the strategic plan for the review and approval of the Board.
- c. Implement the strategic plan and monitor and report the implementation progress to the Board on a regular basis through annual and bi-annual business plan report backs.
- d. In close consultation with the municipal bureaucracy, develop the annual budget for Board approval.
- e. Present the Vancouver Police Board approved provisional annual budget to Vancouver City Council for approval.
- f. Implement the annual budget and report progress against the budget to the Board on a regular basis.

### **5.2.3 ORGANIZATION AND ADMINISTRATION:**

- a. Establish effective control and coordination mechanisms for all operations and activities.
- b. Ensure that the integrity of the internal control and management systems.
- c. Identify the principal risks to the VPD, review these risks with the Board regularly and implement appropriate systems to manage these risks.
- d. Authorize commitment of resources and enter into agreements, contracts, leases, etc... in the ordinary course of business provided however, that major commitments, exposures, and risks shall be reported to the Board in a regular and timely basis.
- e. While respecting VPD's need for independence, explore opportunities to share resources with the City of Vancouver and with other police organizations that will enhance operational efficiency and effectiveness.
- f. Ensure all the activities of the VPD are conducted in accordance with laws, regulations (including the *Police Act* and the VPD's Regulations and Procedures Manual), sound

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- business practice, and in accordance with the policies and practices approved by the Board.
- g. Ensure that Departmental programs and policies are consistent with the strategies and plans approved by the Board.
- h. Assist the Board in the development of rules and policies required for the appropriate oversight of the VPD.
- i. Ensure that all VPD's reporting requirements are met in a timely and appropriate manner.

### **5.2.4 COMMUNICATIONS:**

- a. Lead the development and implementation of a proactive communications strategy.
- b. Personally build relationships with community leaders and with the media to foster a climate of openness and trust.
- c. Manage and oversee the required interfaces between the VPD and the public and acting as the principal spokesperson for the VPD.
- d. Be proactive in presenting emerging police issues to the Board that may be of concern to the community.
- e. Where operational matters may be likely to spark significant public interest or debate, inform Board members before a public statement is made. This may be done by e-mail or telephone, or via the Board Office.
- f. Determine which matters are significant or serious enough to justify consultation with the Board before information is released.
- g. As a general principle the Board Chair or delegate shall speak on behalf of the Vancouver Police Board, ensuring that all statements reflect the current strategy, plans and policies approved by the Board. The Chief Constable or delegate shall speak on behalf of the Vancouver Police Department, ensuring that all statements reflect the current strategy, plans and policies approved by the Board. The Chair and the Chief Constable shall consult, as needed, to ensure the proper coordination, timing, and dissemination of information to meet particular circumstances.
- h. Direct that all official media releases be provided to the Board, as soon as is practical following release.

### **5.2.5 MUTUAL CONSULTATION PROTOCOL**

- a. The Board and the Chief Constable acknowledge the importance of mutual consultation, particularly around non-routine events or issues which have major significance to the Community, the Board and the Department. Examples include events of the magnitude of an Olympic Games, an International Summit Meeting, or a widespread protest movement.

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- b. The Chief Constable will exercise their judgement to proactively bring such events or issues to the attention of the Board and the Board will proactively seek consultation with the Chief Constable on such events or issues. The purpose of the consultation is to ensure that the issue or event is fully discussed and the Board exercises its oversight role to determine priorities, goals and objectives, in consultation with the Chief Constable. In most cases consultation will take place in advance of the event or issue. At other times it will take place after a spontaneous or unplanned event and will be focussed on deconstruction and learning.
- c. To help identify events or issues which fall within this category of being organizationally significant, the Board and the Chief Constable may consider the following criteria or critical points, intended only to guide judgement:  
The issue or event:
  - may significantly tax the VPD’s ability to provide basic levels of service;
  - has the potential to disrupt public peace, order or security in a significant way;
  - may jeopardize the implementation the VPD’s strategic plan, budget, and rules and policies;
  - may prompt criticism about the integrity, objectivity or capability of the Board, the Department or a key stakeholder;
  - may place the Department or Board publicly at odds with municipal, provincial or federal governments, the Police Complaint Commissioner, or a court decision;
  - may have significant detrimental impact on the Board and/or Department’s reputation or public confidence, service, finances or leadership; or,
  - has significant implications for the community, the Board or the Department and is likely to spark significant public interest or debate.
- d. Depending on the nature of the issue or event, the Board and the Chief Constable may consult on a wide variety of matters, including operational matters, for the purpose of ensuring appropriate and adequate oversight and planning. While the Board may provide guidance with respect to operational matters, it may not direct the Chief on operational matters.

### **5.2.6 SUPPORTING THE BOARD:**

- a. Keep the Board fully informed of all significant strategic, operational, financial and other matters relevant to the success of the implementation VPD’s strategic plan, budget and rules and policies.
- b. Act as a principal link between the Senior Leadership Team and the Board.
- c. Provide the Board, at Board and standing committee meetings, with exposure to the VPD’s Senior Leadership Team.

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- d. Attend regularly scheduled meetings of the Police Board and as otherwise requested by the Board.
- e. Meet on a regular basis with the Board Chair for the purpose of exchanging timely information so that the Board can be briefed if necessary, but also so the areas of potential coordination, overlap, or conflict with the City can be identified and addressed.

### **5.2.7 RELATIONSHIP WITH THE CITY**

- a. Maintain an open, collaborative and constructive working relationship with the Vancouver City bureaucracy and political leadership.
- b. Although the VPD is separate and independent, funding and budget planning are done within the context of the total City budget. It is therefore critical that the Chief Constable establishes a constructive and productive working relationship with the City.

### **5.2.8 RELATIONSHIPS WITH THE PROVINCE AND OTHER EXTERNAL RELATIONSHIPS**

- a. Maintain good working relationships with the Provincial government, especially the Ministry of Justice and Attorney General and Police Services Branch.
- b. Maintain good working relationships with other police department associations across Canada in order to keep current with the activities of policing in Canada.
- c. Communicate effectively with federal, provincial and municipal political and bureaucratic leadership in the context of the strategy, annual plan and objectives approved by the Board.
- d. Approve significant public service commitments and/or acceptance of outside board appointments by the Senior Leadership Team.
- e. Obtain Board approval prior to acceptance of significant public service commitments and outside board appointments.

### **5.2.9 POLICE ACT COMPLAINTS**

- a. In accordance with all provisions of the *Police Act* Part 11, act as discipline authority for conduct complaints made against municipal constables of the VPD.

### **5.2.10 BC POLICING STANDARDS**

- a. Provide an annual report to the Police Board and the Minister of Public Safety and Solicitor General on internal CEW controls and monitoring as set out in BC Policing Standard 1.3.3 (9)

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- b. Report to the Chair of the Board and the director of Police Services under BC Policing Standard 1.7.1 (4) if a person is killed or injured as a result of the discharge of a firearm or proximate to the use of an intermediate weapon by an officer.