

## CHAPTER ONE: BOARD OVERVIEW

The role of a municipal police board is to establish a municipal police department and to provide general direction to this department, in accordance with relevant legislation, and in response to community needs. Municipal police boards are created independently from municipal councils and from the provincial government. This removes boards from partisan council politics and recognizes that both the municipality and the province have legitimate interests in municipal policing.

### 1.1 LEGISLATIVE AUTHORITY

- 1.1.1 The Vancouver Police Board is established as an independent and autonomous authority pursuant to the [Police Act](#), RSBC 1996, c. 367. By virtue of section 23 of the *Act*, the Police Board is empowered to govern a municipal police department.
- 1.1.2 Part 5 of the *Police Act* establishes four main governance functions:
- The Police Board is the employer of all sworn and civilian staff of the Police Department.
  - The Police Board has primary financial oversight for the Department.
  - The Police Board establishes policy priorities and policies that set direction for the Department.
  - The Police Board has authority for policy and service complaints, and the Board Chair is the discipline authority for complaints against the Chief and Deputy Chief Constables.

### 1.2 POLICE OVERSIGHT IN BRITISH COLUMBIA

- 1.2.1 Municipal police officers in British Columbia are subject to more civilian oversight than any other profession. Police Boards, as the employers of the municipal police departments, ensure civilian oversight on behalf of the community in all its diversity. There are however various other organizations and oversight bodies that ensure accountability in policing in British Columbia. It is important that VPB Board Directors and VPB board office staff are familiar with and understand the roles of these various bodies.

#### THE OFFICE OF THE POLICE COMPLAINT COMMISSIONER

Although the Vancouver Police Board processes all complaints with respect to the general direction and management or operation of the Department (Service or Policy complaints), the Board has no jurisdiction over conduct complaints against police officers. The Office of the Police Complaints Commissioner (OPCC) is independent of both government and police departments, and oversees the conduct complaint process to ensure that investigations into police misconduct conducted by the police are thorough and fair. The OPCC has broad powers to order further investigation, public hearings and independent reviews. The OPCC also provides recommendations to boards for improvements to the delivery of police services to the public, and recommendations for improvements to the *Police Act*. From an oversight perspective, the Vancouver Police Board shares the public's concern that officers carry out their duties in a professional, equitable and culturally

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sensitive manner. When improper conduct is alleged, the Board expects to see a full and impartial investigation and be assured that if improper behavior is found, those at fault will be held accountable. ([Part 11 of the Police Act](#): Misconduct, Complaints, Investigations, Discipline and Proceedings)

### THE INDEPENDENT INVESTIGATIONS OFFICE

The Independent Investigations Office (IIO) is a civilian organization, established under the Ministry of Attorney General and led by a Chief Civilian Director. This agency is responsible for conducting investigations to a criminal law standard, into on or off-duty police officer related incidents which result in serious bodily harm or death. They have jurisdiction for all of B.C.'s policing agencies, and their authority comes from the *Police Act*. Police agencies are required to notify the IIO of any incidents that fall under their mandate, and the Board receives routine reports outlining IIO notifications. All investigative decision making, and the decision to issue a public report or refer a matter to Crown counsel are completely independent from the Ministry of Attorney General.

### MINISTRY OF PUBLIC SAFETY AND SOLICITOR GENERAL: POLICING AND SECURITIES BRANCH

The Policing and Security Branch is responsible for ensuring adequate and effective levels of policing, and superintending law enforcement pursuant to the *Police Act*. The Director of Police Services establishes provincial standards on policing. Examples of this include policing standards on firearms, use of force, police service dogs, use of force, reporting and investigation, training, equipment and facilities, specialized investigations, police stops, unbiased policing, and police pursuits. Boards are responsible for revising and approving the Board's and Department's policy to align with the implementation of provincial standards and any other legislative change.

### CORONER'S INQUESTS

The Provincial Coroner investigates all suspicious deaths. Coroner's inquests make recommendations to prevent similar deaths in the future; often these involve recommendations to the departments, and also on occasion to police boards. When the Board receives a letter from the Provincial Coroner attaching Inquest recommendations, the Board and VPD work to implement these recommendations, and develop a response for the Board to approve and communicate to the Coroner.

## 1.3 INDEPENDENCE AND JURISDICTION OF THE BOARD

- 1.3.1 The legislative intent behind the creation of a police board is to ensure that the police department remains a separate and independent body from the municipality. Police boards have a unique relationship with the municipal council and it exists, in part, to insulate the police department from the political decision making process. Police boards are responsible for ensuring that the police provide effective and efficient services in an equitable and culturally sensitive manner by

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monitoring, measuring and challenging the department to determine an adequate, evidence-based budget. In accordance with the *Police Act*, the municipal council provides the police department with an annual budget to achieve these objectives.

- 1.3.2 The work of the VPD necessitates confidentiality and adherence to security protocols and, to that end, the Board has adopted regulations and procedures to closely restrict access to, and disclosure of, information under the authority of the Department. The Board's independent status is achieved by ensuring accountability for the management of the VPD and its employees.
- 1.3.3 The Vancouver Police Board is responsible for ensuring that the security and confidentiality interests of the Department, and the safety interests of the public and Department are protected. Advancing of joint ventures or shared services with municipal council or any other agency can only occur where the Board is satisfied that it is in the best interest of the public, and that confidentiality and security issues have been properly addressed.

## 1.4 BOARD MISSION, VISION, VALUES AND GUIDING PRINCIPLES

- 1.4.1 The Board's Mission is to provide independent civilian oversight, governance, and strategic leadership to the Vancouver Police Department, reflecting the needs, values and diversity Of Vancouver's communities.
- 1.4.2 The Board's Vision is to make Vancouver a safe city for all.
- 1.4.3 The Board's guiding Values are:
  - a. **Independence:** Our decision making is strategic, fact based, policy-oriented, autonomous and free of political or partisan influence.
  - b. **Fairness:** We recognize that institutions can uphold systems of oppression if they do not meaningfully and deliberately practice equity. We do our work in a manner that recognizes and values diversity, and actively upholds human rights for all. We recognize our responsibility in truth and reconciliation and aim to work closely with indigenous communities to ensure we are building a safe Vancouver for all. Internally, we create an environment that is free of discrimination, we respect diversity, create equitable systems and processes, and build an inclusive workplace culture. We behave in an open, honest, and transparent way in partnership with the community.
  - c. **Objectivity:** We provide impartial oversight and strategic direction based on a comprehensive understanding of the issues at hand, governing the Department in the best interests of the community in all its diversity.
  - d. **Accountability:** We are accountable to the public by monitoring, measuring and challenging the Department. We centre, engage with, learn from, and inform the people of Vancouver, as we deliver on our commitments to make Vancouver a safe city for all.

- 1.4.4 The Board's guiding Principles are:
- a. The Board acts in accordance with the law and the highest standards of practice as established by the needs of the community, the *Police Act*, and Provincial standards
  - b. The Board supports and upholds the VPD's core values of Integrity, Compassion, Accountability, Respect and Excellence
  - c. The Board addresses both the issues of today and in the future, through communication, collaboration and advocacy
  - d. The Board pursues change by tackling defined problems in a pragmatic non partisan manner
- 1.4.5 The Board is guided by a Board Focus and Priorities document which reflects its goals and objectives. The Board updates this every five years, coinciding with the approval of the VPD' Strategic Plan. Progress is monitored under the purview of the Governance Committee.

## **1.5 COMPOSITION OF BOARD, SELECTION & APPOINTMENTS**

- 1.5.1 The *Police Act*, Part 5, s. 23(1), requires that the Board consist of the Mayor, who is designated as chair, one person nominated by the municipal council, and not more than seven persons appointed by the Lieutenant Governor in Council.
- 1.5.2 All members of the Vancouver Police Board are appointed and their terms of office set by the order of the Lieutenant Governor in Council based on recommendations put forward by the Attorney General, after consultation with the Director of the Police Services Division. Board Members are appointed to a term not to exceed four years, and although they may be re-appointed for a further term, their total time as Directors on the Board cannot exceed a maximum of six consecutive years
- 1.5.3 The Board will determine the composite skills it requires to meet its responsibilities and maximize its success, and the elements it requests with respect to tenure and the rotation of Directors. The Board will forward this information to its appointing bodies. The Governance Standing Committee will take the lead in periodically reviewing that these determinations remain valid.

## **1.6 OATH OF OFFICE**

- 1.6.1 In accordance with s. 70(1) of the *Police Act*, a person appointed to the Vancouver Police Board must take an oath or affirmation in the prescribed form before assuming office, and exercising any power or perform any duty or function as a Member of the Vancouver Police Board. When reappointed to the Police Board, a Member must retake their oath of office.
- 1.6.2 The oath or affirmation specified in s. 1 of the *Police Oath/Solemn Affirmation Regulation* shall be made before a judge or former judge, lawyer, or notary public. A copy of the signed oath/affirmation shall be filed with the Ministry of Public Safety and Solicitor General.

## **1.7 BOARD GOVERNANCE STYLE AND COMMITMENT**

- 1.7.1 As a statutory governance body, the Police Board must be and be seen to be:
- a. operating in all ways mindful of its civic trusteeship obligation to the public and accountability for the governance of the Police Department;
  - b. independent of Police Department administration and management, political affiliation and interest groups;
  - c. subject to the needs of confidentiality and security, open, transparent, and accessible to both the public and Police Department; and
  - d. responsive to the community.
- 1.7.2 The Vancouver Police Board shall govern collaboratively and in a way that emphasizes outward vision. It shall encourage strategic leadership rather than administrative detail and shall maintain a clear distinction between board governance and the Chief Constable's operational role as chief executive officer of the Police Department.
- 1.7.3 The Board and Chief Constable shall commit to the following guiding principles with respect to their relationship and responsibilities:
- a. acknowledge the importance of goodwill between each other;
  - b. respect each other's roles, interests and accountabilities;
  - c. give each other the benefit of the doubt, accept honest mistakes and seek explanations before jumping to conclusions or making assumptions.
  - d. recognize and respect each other's decision-making processes and lines of authority;
  - e. acknowledge that the Board's mandate is summarized as holding the VPD accountable through general oversight and setting of policing policy; and
  - f. recognize that the Chief Constable is responsible for daily policing and all operational matters.
- 1.7.4 Information shall be shared to the fullest extent possible and be undertaken in an atmosphere that promotes clarity, transparency, openness and trust. Communications between the Board and Chief shall:
- a. promote common understanding;
  - b. promote quick and effective resolution of issues; and
  - c. build stronger relationships.
- 1.7.5 The Board, and not the Chief or Board staff, shall be responsible for excellence in governing. The Board itself shall be the initiator of policy, in addition to responding to policy initiatives from staff. The Board shall use the expertise of individual Board Directors to enhance the performance of the Board as a body.

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- 1.7.6 The Board shall direct, control and motivate the organization through the careful establishment of broad organizational policies reflecting the community's values.
- 1.7.7 The Board shall establish a collegial relationship with officials of the Ministry of Justice and Attorney General and shall fulfill all reporting requirements established under the *Police Act*. This includes filing of Board Minutes with the Ministry, thus enabling the Board's decisions and rules to be enforced.

### 1.8 DELEGATION TO AND RELATIONS WITH THE CHIEF CONSTABLE

- 1.8.1 The Chief leads the Police Department, subject to the policies and general supervision of the Police Board, and is accountable to the Board acting as a body.
- 1.8.2 The Chief has general authority to make the operational and administrative decisions required to operate the Police Department. The Chief's legislative roles and duties are set forth in s. 34 of the *Police Act*.
- 1.8.3 Board authority is delegated through the Chief, so that all authority and accountability of staff/members, in so far as the Board is concerned, is considered to be the authority and accountability of the Chief. (With the exception of discipline matters which are under the jurisdiction of the Office of The Police Complaint Commissioner)
- 1.8.4 The Board instructs the Chief through approved Board policies, and detailed operational policies are to be developed by the Chief in furtherance of Board policy.
- 1.8.5 Only decisions of the Board acting as a body are binding upon the Chief:
- a. Decisions or instructions of individual Board Directors or committees are not binding on the Chief except in those instances when the Board has specifically authorized such exercise of authority.
  - b. In the case of Board Directors requesting information or assistance without Board authorization, the Chief has the option of bringing such requests to the Board if, in the Chief's judgement, a material amount of staff time or funds are required.
- 1.8.6 The Chief shall ensure that their actions and those of the Department will not compromise the independence of the Board.
- 1.8.7 The Chief may delegate authority to the extent that they consider appropriate, but remains personally responsible for all activities of the Department.

## **1.9 BOARD COMMITTEE, PANELS AND LIAISON FUNCTIONS**

- 1.9.1 The function of a Board standing committee (herein after referred to as ‘committee’) is to assist the Board with a task that belongs to the Board in the exercise of its authority and responsibilities.
- 1.9.2 The Board may establish standing committees to inquire into and report on any matter within the jurisdiction of the Board.
- 1.9.3 The Board defines the committee mandate and appoints the committee membership. Any Board Director is eligible to attend a committee meeting, but shall not have a vote if they are not a member of the Committee.
- 1.9.4 The Board may delegate tasks and projects to the committees, including preparing of policy alternatives and implications for Board deliberation.
- 1.9.5 Committees make recommendations to the Board, unless specific authority is delegated to make decisions.
- 1.9.6 Board committees may not speak or act for the Board except where formally given such authority for specific and time-limited purposes. Expectations and authority shall be carefully stated in order to not conflict with authority delegated to the Chief.
- 1.9.7 Each committee shall obtain direction from the Board for its activity or mandate and shall report back on its activities on a regular basis.
- 1.9.8 The Board Chair may designate a committee Chair to speak to the media regarding deliberations of the committee.
- 1.9.9 Committee members shall deal directly with the Chief, or their designate(s), when services are required from a staff of the Department to assist the committee.
- 1.9.10 The Board may establish Board review panels in order to meet legislative requirements and may assign Board Directors as liaison to Department committees, as required.
- 1.9.11 The list of Board committees, panels and liaison functions shall be reviewed as needed and revised accordingly, and committee/panel members and chairs shall be appointed by Board resolution.
- 1.9.12 This policy does not apply to committees formed under the authority of the Chief.

## **1.10 BOARD AD HOC COMMITTEES AND TASK FORCES**

- 1.10.1 The Board may establish from time-to-time ad hoc committees or task forces. The function of a Board ad hoc committee or task force is to explore and report on specific questions or issues in the exercise of its authority and responsibilities.
- 1.10.2 The Board defines the ad hoc committee or task force mandate and appoints the membership. Any Board Director is eligible to attend an ad hoc committee or task force meeting.
- 1.10.3 The Board should define a limited time period for the ad hoc committee or task force. Ultimately, when the work of the ad hoc committee or task force is completed, the committee is dissolved.
- 1.10.4 Ad hoc committees and task forces adhere to the same requirements of Board standing Committees as outlined in Section 1.10 unless specifically outlined here.

## **1.11 APPROVAL AND MONITORING OF THE DEPARTMENT'S STRATEGIC PLAN**

- 1.11.1 The Board is required under s. 26(4) of the *Police Act* to determine the priorities, goals and objectives of the Department, in consultation with the Chief Constable. Police boards are responsible for working with the Chief Constable to develop strategy, which provides the direction and scope of the police organization over the long term. Ideally, that strategy will match the organization's resources to its changing environment, in particular to its communities in order to meet stakeholders' expectations and concerns. This requirement is fulfilled through the development, approval, and monitoring of the Department's Strategic Plan.

The Board supports a collaborative process in which the Board works with the Chief Constable and VPD leadership team to consult with stakeholders and rightsholders, and develop a five-year Strategic Plan which is then publicly approved by the Board. The Strategic Plan is reviewed annually by the Board with the Chief Constable to check progress, reconfirm the goals, refresh short term strategies to pursue the goals, and agree on operational alignment including budget allocations.

The Chief Constable and the Executive Leadership Team are responsible for the day-to-day management and operation of the VPD within the parameters of the strategic plan, the annual budget, and the objectives and policies approved by the Board.

- 1.11.2 The Board is required under s. 26(4.1) of the *Police Act* to take into account the priorities, goals and objectives established by the minister, and the priorities, goals and objectives of the council of the municipality in developing the Department's Strategic Plan.

1.11.3 More information on the Board's Strategic Planning Process can be found in this manual under Section XX

## **1.12 BOARD MEMBER ORIENTATION**

1.12.1 It is imperative that all Board Directors receive orientation regarding their roles and responsibilities as Police Board Directors. The Board shall ensure that it has a comprehensive Orientation Program for new Board Directors. The Board Executive Director shall arrange for swearing in and ensure new Board Directors commence the orientation program as soon as is practicable after appointments. e

1.12.2 As part of their orientation new Board Directors shall familiarize themselves with the Board's Governance Manual, as well as the Province's [BC Police Board Handbook](#).

1.12.3 Due to the large amount of information, orientation takes place over the course of several months. To familiarize themselves with their role it is recommended that Board Members participate in some of the following activities:

- Citizens Police Academy
- ride-alongs
- attendance at Compstat meetings (Computer Statistics regarding timely and accurate intelligence; effective tactics; rapid deployment' and relentless follow-up and assessment)
- Facility tours
- Presentations to New Recruits
- Attendance at Community Events
- Meeting with Community Partners to get their perspective on community needs and interests. (eg. CPC's and other community organizations that represent diverse communities in Vancouver)
- Attendance at BCAPB, CAPG, or equivalent conferences
- Participation in training offered (eg. Courses offered by Police Services, BCAPB, webinars and/or the Justice Institute, including but not limited to anti-racism training, Indigenous Relations, Equity Diversity and Inclusion Training, and Governance training )
- Attendance at key social functions such as the annual Police Ball and Mess Dinner
- Attendance at organized meeting with Union
- Participation in briefings to Council
- Annual Commendations and Exemplary Service Medals award ceremonies

1.12.4 Directors may at any time during their term request further training, tours, or information from the Executive Director.

### **1.13 PER DIEMS**

- 1.13.1 Directors of the Police Board are eligible to receive a meeting *per diem* in accordance with the guideline in Appendix 9.
- 1.13.2 The Board assigns the Board's Governance Committee to review the *per diem* rate at least every five years. Provided the Governance Committee is satisfied that the *per diem* rate remains appropriate and in line with similar boards, the rate may be adjusted at the time of review to ensure it is equivalent to the lesser of:
- a. the previous year's *per diem* plus an increase in line with inflation; or
  - b. the *per diem* rate paid to the Directors of the Greater Vancouver Regional District Board.

### **1.14 TRAVEL AND TRAINING**

- 1.14.1 Directors are encouraged to participate in training sessions and conferences of the BC Association of Police Boards (BCAPB) and Canadian Association of Police Boards (CAPG), and to take advantage of other training opportunities that will increase their knowledge and capabilities as a Board Director including but not limited to anti-racism training, Indigenous Relations, Unconscious Bias, Equity Diversity and Inclusion, and Governance training.
- 1.14.2 Board Directors are eligible to be reimbursed for reasonable expenses for travel incurred while on Board business or for attendance at eligible training sessions outside the area of the Greater Vancouver Regional District.
- 1.14.3 Business travel of Board Directors and the Board Executive Director outside of BC is authorized by the Executive Director after consultation with the Finance Committee Chair, if expenses are to be paid by the Board.
- 1.14.4 Director's eligible expenses are reimbursed upon the submission of receipts and explanatory expense statements, and must be in accordance with the Business Travel Policy of the Department, or as otherwise determined by Board policy.
- 1.14.5 A Board resolution is required to approve exceptions to the Business Travel Policy.

### **1.15 MEMBERSHIPS**

- 1.15.1 The Board supports the purpose of the BC Association of Police Boards and Canadian Association of Police Governance, and shall be a member of both associations, unless otherwise determined by the Board.

- 1.15.2 Board authorization is required prior to the Board joining organizations or associations other than the BC Association of Police Boards (BCAPB) or the Canadian Association of Police Governance (CAPG).

## **1.16 BOARD AND DIRECTOR ASSESSMENT PROCESS**

- 1.16.1 The Board recognizes the need to assess its performance on a regular basis on its governance practices and compliance with the Terms of Reference documented in this Board Manual. The Board's Governance Standing Committee leads the Board assessment in accordance with the Board Evaluation Process outlined in section X.X.

## **1.17 AMENDMENTS TO THE MANUAL**

- 1.17.1 The Board's Governance Standing Committee is responsible for regular review of this Manual and for seeking Board approval of necessary and substantive amendments as required to maintain its currency, accuracy, and alignment with evolving best practices in governance. The Chief Constable may submit amendment requests to the Governance Standing Committee.

Minor grammatical, spelling, or fact based amendments to the manual may be made by the Governance Committee or Executive Director without formal approval, however, the Board shall be notified of any changes.