



BY-LAW NO. 374-2017

**A BY-LAW TO ESTABLISH POLICY FOR THE
CHIEF OF POLICE PERFORMANCE EVALUATION SYSTEM**

1. PREAMBLE

- 1.1 WHEREAS section 31(1) of the *Police Services Act*, R.S.O. 1990, c.P.15 as amended ("the Act"), provides that a Board is responsible for the provision of police services and for law enforcement and crime prevention in the municipality and shall:
- (b) generally determine, after consultation with the Chief of Police, objectives and priorities with respect to the police services in the municipality;
 - (c) establish policies for the effective management of the police force;
 - (d) recruit and appoint the Chief of Police and any Deputy Chief of Police, and annually determine their remuneration and working conditions taking their submissions into account; and
 - (e) direct the Chief of Police and monitor his or her performance.
- 1.2 AND whereas a Police Services Board may, by by-law make rules for the effective management of the police service under Section 31(6) of the *Police Services Act*;
- 1.3 AND whereas the Board deems it expedient to pass a by-law to establish policy for the Chief of Police Performance Evaluation System to provide a framework for discussing and monitoring the Chief's performance against expected job outputs and the achievement of results.

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD ENACTS AS FOLLOWS:

2. DEFINITIONS

- 2.1 "Act" means the *Police Services Act*, R.S.O. 1990 c.P.15, as amended;
- 2.2 "Board" means the Regional Municipality of Niagara Police Services Board;
- 2.3 "Chief" means the Chief of Police of the Niagara Regional Police Service;
- 2.4 "Service" means the Niagara Regional Police Service.

3. BOARD POLICY

- 3.1 The Board recognizes that reviewing the performance of its Chief of Police is an important governance responsibility legislated by the *Police Services Act*, and that it is integral to the Board's business planning process and good governance of the Police Service.

- 3.2 The Board is committed to establishing and participating in a Performance Evaluation System for its Chief of Police that promotes individual excellence and increases mutual understanding and communication between the Board and the Chief of Police.
- 3.3 Ideally, the formal assessment will ensure open communication is maintained and the well-being of the Police Service is fostered through mutual trust and planning. Furthermore, the Board expects the Chief to achieve significant results each year, and in doing so, to improve the quality of policing services to the citizens of Niagara Region.
- 3.4 Additionally, less formal but progressive periodic discussions should be maintained with the Chief throughout the annual review period to keep abreast of his/her performance and provide an opportunity for mutual input.
- 3.5 The goals of the Performance Evaluation System is to provide the Board with a formal opportunity to assess the results achieved by the Chief of Police in implementing the Board's business plan and specific objectives set at the beginning of each annual review period.

4. GENERAL PRINCIPLES

- 4.1 A Performance Evaluation System is an annual requirement intended to support and reinforce the achievement of the strategic priorities, goals and objectives outlined in the Board's Business Plan and general expectations that the Board has of its Chief of Police.
- 4.2 The Performance Evaluation System consists of four components:
- (a) The Position Description for the Chief of Police;
 - (b) A Performance Plan that sets out the objectives and expected accomplishments for the year under review;
 - (c) A Performance Evaluation Rationale and Instructions document; and
 - (d) A Performance Evaluation Questionnaire.
- 4.3 The Performance Evaluation System is attached to this By-law as Appendix A.
- 4.4 The Performance Evaluation System adopted by the Board is based on the system developed by the Policing Services Division of the Ministry of Community Safety and Correctional Services, and the Ontario Association of Police Services Boards, but has been modified to ensure it reflects the duties and responsibilities for the position, and is compatible with the competencies outlined in the Chief's Position Description.
- 4.5 There are several sources the Board may refer to when completing the Performance Evaluation such as: inspections and/or audits conducted by the Ministry of Community Safety and Correctional Services or the Niagara Region, monitoring/mandated reports submitted to the Board in accordance with Board by-laws/policies and legislative reporting requirements consistent with the *Police Services Act* and the *Adequacy and Effectiveness of Police Services Regulation*, Ministry Standards, other relevant statutes, contractual agreements the Board has made with its bargaining units, public complaints, financial reports, civil actions; community feedback received by the Board, '360 degree' reviews from individuals working closely with the Chief; and environmental scans including public surveys of community satisfaction.

5. PROCESS

Establishment of Goals and Objectives

- 5.1 At the start of each annual evaluation period, the Chief and the Board will jointly complete a Performance Plan, determining the objectives and expected accomplishments for the year.
- 5.2 The objectives will incorporate both quantitative and qualitative goals that reflect the competencies of the position as outlined in Performance Evaluation System document, the NRPS Annual Report, Business Plan, reports mandated by the *Police Services Act*, as well as any other documents that either side may deem relevant to the effective operation of the Service.
- 5.3 The Chair and the Vice-Chair shall meet with the Chief of Police to review the goals and objectives for the year.
- 5.4 The Chair and Vice-Chair will submit the Chief's goals, along with its recommendations to the Board for approval.

Evaluation of Performance

- 5.5 A month before the end of the annual evaluation period, a copy of the Performance Evaluation questionnaire and rationale/instructions for completing it will be circulated to all Board members. Each Board Member shall complete the form and return in a sealed envelope or if completed electronically, in a confidential email to the Executive Director within a prescribed timeframe.
- 5.6 The completed questionnaires shall be delivered to the Executive Director and Board Solicitor, who shall review and compile one Performance Evaluation for the Chief, including any comments received from Board Members. The Executive Director and Board Solicitor shall also compile a draft Performance Plan for the coming year based on input from the questionnaires.
- 5.7 The Chief will be asked to prepare a draft Performance Plan at this time as well. The Chief will also provide the Board with a self-assessment of his/her performance for the previous fiscal year, and identify objectives for the coming year. The self-assessment will include at a minimum the matters included in the Performance Evaluation questionnaire provided to Board members, plus comment on other matters which the Chief considers relevant. The document will also include training and development objectives to ensure ongoing growth.
- 5.8 Once the Performance Evaluation has been compiled, it shall be discussed with the Board Members at a "Board Only Caucus Meeting" as to the level of achievement. Board Members shall also discuss the Performance Plan for the coming year and recommend any edits, additions to both the self-assessment and/or objectives.
- 5.9 Following the meeting, the Chair and Vice-Chair shall meet with the Chief to discuss the Performance Evaluation, and will also discuss the Performance Plan for the next evaluation period with a view to finalizing it.
- 5.10 The Chair shall report back to the Board on the meeting with the Chief of Police and seek final approval for the Performance Evaluation and Performance Plan. Following final Board approval, a consolidated report with comments from the Board will be provided to the Chief.
- 5.11 As a result of changing circumstances, the Board or the Chief of Police may wish to revisit the Performance Plan during the year.

- 5.12 The Board reserves the right to meet with the Deputy Chiefs of Police or others with whom the Board has individual employment agreements with respect to their performance evaluations by the Chief of Police.
- 5.13 The performance evaluation is also used as a basis on which to determine the remuneration and working conditions of the Chief of Police and Deputy Chief of Police in accordance with its responsibilities under S. 31(1)(d) of the Act.
- 5.14 The Board has the authority and responsibility to meet with the Chief of Police and Deputy Chief of Police to discuss his/her performance outside of the regular scheduled evaluation period as may be required.

6. IMPLEMENTATION

- 6.1 By-law No. 183-1999 and all other By-laws, section of By-laws and policies of the Board inconsistent with the provisions of this By-law are hereby repealed.
- 6.2 This By-law shall come into force upon the date of its enactment.

ENACTED AND PASSED this 21st day of December, 2017.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

Chairperson	Signed Original on File _____
Executive Director	Signed Original on File _____