DC10 COMPLAINTS (CONDUCT, SERVICE OR POLICY) DC10

Effective Date: 14 December 2011
Last Reviewed/Revised Date: 16 October 2024*

POLICY

1. Complaints about the conduct of Delta Police Department (Department) 'municipal constables' and 'special municipal constables' or about Department services or policy, shall be dealt with in accordance with the *British Columbia Police Act* (Act).

2. As required by the Act, the Delta Police Board shall review this Policy at least every four years and seek community input regarding the Policy.

REASON FOR POLICY

3. To seek to ensure complaints are received and managed appropriately and effectively.

RELATED POLICIES

DC11 – Internal Discipline Rules
DC12 – Service Records of Discipline
DC13 – McNeil Disclosure
DM20 – Policy Process
EM73 – Restoring Performance Standards

PROCEDURES

4. A member may address a query from a person, and must also assess whether the query alleges misconduct or qualifies as a 'question or concern'[1] and therefore needs to be referred to the Professional Standards Section (PSS) or the Office of the Police Complaint Commissioner (OPCC).

[1] A report brought forward by a citizen related to conduct by a member that does not reference an allegation of misconduct under Section 77 of the Act or result in a complaint being made under Section 78 of the Act, but which cause the citizen to be upset, worried, or disturbed.

5. Any member or police staff engaging with a person who has a complaint about member 'misconduct'[2] or 'service or policy[3], must:

   a) in no manner seek to discourage a person from making the complaint directly to PSS or the OPCC;

   b) direct the person to speak to PSS, or the Patrol Staff Sergeant if outside of PSS office hours, or the OPCC by phone or through the website of that Office; and

   c) if receiving any information about the complaint, note the information and forward it to PSS.

6. A Patrol Staff Sergeant engaging with a complainant shall record initial details and contact information, and inform PSS of the complaint.

7. PSS members receiving a complaint must:

   a) provide the complainant with any assistance or information required to make the complaint, written acknowledgement of its receipt, and if appropriate, a copy of the OPCC's list of support groups and neutral dispute resolution service providers and agencies;

   b) record the details of the complaint and the date and time of its receipt, and forward a copy to the OPCC;

   c) ensure that alleged misconduct is managed in accordance with the Act; and

   d) if the complaint is determined to be a service or policy complaint, notify the Chief Constable, as soon as practicable, and the Chief Constable will refer the matter to the Delta Police Board.

8. The Chief Constable will give consideration to exercising the Act's authority to reassign, transfer, or suspend a member who is being investigated under

[2] Section 77 of the *Police Act* defines 'misconduct' as including:
- intimidating anyone who wants to make a complaint;
- conviction of various criminal and other statutory offences;
- neglect of duty, corrupt practice, abuse of authority, deceit, discourtesy, discreditable conduct, misuse of intoxicants, improper off-duty conduct, or improper use or care of firearms; or
- damage to police or others' property, or improper disclosure of information.

[3] A complaint relating to the general direction, management or operation of the Department or the inadequacy or inappropriateness staffing, training, standing orders, policies, response ability, or internal procedures, all of which do not involve the conduct of a member.

the Act or as a result of an allegation of having committed a federal or provincial statutory offence.

*Revised Dates:
21 February 2012
28 May 2014
12 December 2016
12 March 2018
26 May 2023