8. Service or Policy Complaints

The Board is responsible for taking action to respond to complaints made about the services or policies of the DPD[97] and complaints about the conduct of the Chief Constable and Deputy Chief Constables.[98]

Service or Policy Complaints

In accordance with the *Police Act*, service or policy complaints are complaints that can be made about:

1. the general direction, management, or operation of the DPD, or
2. the inadequacy or inappropriateness of the DPD's:
    a. staffing or resource allocation;
    b. training programs or resources;
    c. standing orders or policies;
    d. ability to respond to requests for assistance, or
    e. internal procedures.

Service or policy complaints may be made at any time directly to the Police Complaint Commissioner (or any person designated by the Commissioner), to the Board Chair, or any DPD constable on duty who is assigned to receive and register such complaints. The Chair must seek to ensure that: complainants are provided with required assistance; barriers to making a complaint are effectively reduced or eliminated; and the complainants are supported in making an informed decision about whether to file a service or policy complaint or a complaint alleging misconduct.

When the Board receives a copy of a service or policy complaint it is then required to address the complaint promptly, in accordance with the *Police Act*[99], by:

1. requesting the Chief Constable to investigate and report on the matter;
2. initiating a study concerning the complaint;
3. initiating an investigation into the complaint;
4. dismissing the complaint if the Board determines it is:
    a. trivial, frivolous, vexatious or not made in good faith,
    b. filed for an improper purpose or motive,
    c. concerning a service or policy matter that has been appropriately resolved, or
    d. not about a service or policy matter
        I. under the general direction and management or operation of the DPD, or
        II. about which a complaint can be made (refer to 1. and 2. a) - e) directly above); or
5. taking any other course of action the Board considers necessary to respond adequately.

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[97] *Police Act, s. 171.*
[98] *Police Act, Part 11.*
[99] *Police Act, ss. 171 and s. 172 (as amended by the Police Act Amendments Act, 2024).*

When determining which of the above courses of action it is necessary to take, to respond adequately to a complaint, the Board is required to give consideration to whether the complaint includes allegations of discriminatory policies or practices, and whether, as a result, at a minimum the matter is to be referred to the Chief Constable for investigation or for a study or investigation to be initiated[100]. Once the Board has determined the course of action to be taken, it is required within 20 business days to advise the complainant, the Director of Police Services and the Police Complaint Commissioner of that course of action.[101]

The Board is required to keep minutes and records, of any of its meetings, hearings or inquires, as conducted in dealing with a service or policy complaint. Meetings and hearings concerning service or policy complaint matters are required to be open to the public, unless any of the following merit a meeting or hearing, or a portion thereof, to be held in private: public security; labour relations issues; a person's financial affairs; or information otherwise requested to be given in private.[102]

If the Board initiates a study or investigation, the Board will consider and determine whether collectively, by Committee, or through one or more individual Board members, it has the expertise and resources to conduct the same, or will seek professional assistance from the DPD or through resources independent of the DPD.

In determining whether to request the Chief Constable to investigate and report on a matter, or in determining the terms and scope of any DPD assistance in relation to a Board initiated study, investigation or other course of action, the Board shall consider whether a conflict of interest, or a possible perceived conflict of interest specific to the DPD may exist. In seeking to make such an assessment, the Board is best served by obtaining an independent external assessment or advice.

The Board will monitor and review the status of any study, investigation or other course of action taken, and any other relevant information. The Board determines whether to approve the results of any study or investigation, including an investigation and report by the Chief Constable. Upon the conclusion of the matter by the Board, it sends to the complainant, the Director of Police Services and the Police Complaint Commissioner an explanation of the Board's actions taken and, if applicable, a detailed summary of any investigation or study undertaken.[103]

Subject to the requirements established by the *Police Act*, the Board may review the process for responding to service or policy complaints with the Chief Constable, and make any necessary adjustments or amendments to the process.

Whenever independent professional assistance is obtained, the Board ensures it is formally regulated, e.g., through a services contract, and accounts for: any assistance possibly required to be provided by the DPD; review and control of working and final records; contract monitoring; and other contract risk management considerations.

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[100] *Provincial Policing Standard 6.1.1: Promoting Unbiased Policing, s. 21.*
[101] *Police Act, s. 171(3).*
[102] *Police Act, s. 69 and 71.*
[103] *Police Act, s. 172*