Essex County OPP Detachment Board – North (Lakeshore, Essex, Tecumseh)

Policy Manual

Policy Number:	04
Effective Date:	September 21, 2026
Approval:	ECODB 31/26 – September 21, 2026
Subject:	**Essex County OPP Detachment Board – North Complaints Policy**

1. Purpose

The purpose of this policy is to summarize the *Community Safety and Policing Act* complaints provisions and establish procedures with respect to the Essex County OPP Detachment Board – North (Lakeshore, Essex, Tecumseh) receipt and disposition of public complaints.

2. Definitions

2.1 "***Act***" means the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*.

2.2 "**Administrative Support**" means the permanent, part-time position for the Essex County OPP Detachment Board - North (Lakeshore, Essex, Tecumseh).

2.3 "**Agenda**" means the order in which business is conducted at a Meeting.

2.4 "**Board**" means the Essex County OPP Detachment Board - North (Lakeshore, Essex, Tecumseh) as referred to in section 67 of the *Act* and further defined in Ontario Regulation 135/24.

2.5 "**Chair** " means the Member identified in accordance with subsection 36 (1) of the *Act*.

2.6 "**Closed Session**" means a Meeting of the Board from which members of the public shall be excluded and shall be held in accordance with the provisions of subsection 44 (2) of the *Act*.

2.7 "**Code of Conduct**" means Ontario Regulation 409/23 – Code of Conduct for OPP Detachment Board Members made under the *Community Safety and Policing Act*.

2.8 "**Detachment Commander**" means the Detachment Commander for the Essex County Detachment of the Ontario Provincial Police reporting to the Essex County OPP Detachment Board - North (Lakeshore, Essex, Tecumseh).

2.9 "**Governance Policy**" means the Rules and Procedures of the Board, established in accordance with subsection 46 of the *Act*.

2.10 "**Inspector General**" means Ontario's Inspector General of Policing.

2.11 "**Inspectorate of Policing**" means the oversight organization in Ontario responsible for ensuring policing is delivered adequately and effectively across Ontario and that OPP Detachment Board members are complying with the Code of Conduct.

2.12 "**Law Enforcement Complaints Agency**" means the civilian oversight agency responsible for receiving, managing, and overseeing public complaints about misconduct of police officers.

2.13 "**Meeting**" means any regular, special, or other meeting of the Board, where a quorum of Members is present to discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Board.

2.14 "**Member(s)**" means a person(s) appointed to the Board.

2.15 "**Minister**" means the Solicitor General or such other member of the Executive Council as may be assigned the administration of the *Act* under the *Executive Council Act*.

2.16 "**Municipalities**" means collectively the Municipality of Lakeshore, Town of Essex, and Town of Tecumseh and "Municipality" means any one of them as the context requires.

2.17 "**Municipal Liaison**" means a representative from each of the three Municipalities that provides governance support to the Board in an advisory capacity.

2.18 "**OPP**" means Ontario Provincial Police.

2.19 "**OPP Detachment Board**" means a board referred to in section 67 of the *Act*.

2.20 "**Rules and Procedures**" means these Rules and Procedures established in accordance with subsection 46 of the *Act*.

2.21 "**Solicitor General**" means the Cabinet Minister responsible for ensuring Ontario's communities are supported and protected by law enforcement and that public safety and correctional systems are safe, effective and accountable.

3. Policy Statement

3.1 The Inspector General is responsible for ensuring policing is delivered adequately and effectively across Ontario and that Board members are complying with the Code of Conduct.

3.2 Public complaints and disclosures of misconduct with respect to an OPP Detachment Board or a member of an OPP Detachment Board are handled by the Inspectorate of Policing and are the subject of this policy.

3.3 In addition to the provisions of the *Act* and regulations, Board Member conduct is outlined in the Essex County OPP Detachment Board - North Governance Policy No. 02/25.

3.4 Public complaints against a police service including: misconduct by a police officer, Chief, or Deputy; systemic issues; and operational matters are not within the jurisdiction of the Board. Such complaints are handled by the Law Enforcement Complaints Agency (LECA) and are not the subject of this policy.

4. Legislative Requirements

4.1 The *Act* and Ontario Regulation 409/23 - Code of Conduct for Board Members (attached hereto as Appendix "A") sets out the code of conduct with which every Member must comply, including:

4.1.1 Conduct becoming of a board member;

4.1.2 Statements and Attendance; and

4.1.3 Misconduct and Conflicts of Interest.

4.2 The *Act* provides that the Board is not legally responsible for the conduct of the Ontario Provincial Police while carrying out the duties of their position.

4.3 **Complaints About the Board**

4.3.1 Section 106 of the *Act* provides that any person who believes that a Member of the Board has committed misconduct may make a complaint to the Inspector General in accordance with the regulations, if any.

4.3.2 The Inspector General may decide not to investigate if the complaint is frivolous, vexatious or made in bad faith or if investigating the complaint would not be in the public interest.

4.3.3 When deciding whether an investigation is in the public interest, the Inspector General shall consider:

a. If the complaint has been, or is already being investigated under the *Act* or previous law;

b. If the complaint could be more appropriately dealt with under another Act or complaint process;

c. If failing to investigate could reduce public confidence in policing; and

d. If an investigation is practical based on the information or evidence available.

4.3.4 The Inspector General shall inform the complainant of a refusal to investigate.

4.3.5 If there are reasonable grounds to believe misconduct occurred, the Inspector General shall investigate the matter and inform the complainant about the investigation and the steps taken to resolve the complaint.

4.3.6 If there are no grounds to investigate the matter further, the Inspector General shall inform the complainant and take no further action.

4.3.7 The Inspector General may charge the costs of an investigation relating to Member misconduct to the Board which the Member is appointed.

4.4 Complaints About the Police Service

4.4.1 Section 107 the *Act* provides that any person can file a complaint to the Inspector General about whether policing services are adequate and effective, whether the Board has failed to comply with the *Act* or its regulations, or the Board's policies, by-laws or procedures.

a. If the Inspector General forwards the complaint to the Board, the Board will review the complaint only as relates to the Board's local policies, by-laws, rules or procedures;

b. The Board will report to the Inspector General and the Minister about any steps taken in response to the complaint.

4.4.2 The Minister shall review any complaint regarding the Minister's policies or the procedures and report back to the Inspector General about any steps taken in response to the complaint.

4.4.3 If there do not appear to be grounds to investigate the matter further, and the complaint does not relate to the policies, by-laws, rules or procedures of the Board, the Inspector General shall inform the complainant and take no further action.

4.5 Deemed to Have been Made to Inspector General

4.5.1 Section 108 of the *Act* provides that if a complaint is made to the Board and is forwarded to the Inspector General, it is deemed to have been made by the person directly to the Inspector General. The Board is required to;

a. Forward the complaint to the Inspector General;

b. Inform the complainant that the complaint has been forwarded; and

c. Provide the complainant with information about the role of the inspector General.

4.6 **Inspection Powers**

4.6.1 Section 115 of the *Act* provides that an Inspector has the authority to enter a Meeting of the Board for the purpose of monitoring the meeting or conducting an inspection except;

a. Any part of a Meeting where privileged legal advice is being discussed or in prescribed circumstances (i.e. Closed Session).

4.6.2 If an Inspector reasonably believes that a place occupied by an OPP Detachment Board contains a thing, document or data relevant to the purpose of an inspection, or an activity relating to the purpose of an inspection is occurring or has occurred at that place, the Inspector has the authority to attend the place to inspect the Board's records.

4.6.3 Section 116 of the *Act* provides that an inspector may require a Member or employee of the Board to respond to reasonable inquiries for the purpose of the inspection.

4.7 **Board Member Duties During and After Investigation**

4.7.1 Section 122 of the *Act* provides that the Inspector General may direct a Member of the Board to cease or limit their duties while the investigation is underway. This temporary direction lasts until:

a. The Inspector General determines that no further action is needed, or;

b. The Inspector General takes formal action following the investigation.

4.7.2 As a result of the investigation, if the Board does not have enough Members to constitute quorum and perform their duties, the Inspector General may appoint the necessary number of persons to continue Board operations.

4.7.3 Members temporarily appointed to the Board may only exercise the powers needed to keep the Board functioning during the course of

the investigation and must be removed when the investigation ends.

4.8 **Results of Inspection**

4.8.1 Section 123 of the *Act* provides that an Inspector who completes an inspection shall report their findings to the Inspector General who will notify the subject of the inspection along with the person or entity who appointed the Member and publish their report to the internet in accordance with the regulations.

4.9 **Inspector General's Powers**

4.9.1 Section 124 of the Act provides that if the inspection report discloses evidence that a Member has committed misconduct, the Inspector General may reprimand the Member of the Board, suspend the Member for a specified period of time or remove the Member from the Board.

4.9.2 Before taking action, the Inspector General shall provide written notice of the proposed measures to the Member and the Board and provide an opportunity for the Member to respond.

4.9.3 After considering the response, the Inspector General may implement the proposed measures, impose a lesser measure or rescind the measures and inform the Member and the Board accordingly.

4.9.4 If the investigation results in the suspension or removal of a Member, the Inspector General shall appoint a person to replace the Member and shall specify whether the suspension is with or without pay.

4.9.5 A Member who has been removed from a Board is not eligible to be a member of a police service board, an OPP Detachment Board or a First Nation OPP Board and a Member who has been suspended shall not be reappointed during the period of suspension. The appropriate action shall be documented in the report and published on the internet in accordance with regulations.

4.10 **Non-Compliance with Act or Regulations**

4.10.1 Section 125 of the *Act* provides that if the report discloses evidence of non-compliance with a requirement of the *Act* or its regulations, or evidence that an act or omission may result in such non-compliance, the Inspector General may issue directions to the

Board to prevent the non-compliance. The Inspector General may also monitor or conduct further inspections in accordance with the *Act.*

4.10.2 Section 126 of the Act provides that if the subject of a direction issued by the Inspector General fails to comply, the Inspector General may impose the following measures to remedy the non-compliance;

a. Suspend one or more Members of the Board, or the whole Board, for a specified period;

b. Remove one or more Members of the Board, or the whole Board, from office.

5. Public Complaints Process

5.1 The Board's Governance Policy provides that:

5.1.1 The Administrative Support shall receive every letter, petition, and other communication addressed to the Board and shall:

a. If, in the opinion of the Administrative Support/Municipal Liaisons, the subject matter is properly within the jurisdiction of the Board, place it on the Agenda to be dealt with; or

b. If, in the opinion of the Administrative Support/Municipal Liaisons and confirmed by the Chair, the subject matter is properly within the jurisdiction of the OPP Detachment Commander, the matter will be referred to him or her for necessary action and subsequent report to the Board;

5.2 Should the Board receive a public complaint concerning adequate and effective police service delivery the complaint shall be referred to the Inspector General. It is the role of the Board to then inform the complainant that the complaint has been forwarded, and provide them with information about the role of the Inspector General.

5.3 Should the Board or an individual Member receive a public complaint regarding misconduct of a Police Officer, the complaint must be referred to the Law Enforcement Complaints Agency (LECA). Complaints can be submitted to the LECA through their online complaint form at https://complaint.leca.ca/.

5.4 Complaints received by the Board that are deemed to be within the jurisdiction of the Board will be summarized and compiled into one annualized report to be included on a public agenda of the Board.

6. Scope

This policy applies to the Board and all appointed Members.

7. Policy Review

7.1 This policy shall be comprehensively reviewed every five years by the Municipal Liaisons with any substantive changes reported to the Board for approval.

8. References

8.1 Legislation

8.1.1 *Community Safety and Policing Act*, 2019, S.O. 2019, c. 1, Sched. 1

8.2 Standards and Regulations

8.2.1 O. Reg. 409/23: Code of Conduct for O.P.P Detachment Board Members