

# **OCPC RECOMMENDATIONS**

## **FINAL REPORT**

**Windsor Police Service**

December 2022



The Windsor Police Service (Service) and Windsor Police Service Board (Board) provide the following update on the completed 37 OCPC Recommendations.

#### **RECOMMENDATION 1**

**The Commission recommends that a policy be created that provides direction on whether and when an investigation should be done externally or internally. At present, the decision whether to investigate matters internally or externally is mainly uninformed by existing policies or procedures. Sometimes, matters must be dealt with externally to enhance the appearance of accountability, professionalism, and fairness in the minds of those directly affected or the public. Decision-making around how an investigation will be conducted should be guided by a list of factors and clear direction on how certain types of cases must be dealt with (pp. 12-14).**

RESPONSIBILITY: Service

STATUS: Completed

RELATED RECOMMENDATIONS: 1, 4, 5, 27

#### **ACTION PLAN:**

Create a list of factors and directions to guide decision-making on whether and when certain types of cases should be referred to an external agency for investigation. This direction will be added to the existing Service Directive 141-02 Conflict of Interest.

Recommendations 1, 4, and 5 are related and each requires amendments to the Service and Board Conflict of Interest policies. The Commission has recommended amendments to Board Policy AR-AI021 and the inclusion of complementary procedures in the Service Conflict of Interest Directive. The Service's list of factors and directions will be reviewed to align with the amended Board Policy AR-AI021.

#### **ACTION TAKEN:**

The Board Policy AR-AI021 Conflict of Interest; Chain of Command and the Executive Command Reporting Structure has been reviewed and amended in accordance with Recommendation 5.

The Service has developed a list of factors and directions that reflect and complement the Board Policy amendments. The Directive provides a list of circumstances where members must, in consultation with their supervisor, determine if a conflict exists in an investigation, and if so, determine the appropriate next steps, including who (supervisor, higher ranking officer) should conduct the investigation and/or follow up. The Directive also provides a list of considerations to determine the need to assign an investigation to an external agency.



Windsor Police Service Directive 141-02 Conflict of Interest was amended on July 19, 2021<sup>1</sup> and provides the following procedures:

3.2 *Investigations: a member, when involved in the investigation of an incident or complaint involving:*

- a) *Any member or former member of the Windsor Police Service including, the Chief or Deputy Chief;*
- b) *Any members of other Law Enforcement Agencies;*
- c) *An Employee of the City;*
- d) *A family member of an employee of the Windsor Police Service; or*
- e) *A friend, neighbor or close acquaintance;*

*shall follow the following procedures:*

- i. *If attendance at the incident or complaint is not immediately required for any reason or not urgent in nature, and the matter involves a member in an elevated position or rank at the Windsor Police Service, consult with a supervisor and determine if consideration should be given to assigning the investigation to an external agency (see 3.4(e));*
  - ii. *Immediately enforce any legislation in order to protect evidence, statutory obligations, or the Members sworn duties, which include arrest;*
  - iii. *Immediately inform their supervisor of the situation;*
  - iv. *With their supervisor determine if an actual, potential or assumed conflict of interest exists or will exist, either personally or by association and determine the most appropriate course of action to be taken; and*
  - v. *At the completion of their investigation consult with the monitoring supervisor and discuss the investigative outcome.*
- 3.3 *Supervisors: Upon becoming aware and determining a conflict of interest involving the investigation of an incident is actual, apparent or potential, or where it may be reasonably assumed exists or will exist, either personally or by association with a Member of this Service, Former Member of this Service or Member of another Law Enforcement Agency, an employee of the City, a family member, friend, neighbor or close acquaintance, a supervisor shall:*

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<sup>1</sup> All Service Directives are posted on an internal website, and members are notified about all Directive updates via email. All Service members have a Service email address and are expected to check their email regularly and no less than twice per working day.



- a) *If attendance at the incident or complaint is not immediately required for any reason or not urgent in nature, and the matter involves a member in an elevated position or rank at the Windsor Police Service, consult with a supervisor and determine if consideration should be given to assigning the investigation to an external agency (see 3.4(e));*
- b) *Determine if there was an immediate need to enforce any legislation in order to protect evidence, statutory requirements or the Members sworn duties and ensure or direct the Supervisor or Member to act on the requirements or duties;*
- c) *Determine the most appropriate course of action to be taken or if the matter should be assigned to a service member or higher ranking officer who was/or is not involved in the matter for investigation and/or follow-up;*
- d) *Ensure investigations involving a Member of this Service or a Member of another Law Enforcement Agency, are conducted by the supervisor or another member holding a rank higher than the subject member;*
- e) *Monitor investigation to ensure compliance with stated rationale of the Conflict of Interest Directive;*
- f) *Immediately notify the Duty Inspector of the circumstances surrounding the incident;*
- g) *At the conclusion of the investigation review with the investigating member and discuss the investigative outcome.*

3.4 *Duty Inspectors: Upon becoming aware or determining that a conflict of interest involving the investigation of a Member of this Service or Member of another Law Enforcement Agency, an employee of the City, a family member, friend, neighbor or close acquaintance, a duty inspector shall:*

- a) *If attendance at the incident or complaint is not immediately required for any reason or not urgent in nature, and the matter involves a member in an elevated position or rank at the Windsor Police Service, consult with a supervisor and determine if consideration should be given to assigning the investigation to an external agency (see 3.4(e));*
- b) *Determine if there was an immediate need to enforce any legislation in order to protect evidence, statutory requirements or the Members sworn duties and ensure or direct the Supervisor or Member to act on the requirements or duties;*
- c) *Determine if there is a need to assign the matter to a service member who was/or is not involved in the matter for investigation and/or follow-up;*
- d) *Ensure investigations involving a Member of this Service or a Member of another Law Enforcement Agency, are conducted by the supervisor or another member holding a rank higher than the subject member;*



- e) *With consultation of the Senior Command, consider the need to assign the investigation to an external agency due to,*
- i. *the severity of the allegation,*
  - ii. *a heightened conflict of interest,*
  - iii. *where it may be necessary to ensure transparency,*
  - iv. *to remove potential biases,*
  - v. *Or any other instance deemed appropriate as the case may be.*

**FOLLOW-UP / NEXT STEPS:**

Service Directive 141-02 Conflict of Interest is scheduled for review by the responsible manager every 3 years to ensure the Directive remains current, and is in compliance with relevant legislation, the *Ontario Human Rights Code* and Board policies. The risk assessment and review schedule are reassessed as well as conflicts with other Service Directives. The review also takes into consideration Ministry and other best practices.

Service Directive 141-02 Conflict of Interest was amended on July 19, 2021. Although the Directive was only recently amended, it is worth noting that since August 2020, the Service has assigned 4 criminal investigations where there was a real or perceived conflict of interest to an external agency.

**RECOMMENDATION 2**

**In addition to a policy or procedures on how such investigations should be conducted, the Commission recommends that the Windsor Police Services Board ("Board") consider what its expectations are for Board members whose family members face criminal charges. In this context, the Board's policy on its own conflicts of interest should be re-examined (p. 14).**

RESPONSIBILITY: Board

STATUS: Completed

**ACTION PLAN:**

Amend the Board Procedural By-law to include language around this recommendation.

**ACTION TAKEN:**

On April 22, 2021, the Board approved Board By-law 2021-01, which provides the following:

**12 DISCLOSURES OF CONFLICT/PECUNIARY INTEREST**

**12.4 A Member shall be deemed to be in a conflict of interest where the Member, or a person(s) in his/her Immediate Family, are the known subject of a criminal investigation or criminal charges by the Windsor Police Service. A Member shall immediately notify the Board of any such known conflict of interest. The Member shall be required to resign from the Board where the criminal investigation or criminal charges against the Member, or a**



*person(s) in his/her Immediate Family, are conducted or issued by the Windsor Police Service. The Member shall not be required to resign from the Board where the criminal investigation or criminal charges are carried out by an external police service.*

**FOLLOW-UP / NEXT STEPS:**

On July 22, 2021 the Board approved the WPS Board Policy Review Plan 2021 – 2022 Project Plan. This plan seeks to review all board policies and bylaws and collate them into a public document to be posted on our website and social media channels. This project is tracking for completion by the end of 2021.

The Board is also committed to conducting regular reviews of its policies and bylaws.

**RECOMMENDATION 3**

**The Commission recommends that the Windsor Police Service create a policy that addresses the surreptitious recording of conversations by its members of other members, where such recording is unrelated to an official investigation (p. 19).**

RESPONSIBILITY: Service

STATUS: Completed

**ACTION PLAN:**

Conduct a scan of other police services for best practices. Consider these best practices and create/amend policies to address the surreptitious recording of conversations by members, where such recording is unrelated to an official investigation.

**ACTION TAKEN:**

As stated on page 19 of the Report, the Windsor Police Service agrees with the Commission that surreptitious taping unrelated to an official investigation can potentially poison a work environment. The Service conducted a scan of Ontario police services and found three police services had direction concerning this issue within existing policies. Instead of creating a new policy, Service Directive 141-01 Conduct Requirements was amended on January 11, 2021 and provides the following policy statement:

*G. Surreptitious Recordings*

*Members shall not photograph, audio record, or video record other members, including supervisors, in the workplace, without their knowledge and consent.*

**FOLLOW-UP / NEXT STEPS:**

Service Directive 141-01 Conduct Requirements is scheduled for review by the responsible manager every 3 years to ensure the Directive remains current, and is in compliance with relevant legislation, *Ontario Human Rights Code* and Board policies. The risk assessment and



review schedule are reassessed as well as conflicts with other Service Directives. The review also takes in to consideration and Ministry or other best practices.

#### **RECOMMENDATION 4**

**The Commission recommends that the Service's Conflict of Interest Directive 141-02 identify those circumstances in which the Service is to refer investigations to an external agency or Service. It should also identify circumstances in which the Service's own officers must respond to an incident. The Service's Directive fails to adequately address investigations concerning the Chief or Deputy Chiefs. The Services Directive should complement a policy developed by the Board that provides direction to the Service (pp.23-24).**

RESPONSIBILITY: Service

STATUS: Completed

RELATED RECOMMENDATIONS: 1, 4, 5, 27

#### **ACTION PLAN:**

Create a list of factors for consideration to guide decision-making on whether and when certain types of cases should be referred to an external agency for investigation. This direction will be added to the existing Service Directive 141-02 Conflict of Interest. The Service will also include guidance regarding investigations concerning the Chief or Deputy Chiefs, complementing Board Policy AR-AI021.

Recommendations 1, 4, and 5 are related and each requires amendments to both the Service and Board Conflict of Interest policies.

#### **ACTION TAKEN:**

The Board Policy AR-AI021 Conflict of Interest; Chain of Command and the Executive Command Reporting Structure has been reviewed and amended in accordance with Recommendation 5.

The Service has developed a list of factors and directions that reflect and complement the Board Policy amendments. The Directive provides a list of circumstances where members must, in consultation with their supervisor, determine if a conflict exists in an investigation, and if so, determine the appropriate next steps, including if an officer/investigation should respond to the scene considering the nature of the call, and who (supervisor, higher ranking officer) should conduct the investigation and/or follow up. The Directive also provides a list of considerations to determine the need to assign an investigation to an external agency.

Service Directive 141-02 Conflict of Interest was amended on July 19, 2021 and provides the following procedures:



3.2 *Investigations: a member, when involved in the investigation of an incident or complaint involving:*

- a) *Any member or former member of the Windsor Police Service including, the Chief or Deputy Chief;*
- b) *Any members of other Law Enforcement Agencies;*
- c) *An Employee of the City;*
- d) *A family member of an employee of the Windsor Police Service; or*
- e) *A friend, neighbor or close acquaintance;*

*shall follow the following procedures:*

- a) *If attendance at the incident or complaint is not immediately required for any reason or not urgent in nature, and the matter involves a member in an elevated position or rank at the Windsor Police Service, consult with a supervisor and determine if consideration should be given to assigning the investigation to an external agency (see 3.4(e));*
- b) *Immediately enforce any legislation in order to protect evidence, statutory obligations, or the Members sworn duties, which include arrest;*
- c) *Immediately inform their supervisor of the situation;*
- d) *With their supervisor determine if an actual, potential or assumed conflict of interest exists or will exist, either personally or by association and determine the most appropriate course of action to be taken; and*
- e) *At the completion of their investigation consult with the monitoring supervisor and discuss the investigative outcome.*

3.4 *Supervisors: Upon becoming aware and determining a conflict of interest involving the investigation of an incident is actual, apparent or potential, or where it may be reasonably assumed exists or will exist, either personally or by association with a Member of this Service, Former Member of this Service or Member of another Law Enforcement Agency, an employee of the City, a family member, friend, neighbor or close acquaintance, a supervisor shall:*

- a) *If attendance at the incident or complaint is not immediately required for any reason or not urgent in nature, and the matter involves a member in an elevated position or rank at the Windsor Police Service, consult with a supervisor and determine if consideration should be given to assigning the investigation to an external agency (see 3.4(e));*
- b) *Determine if there was an immediate need to enforce any legislation in order to protect evidence, statutory requirements or the Members sworn duties and ensure or direct the Supervisor or Member to act on the requirements or duties;*



- c) *Determine the most appropriate course of action to be taken or if the matter should be assigned to a service member or higher ranking officer who was/or is not involved in the matter for investigation and/or follow-up;*
- d) *Ensure investigations involving a Member of this Service or a Member of another Law Enforcement Agency, are conducted by the supervisor or another member holding a rank higher than the subject member;*
- e) *Monitor investigation to ensure compliance with stated rationale of the Conflict of Interest Directive;*
- f) *Immediately notify the Duty Inspector of the circumstances surrounding the incident.*
- g) *At the conclusion of the investigation review with the investigating member and discuss the investigative outcome.*

3.5 *Duty Inspectors: Upon becoming aware or determining that a conflict of interest involving the investigation of a Member of this Service or Member of another Law Enforcement Agency, an employee of the City, a family member, friend, neighbor or close acquaintance, a duty inspector shall:*

- a) *If attendance at the incident or complaint is not immediately required for any reason or not urgent in nature, and the matter involves a member in an elevated position or rank at the Windsor Police Service, consult with a supervisor and determine if consideration should be given to assigning the investigation to an external agency (see 3.4(e));*
- b) *Determine if there was an immediate need to enforce any legislation in order to protect evidence, statutory requirements or the Members sworn duties and ensure or direct the Supervisor or Member to act on the requirements or duties;*
- c) *Determine if there is a need to assign the matter to a service member who was/or is not involved in the matter for investigation and/or follow-up;*
- d) *Ensure investigations involving a Member of this Service or a Member of another Law Enforcement Agency, are conducted by the supervisor or another member holding a rank higher than the subject member;*
- e) *With consultation of the Senior Command, consider the need to assign the investigation to an external agency due to,*
  - i. *the severity of the allegation,*
  - ii. *a heightened conflict of interest,*
  - iii. *where it may be necessary to ensure transparency,*
  - iv. *to remove potential biases,*
  - v. *Or any other instance deemed appropriate as the case may be.*
- f) *Monitor investigation to ensure compliance with stated rationale of the Conflict of Interest Directive;*



- g) As soon as practicable notify the Superintendent – Patrol Response or in his/her absence notify the Deputy Chief - Operations.*
- h) In the event that a call for service of a criminal nature involving the Chief of Police or an immediate family member of the Chief of Police, the Duty Inspector and/or Staff Sergeant will immediately notify the Deputy Chiefs of the call.*
- i) In the event that a call for service of a criminal nature involving a Deputy Chief of Police or an immediate family member of a Deputy Chief of Police, the Duty Inspector and/or Staff Sergeant shall immediately notify the Chief of Police of the call.*

*3.6 Chief / Deputy Chief: Upon being notified of a call for service involving an individual holding an Executive Command position with the Windsor Police Service the Chief or Deputy Chief shall:*

- a) Determine if there was an immediate need to enforce any legislation in order to protect evidence, statutory requirements or the Members sworn duties and ensure or direct the Supervisor or Member to act on the requirements or duties.*
- b) Upon reviewing the totality of the circumstances surrounding the matter and in consultation with the senior supervisor on scene, consider attending the scene to ensure appropriate level of command presence.*
- c) Absent any exceptional circumstances, any further response and/or investigation beyond the initial response and the need to enforce any legislation in order to protect evidence, statutory requirements or the Members sworn duties and to ensure or direct the Supervisor or Member to act on the requirements or duties will be referred to an external agency.*
- d) Notify the Chair of the Windsor Police Services Board as soon as practicable.*
- e) Upon request by the Chair, assist in establishing communication between the Chair of the Windsor Police Services Board and an assisting external agency.*
- f) The Chief or Deputy Chief not involved in the original call for service shall act as a liaison with the external agency.*

**FOLLOW-UP / NEXT STEPS:**

Service Directive 141-02 Conflict of Interest is scheduled for review by the responsible manager every 3 years to ensure the Directive remains current, and is in compliance with relevant legislation, *Ontario Human Rights Code* and Board policies. The risk assessment and review schedule are reassessed as well as conflicts with other Service Directives. The review also takes in to consideration and Ministry or other best practices.

**RECOMMENDATION 5**



**The Commission recommends the Board amend Policy AR-AI021 and the Chief create complementary procedures or amend the existing Directive based on the commentary contained in this Report. The current Policy does not provide meaningful policy guidance to the Chief (p. 26).**

RESPONSIBILITY: Board

RELATED RECOMMENDATIONS: 1, 4, 5, 27

STATUS: Completed

**ACTION PLAN:**

Review and amend Board Policy AR-AI021 based on the commentary included in the Report.

**ACTION TAKEN:**

The Board engaged McTague Law Firm LLP to assist with the Policy amendments and review and revise the Policy.

This recommendation focused on amending the Board policy to provide meaningful guidance to the Chief on issues the Service Directives should address, including:

- The Policy should explicitly refer to an external agency, and consider the options available for external investigations and the role assigned to the Chief in establishing communication between the Board Chair and an external agency;
- The Policy should be clear on the role, if any, of the Chief in an investigation involving the Deputy Chiefs or on the role, if any, of the Deputy Chiefs in an investigation involving the Chief; and
- The Policy should provide real direction to the chief on critical components to be included in procedures, such as the initial response to a call for service and different approaches to a call for service depending on the nature of the call or the type of criminality suspected.

Board Policy AR-AI021 Conflict of Interest; Chain of Command and the Executive Command Reporting Structure was amended on July 22, 2021 in accordance with Recommendation 5 and includes the following:

*1. Establishment of Directive(s)*

*The Chief of Police shall establish appropriate directives for the Windsor Police Service regarding responding to calls for service and/or investigating allegations of a criminal nature related to*



*Windsor Police Services members holding Executive Command Positions and their Immediate Family. In particular, the directive will:*

- *Establish procedures to direct the Windsor Police Service in the event of calls for service and/or allegations of a criminal nature related to those holding Executive Command Positions or their Immediate Family, including contact protocols. Specifically, these procedures should address:*
  - a) *Internal Service notifications to the Chief and/or Deputy Chiefs*
  - b) *The role of the Chief in an investigation of an allegation of a criminal nature involving the Deputy Chief, including the immediate need to enforce any legislation or statutory requirements and the assignment of the investigation to an external agency absent exceptional circumstances.*
  - c) *The role of the Deputy Chief in an investigation of an allegation of a criminal nature involving the Chief, including the immediate need to enforce any legislation or statutory requirements and the assignment of the investigation, beyond the initial response, to an external agency absent exceptional circumstances.*
  - d) *Notifications by the Chief and/or Deputy Chiefs to the Windsor Police Services Board as soon as practicable;*
  - e) *set out the circumstances where the initial response to a call for service and/or the investigation of allegations of a criminal nature related to those holding Executive Command Positions or their Immediate Family will be referred to an external agency, having regard to the urgency of the situation, the nature of the call for service and the type of criminality suspected.*

## *2. Windsor Police Services Board Protocol*

- a) *Upon being notified by the Chief of Police or Deputy Chiefs of Police of a call for service and/or allegations of a criminal nature regarding the Chief of Police, Deputy Chief of Police or an Immediate Family member that requires investigation by an external agency, the Chair of the Windsor Police Services Board shall request assistance from another municipal police service, the Ontario Provincial Police or request the Ontario Civilian Police Commission assign the Chief of Police of another police force to cause the complaint to be investigated promptly. The Chair shall not request assistance from the Chief of Police in establishing communication with an external agency in cases involving the Chief of Police.*
- b) *The Windsor Police Service Board may request that an external agency, such as another police service, the Ontario Provincial Police or the Ontario Civilian Police Commission, conduct a review of the Windsor Police Service's response to any call for service and/or allegations of a criminal nature related to those holding Executive Command Positions or their Immediate Family to ensure that the response and investigation were appropriate.*

Service Directive 142-01 Conflict of Interest was amended to complement the Board Policy and addressed the concerns related to this recommendation.

**FOLLOW-UP / NEXT STEPS:**

On July 22, 2021 the Board approved the WPS Board Policy Review Plan 2021 – 2022 Project Plan. This plan seeks to review all board policies and bylaws and collate them into a public document to be posted on our website and social media channels. This project is tracking for completion by the end of 2021.

The Board also passed a resolution on July 22, 2021 to review Policy AR-AI021 every 3 years.

Service Directive 141-02 Conflict of Interest is scheduled for review by the responsible manager every 3 years to ensure the Directive remains current, and is in compliance with relevant legislation, *Ontario Human Rights Code* and Board policies. The risk assessment and review schedule are reassessed as well as conflicts with other Service Directives. The review also takes in to consideration and Ministry or other best practices.

**RECOMMENDATION 6**

**The Commission recommends that the Board and Service develop a communications strategy and related procedures around investigations of the Chief or Deputy Chiefs and analogous situations. Those procedures should be captured in the appropriate policy, Directive, or procedures (p. 27).**

RESPONSIBILITY: Board, Service

STATUS: Completed

RELATED RECOMMENDATIONS: 10, 35

**ACTION PLAN:**

The Service developed a communications strategy and related procedures around investigations of the Chief or Deputy Chiefs and analogous situations.

**ACTIONS TAKEN:**

Board Policy AR-AI021 Conflict of Interest; Chain of Command and the Executive Command Reporting Structure has been reviewed and amended in accordance with Recommendation 5 and includes the following:

*Windsor Police Services Board Protocol*

*The Chair of the Windsor Police Services Board will be responsible for issuing any public communications about a call for service and/or allegations of a criminal nature related to those*



*holding Executive Command positions and, in so doing, will comply with and Windsor Police Service directives and all applicable privacy, criminal, or police services laws or regulations.*

Windsor Police Service's Directive 141-02 (Conflict of Interest) was amended to reflect OCPC's recommendation, it also complemented the Board's policy as reported. The Conflict of Interest Directive is currently effective and will be reviewed at regular intervals. It is scheduled for review in March 2023.

In regards to the Communications Strategy, on September 24, 2020, at a regular Board meeting, the Board passed a resolution authorizing the Chief of Police to engage an independent contractor with expertise in public relations to evaluate the current communications strategies, provide recommendations for the enhancement and/or development of a comprehensive internal and external organizational communications strategy and assist in the implementation of the media strategy. On February 25, 2021, the City of Windsor issued RFP 55-21 - Windsor Police Service Communications Strategy Consultant, which closed on April 13, 2021.

The Evaluation Committee was convened with City Purchasing and Crestview Strategy was selected as the successful proponent. On November 17, 2021, Crestview Strategy issued "Windsor Police Service Communications Playbook – Final Recommendations". On February 16, 2022, applications were sought for an entry level communications expert. On April 20, 2022, the job description changed for a more fulsome Civilian Communications Expert. The new Director of Corporate Communications was hired on August 29, 2022. The Corporate Communications Unit is currently in the process of expanding. In September 2022, applications were sought for a civilian communication specialist, to assist Director of Communications. Board Resolution BR2022-096, the Board approved the appointment effective December 4, 2022.

## **RECOMMENDATION 7**

**The Commission recommends the Service re-evaluate its promotional process on a regular basis, in consultation with the Association and the membership at large (p. 31).**

RESPONSIBILITY: Service

STATUS: Completed

### **ACTION PLAN:**

Include the WPS Promotional Process Advisory Committee as an advisory body in respect to decisions regarding the Service's promotional process. The Windsor Police Association (WPA) will retain membership on the Promotional Process Advisory Committee. With the exception of the WPA Administrator position, all members of the WPA are active Service members.



The Promotional Process Advisory Committee will be required to review the appropriate Directive and the promotional process regularly in addition to the scheduled Directive review by the Human Resources Director. Service Directive 352-01 will be amended to reflect the items listed above.

Include questions around the Sworn Promotional Process in the 2020 Windsor Police Service Employee Consultation Survey.

**ACTION TAKEN:**

On September 24, 2020, the Board passed resolutions to notify the Windsor Police Association (WPA) that it intends to rely on a strict reading of Article 03-08(a) as it pertains to promotion decisions effective for the 2022 Promotional Process and to instruct the Chief of Police to include the Promotional Process Committee as an advisory body in respect of decisions regarding the promotional process.

In October 2020, the Board notified the WPA of the above two Board Resolutions.

On January 11, 2021, Service Directive 352-01 – Promotional Process was updated to reflect the Board resolutions and to provide for a regular review of the promotional process as follows:

*II. Policy Statement:*

*A. Definitions:*

*Promotional Process Advisory Committee – a committee comprised of members from the Windsor Police Service and the Windsor Police Association*

*S. Review of Promotional Process*

*1. The Promotional Process Advisory Committee shall:*

- a) Consider and provide input in respect of all aspects of the processes being undertaken for promotion within the sworn ranks below the rank of Superintendent of the Windsor Police Service;*
- b) Consult with the general membership periodically regarding significant changes to the Promotional Process through survey and post-process feedback;*
- c) Shall re-evaluate the promotional process annually at the conclusion of each promotional process cycle.*

In December 2020, the Service conducted an Employee Consultation Internal Survey. The questions used in the survey were drawn from the previous internal employee survey, which was completed in August 2021 and included six questions regarding the Sworn Promotional Process.



Moving forward, the Service will use an expertly designed internal consultation survey. On September 24, 2020, the Board passed a resolution authorizing the Chief of Police to enter into negotiations with and engage a third-party vendor to develop internal and external surveys to be conducted at regular intervals, which will work to promote public confidence and to accurately assess the views of the Service's employees and promote morale.

**FOLLOW-UP / NEXT STEPS:**

The Promotional Process Advisory Committee currently is comprised of eight members of the Service Senior Leadership and Windsor Police Association (WPA). Once the successful proponent of RFP 43-21 Windsor Police Service - Employee Assessment Initiatives Consultant (see Recommendation 8) is identified, they will be consulted on the composition of the Promotional Process Committee, the consideration of increasing membership on the committee and developing Terms of Reference for the Committee.

The Promotional Process Advisory Committee, which includes members of the WPA formally met once in 2020; however, the Committee, was consulted in August 2020 concerning significant changes to the promotional process around seniority points and examination scores for the 2021 and 2022 processes.

Candidates entering the promotional process must have a valid promotional exam mark. Concerns around holding the exam safely during COVID and a lack of preparation time due to the exam delay, led the Service to propose to the WPA to remove the exam score requirement for the 2021 process. The WPA agreed to the proposal.

The Service also proposed to the WPA the removal of seniority (length of time with the Service) as a distinct scoring category from the Level A - Constable to Sergeant Promotional Process, the first level of promotion. This change was proposed to address issues identified in the OCPC Report, specifically Recommendations 11 and 16 where the Commission recommended the Service develop a strategic plan for increasing the racial diversity and representation of women in the Service and identifying barriers to recruitment and promotion. The WPA ultimately agreed with this change to the promotional process.

The Service has made progress in recent years in recruiting women and members representing the diversity of our community. The proposed change would remove a significant barrier and allow all promotional candidates, including those recently hired candidates with less seniority, to compete on a level playing field. The change was also in line with the processes for the other levels of promotion, where seniority is not considered.

The WPA was also included in the selection process for the proponent for the RFP 43-21 Employee Assessment Initiatives Consultant (see Recommendation #8) and assisted in reviewing the RFP 35-21 – regarding the Equity, Diversity, and Inclusivity (EDI) Consultant.



The membership at large was consulted in the 2020 Employee Consultation Survey on the promotional process. Moving forward, the Service will engage a third party vendor to design internal and external consultation surveys, with the goal to launch the surveys by mid-2022. The survey will be used to obtain members' views on a range of issues including those identified in the Report.

Service Directive 352-01 Promotional Process is scheduled for review by the responsible manager every 3 years to ensure the Directive remains current, and is in compliance with relevant legislation, *Ontario Human Rights Code* and Board policies. The risk assessment and review schedule are reassessed as well as conflicts with other Service Directives. The review also takes in to consideration and Ministry or other best practices.

**RECOMMENDATION 8**

**The Commission recommends that the Service examine, in a comprehensive way, the competencies for promotion. As police services move from more traditional, paramilitary models to community-based policing, they must evaluate the emphasis placed on certain competencies in preference to others (p. 32).**

RESPONSIBILITY: Service

STATUS: Completed

RELATED RECOMMENDATIONS: 8, 9

**ACTION PLAN:**

The Service contracted an external vendor to review and implement a promotional process that evaluated existing competencies and was proactive in addressing equity and diversity in the Service for 2023 Promotional Process. In that Directive, a Joint Promotional Process Advisory Committee was established and mandated to re-evaluate the process cycle and competencies. As per the *Promotional Process Directive 352-01* (set for review every three years), the *Promotional Process Advisory Committee* shall amongst other things will:

- *re-evaluate the promotional process annually at the conclusion of each promotional process cycle, including the competencies for promotion.*

**ACTION TAKEN:**

On September 24, 2020, the Board approved a resolution authorizing the Chief of Police to enter into negotiations with, and engage, a third-party vendor to review and implement a field-tested and legally defensible promotional process that evaluates existing competencies and is proactive in addressing equity and diversity within the Service.



On March 18, 2021, City of Windsor RFP 43-21 - Windsor Police Service - Employee Assessment Initiatives Consultant was posted and closed on April 30, 2021. The closing date was extended to May 2021 at the request of a vendor.

In May, 2021 the Promotional Process Advisory Committee convened with City Purchasing to identify the successful proponent. On August 10, 2021, the External Promotional Process Consultant Contract was awarded to Human Resources Systems Group (HRSG). The contract was negotiated with HRSG on December 16, 2021 and signed with Board approval on January 18, 2022.

Acting on the advice of HRSG, a survey sent out to membership on January 31, 2022. Results of survey were posted on March 14, 2022. To determine critical competencies, HRSG conducted an analysis of the membership survey results, focus groups, and other services competencies models. As a result of their analysis, and with input from the EDI Consultant engaged by the Service for the purposes of responding to Recommendations 10, 11, 12, 13, 15, 16, 18, and 26, HRSG determined critical competencies at constable, sergeant, staff sergeant and inspector ranks. In June, 2022, a competency review by HRSG was completed. The competency dictionary for all ranks was updated.

The outcome of the consultation resulted in identifying five core competencies critical to the job at every rank:

- communicating effectively
- integrity
- problem solving
- risk management
- valuing diversity

Rank specific competencies were also identified for each rank. All competencies are reviewed annually for relevancy, barriers and to ensure behaviours are clear and understood.

All recommendations and the use of the noted core competencies were adopted and are currently in place for 2023 promotional process and initiated on July 8, 2022.

## **RECOMMENDATION 9**

**The Commission recommends the Board play an important role in overseeing how the Service re-evaluates how competencies are weighed and evaluated (p. 33).**

RESPONSIBILITY: Board

STATUS: Completed



RELATED RECOMMENDATION: 8, 9

**ACTION TAKEN:**

On January 18, 2022 the Chief, upon approval from the Board, contracted an external vendor, Human Resources Systems Group, to review and implement a promotional process that evaluated existing competencies and was proactive in addressing equity and diversity within the Service.

In March 2021, RFP 43-21 - Windsor Police Service- Employee Assessment Initiatives Consultant was posted and closed on April 12, 2021. The Evaluation Committee convened with City Purchasing to identify the successful proponent. The selection of the vendor was extended to May 2021.

The Evaluation Committee convened with City Purchasing to identify the successful proponent. On August 10, 2021, the external promotional process consultant contract was awarded to Human Resources Systems Group (HRSG). On January 18, 2022 with the approval of the Board, the Service hired HRSG.

To determine critical competencies, HRSG's review was based on an internal survey, focus group, and best practice models from other police services. As a result of their analysis, HRSG determined critical competencies at constable, sergeant, staff sergeant, and inspector ranks. In June, 2022, a competency review by HRSG was completed. Rank specific competencies were also identified for each rank that can be used in the promotional process. All recommendations and use of core competencies were adopted and are in place for the 2023 promotional process.

**FOLLOW UP/NEXT STEPS:**

Going forward, the Promotional Process Advisory Committee will annually review all competencies for relevancy, barriers and to ensure behaviours are clear and understood. The Service Directive 352-01 Promotional Process will be reviewed every 3 years as scheduled to ensure the Directive remains current in compliance with relevant legislation, *Ontario Human Rights Code* and Board policies.

The 2023 promotional process, which began in July 2022, included updated and amended competencies, panel training, candidate training and an updated evaluation matrix. The standardized scoring and upcoming debriefing training will contribute to fairness in the process.

**RECOMMENDATION 10**

**The Commission recommends the Service do a much better job of communicating with its officers and civilian employees about its decision-making around promotions as part of an ongoing dialogue (p. 33).**



RESPONSIBILITY: Service

STATUS: Completed

RELATED RECOMMENDATIONS: 6, 8, 11

**ACTION TAKEN:**

On September 24, 2020, the Board approved a resolution authorizing the Chief of Police to engage an external vendor to review and implement a field-tested and legally defensible promotional process that evaluates existing competencies and is proactive in addressing equity and diversity within the Service.

In the spring of 2021, RFP 43-21 - Windsor Police Service - Employee Assessment Initiatives Consultant was posted. In May 2021, the Promotional Process Advisory Committee convened with City Purchasing to identify the successful proponent. Notably, members of both the Windsor Police Service administration and the Windsor Police Association comprise the Promotional Process Advisory Committee. On August 10, 2021, the External Promotional Process Consultant Contract was awarded to Human Resources Systems Group (HRS), as selected by the joint Promotional Process Committee. The contract was negotiated and signed with Board approval on January 18, 2022.

Acting on the advice of HRS, a survey was disseminated to the membership on January 31, 2022 and the results were posted internally on March 14, 2022. HRS recommended changes to the processes based on survey feedback, focus groups, and best practices by other police services. These recommended changes were made and accepted by the Joint Committee.

As of July 2022, several components of the recommendations (including updated and amended competencies, panel training, candidate training, evaluation matrix, and debriefing process) have been, or will be, implemented for the purposes of the 2023 process.

**FOLLOW UP/NEXT STEPS:**

All remaining components to be implemented in 2023 for the 2024 process.

**RECOMMENDATION 11**

**There is underrepresentation of female sworn officers in the Service. The Commission recommends that the Board and the Service create a new strategic plan, with outside expert assistance, for recruiting women as a high priority. The strategic plan must identify existing barriers to recruitment and new ways to overcome those barriers. For example, the Commission recommends the Service consider waiving the fees for job applicants who take physical tests (pp. 33-34).**



RESPONSIBILITY: Board, Service

STATUS: Completed

RELATED RECOMMENDATIONS: 10, 11, 12, 13, 15, 16, 18, 26

**ACTION TAKEN:**

In May 2021, the Equity, Diversity and Inclusion (EDI) Contract, WPS PROPOSAL No. 35-21 RFP was executed with Senomi Solutions Incorporated. The Service sought to create a new strategic plan in consultation with Senomi Solutions for making the recruiting of female candidates as a high priority as well as candidates who represent the diversity of the community. The **Equity, Diversity and Inclusion Strategic Plan 2022** was completed in May 2022.

Strategic goals were developed to embed EDI principles and best practices through culture and service. The goals in the plan are as follows:

***CREATE AN EDI-FOCUSED ORGANIZATIONAL ENVIRONMENT:***

*Create an equitable and inclusive environment by providing dedicated EDI training and education, and actively recruiting and developing a diverse workforce through implementation of improved policies, programs, and structural review that support our organization's EDI vision.*

***CREATE AN EDI-FOCUSED ORGANIZATIONAL CULTURE***

*Provide a responsive, fair and inclusive workplace by fostering a **culture** with increased trust, increased awareness through communication, reduced stigma, and improved practices around diversity, inclusivity, and equity.*

***DELIVER PROGRAMMING AND SERVICES THAT SUPPORT INDIVIDUALS***

*Support **individual** members by offering programming and services to promote diversity, inclusivity and equity in the Windsor Police Service.*

Senomi Solutions also reviewed Windsor Police Service policies and procedures and identified and removed barriers to EDI in the workplace.

**FOLLOW UP/NEXT STEPS:**

The Service will maintain the following EDI Initiatives through the EDI Coordinator (Sergeant dedicated to EDI Initiatives):

- Implement the processes included in the strategic EDI plan as provided by Senomi Solutions, including establishing an internal EDI Advisory Committee to assist the Service in increasing and maintaining EDI awareness;
- Maintain the EDI initiatives on an ongoing basis;



- Assess the outcomes of the initiatives/processes that were implemented, including the recruitment and promotion of women and diverse candidates to determine the effectiveness of the initiatives/processes in achieving the identified goals; and
- Amend and regularly review the applicable Service Directives as per Directive 160-01 Directives/Memorandums/Orders

In addition, Human Resources personnel and police officers involved in the Essential Competency Interview (ECI) stage for potential recruits have received specific EDI and unconscious bias training to assist the Service in identifying and overcoming barriers during recruitment.

## RECOMMENDATION 12

**The Commission recommends that this strategic plan must form part of a larger conversation about the role of women within the Service. The Service has yet to prove that officers are truly made accountable for discriminatory conduct (pp. 34-35).**

RESPONSIBILITY: Service

STATUS: Completed

RELATED RECOMMENDATIONS: 11, 12, 13, 15, 16

### ACTION PLAN:

In consultation with Senomi Solutions, the Service created the **Equity, Diversity and Inclusion Strategic Plan 2022** in May 2022.

The plan includes seven EDI objectives of which address part of the larger conversation about the role of women within the Service:

#### **1. EDI Education and Training**

*Educational sessions that provide members with the foundational understanding of issues of EDI is crucial to culture change. Ongoing and intentional opportunities to learn from each other and have the skills to embark on difficult conversations with truth and reliable information can mitigate for many inequities and conflicts in the workplace. This knowledge and skills are also transferable to meeting the needs of service to the community that is diverse and considers cultural sensitivity in interaction and relationship.*

#### **2. EDI Advisory Committee**

*The purpose of an EDI advisory committee in the Windsor Police Service is to have an established group of sworn and civilian staff with expertise and lived experience of underrepresented groups for guidance and support of EDI related activities and initiatives. This group will also provide expert guidance to leadership when EDI issues arise within or outside of the Windsor Police Service and a response or action is required.*

**3. Communications and Marketing**

*Diversity in communication and marketing medium is only one, but an important step in ensuring an inviting and representative service. The Windsor Police Service will ensure that all communication and marketing material include diverse representation that is meaningful and intentional, and not tokenistic. Expert consultation will be sought to ensure that all messaging from the Windsor Police Service is socially and culturally sensitive.*

**4. Community Engagement**

*Through collaboration with the Community Consultative Committee, the Windsor Police Service will develop an engagement plan with diverse groups from the Windsor community to listen to the needs of diverse groups and build relationships and trust.*

**5. EDI Data Collection**

*The Windsor Police Service is committed to ongoing evaluation and assessment of EDI using metrics that contribute to and inform the EDI Action Plan. These will include as part of annual or biennial reporting:*

- *EDI Environmental Scan through a Climate Survey (every 18-24 months)*
- *Collection and reporting on demographic data of members*
- *Collection and reporting on the diversity of civilian and sworn applicants during the recruitment and hiring process*

**6. EDI Embedded in Programs and Policies**

*The Windsor Police Service will adopt an EDI lens for the evaluation and assessment of programming and policies to ensure members from underrepresented groups are able to access these in an equitable and inclusive way. This objective will be informed by the ongoing assessment practice of EDI Climate Surveys performed every 18-24 months that will provide valuable feedback from members about any programs or policies that require review at that time. This will be completed by the EDI Advisory Committee and/or in collaboration with external expert consultation.*

**7. Mentorship**

*Diversity among member representation is an identified gap at the Windsor Police Service. Ensuring a diverse representation at the service that reflects the diversity of the Windsor community it serves, is important in the quality and effectiveness of service delivery.*

*The Windsor Police Service will develop a Mentorship program in collaboration with academic and training institutions, and community stakeholders to recruit and encourage applicants from underrepresented groups.*



*The program will include opportunities for affinity group (e.g., women, racialized, Muslim, etc.) members to discuss the process for application and strategies to prepare for entry into the service in workshops and engagement sessions. The programming for this initiative will be informed and guided by the EDI Advisory Committee.*

FOLLOW UP/NEXT STEPS:

The Service's Equity, Diversity, and Inclusivity (EDI) Coordinator position established in January 2020, will continue to play a key role in the implementation of the EDI Strategic Plan which includes the ongoing assessment of the internal culture change for the role of women in the Service.

**RECOMMENDATION 13**

**The Commission recommends that the Service should more formally engage the community, perhaps through an advisory group, in developing a partnership to recruit Women. Its strategic plan should develop ways in which to engage female Service members in this process, beyond how they are currently involved. Such engagement might take place through committee work, and anonymous surveys. The strategic plan should be made available to the public (p. 34).**

RESPONSIBILITY: Service

STATUS: Completed

RELATED RECOMMENDATIONS: 11, 12, 13, 15, 16

ACTION PLAN:

In May 2022, the Service, in consultation with Senomi Solutions, created the **Equity, Diversity and Inclusion Strategic Plan 2022**. The plan includes seven EDI objectives, all of which address formally engaging with the community in developing a partnership to recruit women.

FOLLOW UP/NEXT STEPS:

**1. EDI Education and Training,**

Senior Leadership completed training at the end of June 2022. Training for the rest of WPS personnel has begun and will be completed by end of 2023.

**2. EDI Advisory Committee**

Applications for the EDI Committee close on October 28, 2022.

**3. Communications and Marketing**

The new Director of Corporate Communications was hired on August 29, 2022. This new unit is currently in the building process and will continue to expand its mandate. The

Director and their team will be actively involved in informing community member of recruiting initiatives.

**4. Community Engagement**

The Community Consultative Committee (CCC) was established to improve relationships between the diverse members of the communities. The CCC is composed of 13 members, ten of which are community members. Since 2021, the CCC has met six times. In October 2022, the CCC's eight recommendations to improve relations with diverse communities were sent to the Service for review, consideration and implementation.

**5. EDI Data Collection**

This is ongoing as the Service is seeking to improve data collection in recruiting, hiring and existing personnel. Collected information is being shared with the Training Branch and recruiting to target underrepresented or absent groups.

**6. EDI Embedded in Programs and Policies**

Once formed, the EDI Committee will utilize an EDI lens for the evaluation and assessment of programming and policies to ensure members from underrepresented groups are able to have access in an equitable and inclusive way.

**7. Mentorship**

The Mentorship program will commence after the formation of the EDI Committee.

**RECOMMENDATION 14**

**The Commission recommends that the new Diversity, Inclusion and Equity Coordinator should figure prominently in the development of a new strategic plan for recruiting women. The priority to be given to this work would also support a line of direct reporting to the Chief or Deputy Chief (pp. 34-35).**

RESPONSIBILITY: Service

STATUS: Completed

**ACTION PLAN:**

Ensure the Equity, Diversity, and Inclusivity (EDI) Coordinator will play a vital role in developing a new strategic plan for recruiting women and will be assigned to assist the external consultant in developing the plan.

Ensure the EDI Coordinator will continue to report to the Chief's Executive Officer and Human Resources Director.



**ACTION TAKEN:**

Since the inception of the EDI Coordinator position in January 2020, the assigned member has reported directly to the Chief's Executive Officer and the Human Resources Director.

The Equity, Diversity, and Inclusivity (EDI) Coordinator has assumed a key role in the development of a new strategic plan for recruiting women and has been assigned to work with the external consultant. The Equity, Diversity, and Inclusivity Coordinator key job functions include the following:

- *Research best practices regarding Equity, diversity, and inclusivity for police service and/or first responders for review by Director, Human Resources to form part of a strategic equity, diversity, and organizational inclusivity strategy; assist in the development of goals and objectives to meet the organizational strategy*
- *Responsible for designing, developing, and reporting proactive equity, diversity, and inclusivity strategies to the Director, Human Resources, and the Senior Leadership Team that supports the equity, diversity, and inclusivity strategic plan.*
- *Develop metrics for measuring the effectiveness of equity, diversity, and inclusivity initiatives for the purposes of reporting to the Senior Leadership Team and the Windsor Police Services Board.*
- *Responsible for assisting with police recruitment and communication strategies to attract qualified candidates representing the culturally and ethnically diverse Windsor-Essex communities.*
- *Liaise with the Inspector in charge of Training Branch, Sergeant in Community Services, and Public Information officer regarding recruitment opportunities.*

The Service Equity, Diversity, and Inclusivity (EDI) Coordinator position, which was established in January 2020, has figured prominently in the Service's EDI work to date. During the EDI survey conducted by Senomi Solutions, the EDI coordinator, Sergeant Yvonne Ouimet played a key role in promoting and encouraging member participation in the survey. Recognizing the importance of having support from the WPA for the EDI survey, Sergeant Ouimet engaged the WPA in order to achieve their broad support for the survey. The EDI Coordinator will continue to play a key role with the ongoing assessment of the internal culture change for the role of women in the Service.

**RECOMMENDATION 15**

**The Commission recommends that the Board and Service be proactive in addressing equity within the Service. For example, exit interviews should be conducted, in confidence, with every departing officer and employee. The Service should employ anonymous surveys, expertly designed, as another tool in that evaluative process. This proactive approach should form part of the Service's strategic plan for recruitment (p.36).**

RESPONSIBILITY: Board, Service



STATUS: Completed

RELATED RECOMMENDATIONS: 11, 12, 13, 15, 16, 35

**ACTION TAKEN:**

Since 2019, exit interviews have been offered to all personnel who either retired or resigned from the Service. Beginning in 2021, departing members are scheduled for a meeting with the Chief as a matter of routine. This strategy has garnered a more positive response and participation.

Internal employee consultation surveys have been conducted. The 2022 WPS/WPA Employee Consultation Survey closed August 21, 2022. The Service and the Windsor Police Association are jointly facilitating the entire 2022 Annual Employee Consultation Survey process. As stated to the membership “transparent and continuous communication between all stakeholders is foundational to fostering a fair, respectful, inclusive and diverse workplace”.

**FOLLOW UP/NEXT STEPS:**

Publish the results of the 2022 survey both internally and externally.

**RECOMMENDATION 16**

**The Commission recommends that the Service be equally proactive in addressing the racial diversity of its workforce. The Commission expects the new Diversity, Inclusion and Equity Coordinator to play an important role in developing a proactive strategy to increase diversity within the Service (pp. 36-37).**

RESPONSIBILITY: SERVICE

STATUS: Completed

RELATED RECOMMENDATIONS: 11, 12, 13, 15, 16, 35

**ACTION PLAN:**

Recommendations 11 through 15 are related to gender in the Service. The strategic plan currently being developed and the work being completed with respect to these recommendations will also focus on increasing diversity within the Service.

The EDI Coordinator will play an essential role in developing a proactive strategy to increase diversity within the Service and is assigned to assist the external consultant in developing the plan.



**ACTIONS TAKEN:**

On May 3, 2021, the Service contracted the services of Senomi Solutions Inc. The consulting services provided are as outlined in the agreement and include the following:

- *Creation and deployment of a professionally-designed EDI survey to obtain reliable information from the community and/or membership regarding EDI issues as outlined in the 2020 OCPC Report to inform a strategic plan regarding EDI in the Service;*
- *Data collection and analysis following the deployment of the EDI survey, focus groups, and one-on-one interviews to provide information and feedback regarding a strategic EDI plan for the Service; and*
- *Creation of a strategic EDI plan for the Service, including processes that will promote and achieve, with measurable outcomes, internal equality, diversity, and inclusivity throughout the Windsor Police Service;*
- *EDI Initiatives will be implemented and maintained on an ongoing basis. Annual surveys will be deployed to measure continued progress and determine areas for improvement.*

The Equity, Diversity, and Inclusivity Coordinator key job functions include the following:

- *Research best practices regarding equity, diversity, and inclusivity for police service and/or first responders for review by Director, Human Resources to form part of a strategic equity, diversity, and organizational inclusivity strategy; assist in the development of goals and objectives to meet the organizational strategy.*
- *Responsible for designing, developing, and reporting proactive equity, diversity, and inclusivity strategies to the Director, Human Resources, and the Senior Leadership Team that supports the equity, diversity, and inclusivity strategic plan.*
- *Develop metrics for measuring the effectiveness of equity, diversity, and inclusivity initiatives for the purposes of reporting to the Senior Leadership Team and the Windsor Police Services Board.*
- *Responsible for assisting with police recruitment and communication strategies to attract qualified candidates representing the culturally and ethnically diverse Windsor-Essex communities.*
- *Liaise with the Inspector, Training Branch, and the Sergeant, Community Services, and Public Information officer regarding recruitment opportunities.*



**FOLLOW-UP / NEXT STEPS:**

Once Senomi Solutions has completed the required work, the Service will:

- Implement, in consultation with the Service EDI Coordinator, the processes included in the strategic EDI plan as provided by Senomi Solutions;
- Maintain the EDI Initiatives on an ongoing basis;
- Assess the outcomes of the initiatives/processes that were implemented, including the recruitment and promotion of women and diverse candidates to determine the effectiveness of the initiatives/processes in achieving the identified goals; and
- Amend and regularly review the applicable Service Directives as per Directive 160-01 Directives/Memorandums/Orders.

The Service Equity, Diversity, and Inclusivity Coordinator position, which was established in January 2020, will play a key role in the implementation of the EDI strategy. One of the vital job functions is to liaise with the Training Branch to promote, advise and support curriculum development to teach and lead the Service to think critically about cultural diversity and equity and execute programming aimed at advancing diversity and inclusion.

**RECOMMENDATION 17**

**The Commission recommends that the Service re-evaluate whether physical tests for the TAC Unit can be further modified in a way consistent with provincial adequacy standards to remove unnecessary barriers for women (p. 37)**

RESPONSIBILITY: Service

STATUS: Completed

RELATED RECOMMENDATIONS: 11, 18

**ACTION PLAN:**

Reviewed local, provincial and national standards to identify and remove any unnecessary barriers for female candidates.

**ACTION TAKEN:**

In 2017, the Emergency Services Unit (ESU) physical was assessed and the body drag was reduced from 70 metres to 50 metres. The current fitness test for the Emergency Services Unit was reviewed for occupational bona fide requirements relative to the position for which candidates are being evaluated. Senomi Solutions corroborated this evaluation.

**FOLLOW UP/NEXT STEPS:**



The testing process is reviewed every two years. For 2021, the fitness test was re-evaluated in March 25, 2021 and it will be re-assessed in March of 2023. The review takes into consideration the Police Adequacy and Effectiveness Standards and any Ministry legislation or other best practices.

**RECOMMENDATION 18**

**The Commission recommends that there is more to be done to make the TAC Unit truly inclusive. One approach is to create a formal mentoring initiative to encourage and assist members, particularly women, who express interest in joining the TAC Unit. Such a formal mentoring program could also form part of a larger plan to encourage women to apply for promotion and overcome remaining barriers (pp. 37-38).**

RESPONSIBILITY: Service

STATUS: Completed

RELATED RECOMMENDATIONS: 11, 12, 13, 15, 17

**ACTION TAKEN:**

The Service holds general information sessions when seeking new members for the Emergency Services Unit. During each of these sessions, members receive an overview of the roles and responsibilities required of ESU officers and are allowed to attempt the physical components of the ESU application process (OPC Pin test and obstacle course). Mentors are present and available to anyone who interested in the process. A “females only” information session is also scheduled to provide the same information forum that may be more comfortable for female members. In 2021, seven women attended the information sessions and in 2022 there were three women that attended.

**FOLLOW UP/NEXT STEPS:**

In May 2022, the Windsor Police Service, in consultation with Senomi Solutions, created the **Equity, Diversity and Inclusion Strategic Plan 2022**. The plan includes seven EDI objectives, all of which address formal mentoring initiatives to encourage and assist members who express interest in joining the ESU Unit as well as addressing a formal mentoring program that encourages women to apply for promotion.

The Service will maintain and introduce EDI initiatives to ensure continued progress.

**RECOMMENDATION 19**

**The Commission recommends that consideration should be given to a duty rotation regime that:**

- a. lengthens the tenure for certain officers within certain units to reflect the considerations noted in the Report, including the value in cultivating expertise in**



- specialized areas and the time and financial resources needed to cultivate that expertise.
- b. creates certain "anchor positions within units that is, recognizes that a certain number of high-performing officers within a unit remain critical to the Service's success;**
  - c. recognizes the impact that some late-career rotations may have on officers and morale; and**
  - d. also recognizes that compelling officers to seek accommodation to address an overly rigid rotation protocol can have a negative impact on morale (p. 39).**

RESPONSIBILITY: Service

STATUS: Completed

**ACTION PLAN:**

Amend Directive 342-02 Duty Rotation to reflect OCPC recommendations and considerations that were already being discussed by the Service.

**ACTION TAKEN:**

Deputy Chief Frank Providenti was assigned to review Directive 342-02 Duty Rotation and has taken the following steps:

S/Sgt Scott Jeffrey attended the Strategic Police through Action and Character (SPAC) course at the Canadian Police College (CPC). As part of the course, candidates must prepare a business case on a topic relevant to the officer's police service. S/Sgt Jeffrey's project focused on internal duty rotation, which was reviewed and considered by DC Providenti.

A review of Service Directive 342-02 Duty Assignment Rotation was conducted by Deputy Chief Providenti, which included consultation with Service members and the WPA, and the Directive was amended as follows:

*II. POLICY STATEMENT*

*D. Duty Assignment Durations:*

All duty assignment durations have been amended from a fixed assignment period to a range, and increases the time to account for the time needed to cultivate expertise in specialized areas, which is critical to the units success

*G. Duration of duty assignments as set out above shall be based primarily on operational need and job performance. Rotation out of departments will be based on the discretion of the Transfer Committee, which shall consider operational need, the assignment range as noted*



*in s. D and s. E as well as, Job Performance and any requests for extension by Unit Supervisors*

### III. PROCEDURES

A. *The Superintendents, in consultation with the Deputy Chiefs:*

2. *For transfer of Constables, Sergeants and Staff Sergeants the Superintendents shall consider factors including, but not limited to:*

*n) Recognize and consider the impact on a member when assessing a late-career rotation.*

#### FOLLOW-UP / NEXT STEPS:

Service Directive 342-02 Duty Assignment Rotation is scheduled for review by the responsible manager every 3 years to ensure the Directive remains current, and is in compliance with relevant legislation, *Ontario Human Rights Code* and Board policies. The risk assessment and review schedule are reassessed as well as conflicts with other Service Directives. The review also takes in to consideration and Ministry or other best practices.

#### RECOMMENDATION 20

**The Commission recommends that the selection process for Chief and Deputy Chief be designed to ensure that the Board is fully aware of potential issues. This is true whether the applicant is a candidate from within or outside the Service.**

**This can be done in a variety of ways that remain compatible with the Police Services Act. For example, candidates for the Chief or Deputy Chief positions should respond to a standardized series of questions that probe whether there are any issues (outstanding complaints, prior history, disputes with other officers etc.) that might reflect adversely on the Service or its reputation, or the candidate's character.**

RESPONSIBILITY: Board

STATUS: Completed

RELATED RECOMMENDATIONS: 20, 21, 22

#### ACTION PLAN:

Create a policy to ensure the selection process for the positions of Chief and Deputy Chief identifies any potential issues with applicants.

#### ACTION TAKEN:

On July 22, 2021, the Board approved Policy 2021-04 Process of Selecting Chiefs and Deputy Chiefs. The Board Policy includes the following procedures:

## 2. PROCEDURE

2.1 *The Board will establish the requirements for the positions of Chief of Police and Deputy Chief of Police by which the job posting shall be created and candidates will be assessed. These will include:*

- *A list of essential qualifications and experience necessary for consideration for the role of Chief of Police or Deputy Chief of Police; and*
- *A list of competencies that shall be used to screen candidates, develop interview questions and assess candidates.*

2.2 *Recruitment for the position(s) of Chief of Police or Deputy Chief of Police will be posted internally within the Windsor Police Service and externally on various online job boards and appropriate publications.*

2.3 *All candidates, whether internal or external will be treated in the same manner and proceed through the same objective process.*

2.4 *The Board will determine the composition of the Selection Committee. The Board may also engage an external recruitment service to support any step in the recruitment and selection process.*

2.5 *The role of the Selection Committee will be to develop the job posting based on the skills, experience and competencies established by the Board. They will also screen candidates, develop interview questions, interview and assess candidates and conduct reference checking of identified candidates.*

2.5.1 *All individuals of the Selection Committee will be instructed on the importance of recognizing biases, the purpose and components of the objective recruitment process, and the structured screening and interview process.*

2.6 *The Windsor Police Services Board may engage a third-party to consult the public with respect to the qualities and characteristics of a new Chief of Police or Deputy Chief of Police to assist in the development of the job posting and subsequent interview questions.*

### 2.7 Application Screening

a) *Applicants will be screened based on the selection criteria outlined in the job posting. Those that meet the criteria will be invited to continue in the recruitment process including in-person interviews.*

b) *Individuals selected for interviews will be required to submit a completed Attestation Form which will ensure a full review of the candidates work history and identify any areas for further review.*



## 2.8 Interviews

- a) *Structured interviews will be conducted by the Selection Committee using predetermined interview questions for all candidates. This goal of this objective assessment is to confirm experience and education, other complementary skills, and overall values fit for Windsor Police Service based on the competencies and qualifications listed in the job posting.*
- b) *Interview questions will be a mixture of behavioural and situational to help determine the candidate's suitability for a leadership role within the Service. The same interview questions will be used for each candidate interviewing for the same role.*
- c) *The candidates Attestation Form will be reviewed with them as part of the Interview Process. Any areas of concerns will be identified and may generate additional questions. These questions will be compliant with the Human Rights Code, and other relevant legislation.*
- d) *If required, a second interview may be scheduled with short-listed candidates. This interview may be informed with behavioral assessments previously conducted with short-listed candidates.*

## 2.9 References Checks

- a) *Confidential reference checking will be conducted and may include a candidate's current commanding officer, former commanding officer, colleagues or subordinates. The identification of references will be done in a manner that does not adversely impact the candidate's current employment. A candidate may also be requested to provide recent performance evaluations, commendations, or records of discipline as part of the overall assessment of their suitability for the position.*

## 2.10 Selection

- a) *Upon completion of the recruitment process, the Selection Committee will make a recommendation to the Board. The ultimate decision rests with the Board. An offer of employment will be drafted by the City of Windsor Legal / Human Resources Department and presented to the candidate.*

### FOLLOW-UP / NEXT STEPS:

On July 22, 2021, the Board approved the WPS Board Policy Review Plan 2021 – 2022 Project Plan. This plan seeks to review all board policies and bylaws and collate them into a public document to be posted on our website and social media channels. This project is tracking for completion by the end of 2021.

The Board also approved a resolution on July 22, 2021 to review Policy 2021-04 Process of



Selecting Chiefs and Deputy Chiefs every 3 years.

#### **RECOMMENDATION 21**

**The Commission recommends that the Board closely question candidates on their answers. The Board should also obtain legal advice from its counsel on how to probe these issues and obtain relevant information about candidates in a way compatible with existing legislation. The process should ensure the Board has an accurate sense of how applicants are regarded within the Service. This can be done in a variety of ways that also, to the extent possible respect confidentiality. (p. 43).**

RESPONSIBILITY: Board

STATUS: Completed

RELATED RECOMMENDATIONS: 20, 21, 22

#### **ACTION PLAN:**

Create a policy to ensure the selection process for the positions of Chief and Deputy Chief identifies any potential issues with applicants, allows the Board to probe these issues, and question candidates on any identified issues. The policy should also provide for a process to understand how candidates are regarded within their current organization.

#### **ACTION TAKEN:**

On July 22, 2021, the Board approved Policy 2021-04 Process of Selecting Chiefs and Deputy Chiefs. The Board Policy includes the following procedures:

#### **2. PROCEDURE**

*2.1 The Board will establish the requirements for the positions of Chief of Police and Deputy Chief of Police by which the job posting shall be created and candidates will be assessed. These will include:*

- A list of essential qualifications and experience necessary for consideration for the role of Chief of Police or Deputy Chief of Police; and*
- A list of competencies that shall be used to screen candidates, develop interview questions and assess candidates.*

*2.2 Recruitment for the position(s) of Chief of Police or Deputy Chief of Police will be posted internally within the Windsor Police Service and externally on various online job boards and appropriate publications.*

*2.3 All candidates, whether internal or external will be treated in the same manner and proceed through the same objective process.*

*2.4 The Board will determine the composition of the Selection Committee. The Board may also engage an external recruitment service to support any step in the recruitment and selection process.*

*2.5 The role of the Selection Committee will be to develop the job posting based on the skills, experience and competencies established by the Board. They will also screen candidates, develop interview questions, interview and assess candidates and conduct reference checking of identified candidates.*

*2.5.1 All individuals of the Selection Committee will be instructed on the importance of recognizing biases, the purpose and components of the objective recruitment process, and the structured screening and interview process.*

*2.6 The Windsor Police Services Board may engage a third-party to consult the public with respect to the qualities and characteristics of a new Chief of Police or Deputy Chief of Police to assist in the development of the job posting and subsequent interview questions.*

#### *2.7 Application Screening*

- a) Applicants will be screened based on the selection criteria outlined in the job posting. Those that meet the criteria will be invited to continue in the recruitment process including in-person interviews.*
- b) Individuals selected for interviews will be required to submit a completed Attestation Form which will ensure a full review of the candidates work history and identify any areas for further review.*

#### *2.8 Interviews*

- a) Structured interviews will be conducted by the Selection Committee using predetermined interview questions for all candidates. This goal of this objective assessment is to confirm experience and education, other complementary skills, and overall values fit for Windsor Police Service based on the competencies and qualifications listed in the job posting.*
- b) Interview questions will be a mixture of behavioural and situational to help determine the candidate's suitability for a leadership role within the Service. The same interview questions will be used for each candidate interviewing for the same role.*
- c) The candidates Attestation Form will be reviewed with them as part of the Interview Process. Any areas of concerns will be identified and may generate additional questions. These questions will be compliant with the Human Rights Code, and other relevant legislation.*

- d) *If required, a second interview may be scheduled with short-listed candidates. This interview may be informed with behavioral assessments previously conducted with short-listed candidates.*

## 2.9 References Checks

- a) *Confidential reference checking will be conducted and may include a candidate's current commanding officer, former commanding officer, colleagues or subordinates. The identification of references will be done in a manner that does not adversely impact the candidate's current employment. A candidate may also be requested to provide recent performance evaluations, commendations, or records of discipline as part of the overall assessment of their suitability for the position.*

## 2.10 Selection

- a) *Upon completion of the recruitment process, the Selection Committee will make a recommendation to the Board. The ultimate decision rests with the Board. An offer of employment will be drafted by the City of Windsor Legal / Human Resources Department and presented to the candidate.*

### FOLLOW-UP / NEXT STEPS:

On July 22, 2021, the Board approved the WPS Board Policy Review Plan 2021 – 2022 Project Plan. This plan seeks to review all board policies and bylaws and collate them into a public document to be posted on our website and social media channels. This project is tracking for completion by the end of 2021.

The Board also approved a resolution on July 22, 2021 to review Policy 2021-04 Process of Selecting Chiefs and Deputy Chiefs every three years.

### RECOMMENDATION 22

**The Commission recommends that the Board's selection process for Chief and Deputy Chiefs, including the type of due diligence done in relation to each candidate—as opposed to their identities or personal information-- should be known more broadly. This transparency would assist in dispelling misinformation about these processes (p. 43).**

RESPONSIBILITY: Board

STATUS: Completed

RELATED RECOMMENDATIONS: 20, 21, 22

ACTION PLAN:



Create a policy to ensure the Service and community is aware of the type of due diligence the BOARD undertakes with respect to the selection process for the positions of Chief and Deputy Chief.

**ACTION TAKEN:**

On July 22, 2021, the Board approved Policy 2021-04 Process of Selecting Chiefs and Deputy Chiefs. The Board Policy includes the following procedures:

**2. PROCEDURE**

*2.1 The Board will establish the requirements for the positions of Chief of Police and Deputy Chief of Police by which the job posting shall be created and candidates will be assessed. These will include:*

- A list of essential qualifications and experience necessary for consideration for the role of Chief of Police or Deputy Chief of Police; and*
- A list of competencies that shall be used to screen candidates, develop interview questions and assess candidates.*

*2.2 Recruitment for the position(s) of Chief of Police or Deputy Chief of Police will be posted internally within the Windsor Police Service and externally on various online job boards and appropriate publications.*

*2.3 All candidates, whether internal or external will be treated in the same manner and proceed through the same objective process.*

*2.4 The Board will determine the composition of the Selection Committee. The Board may also engage an external recruitment service to support any step in the recruitment and selection process.*

*2.5 The role of the Selection Committee will be to develop the job posting based on the skills, experience and competencies established by the Board. They will also screen candidates, develop interview questions, interview and assess candidates and conduct reference checking of identified candidates.*

*2.5.1 All individuals of the Selection Committee will be instructed on the importance of recognizing biases, the purpose and components of the objective recruitment process, and the structured screening and interview process.*

*2.6 The Windsor Police Services Board may engage a third-party to consult the public with respect to the qualities and characteristics of a new Chief of Police or Deputy Chief of Police to assist in the development of the job posting and subsequent interview questions.*



## 2.7 Application Screening

- a) *Applicants will be screened based on the selection criteria outlined in the job posting. Those that meet the criteria will be invited to continue in the recruitment process including in-person interviews.*
- b) *Individuals selected for interviews will be required to submit a completed Attestation Form which will ensure a full review of the candidates work history and identify any areas for further review.*

## 2.8 Interviews

- a) *Structured interviews will be conducted by the Selection Committee using predetermined interview questions for all candidates. This goal of this objective assessment is to confirm experience and education, other complementary skills, and overall values fit for Windsor Police Service based on the competencies and qualifications listed in the job posting.*
- b) *Interview questions will be a mixture of behavioural and situational to help determine the candidate's suitability for a leadership role within the Service. The same interview questions will be used for each candidate interviewing for the same role.*
- c) *The candidates Attestation Form will be reviewed with them as part of the Interview Process. Any areas of concerns will be identified and may generate additional questions. These questions will be compliant with the Human Rights Code, and other relevant legislation.*
- d) *If required, a second interview may be scheduled with short-listed candidates. This interview may be informed with behavioral assessments previously conducted with short-listed candidates.*

## 2.9 References Checks

- a) *Confidential reference checking will be conducted and may include a candidate's current commanding officer, former commanding officer, colleagues or subordinates. The identification of references will be done in a manner that does not adversely impact the candidate's current employment. A candidate may also be requested to provide recent performance evaluations, commendations, or records of discipline as part of the overall assessment of their suitability for the position.*

## 2.10 Selection

- a) *Upon completion of the recruitment process, the Selection Committee will make a recommendation to the Board. The ultimate decision rests with the Board. An offer of employment will be drafted by the City of Windsor Legal / Human Resources Department and presented to the candidate.*

**FOLLOW-UP / NEXT STEPS:**

On July 22, 2021 the Board approved the WPS Board Policy Review Plan 2021 – 2022 Project Plan. This plan seeks to review all board policies and bylaws and collate them into a public document to be posted on our website and social media channels. This project is tracking for completion by the end of 2021.

The Board also approved a resolution on July 22, 2021 to review Policy 2021-04 Process of Selecting Chiefs and Deputy Chiefs every three years.

**RECOMMENDATION 23**

**The Commission recommends the Service develop a new Accommodation Directive that should avoid the flaws in the existing Directive identified by the Commission and capture the paradigm shift described in the Report (p. 49).**

RESPONSIBILITY: Service

STATUS: Completed

**ACTION PLAN:**

Develop a new Directive 310-02 to avoid the flaws in the existing Directive identified by the Commission and capture the paradigm shift in how accommodation requests are dealt with by the Service, as described in the report. The Service has shifted to dealing with accommodation requests on more of a case-by-case basis, rather than only considering placement in certain available accommodated positions within a unit.

**ACTION TAKEN:**

On April 30, 2021, an amended Directive 310-02 Accommodation was adopted by the Service to address the flaws identified by the Commission. The new Directive includes the following:

*1. Creating the Accommodation Plan:*

*6.1. Responsibility – The process of accommodating individuals is a shared obligation of the Windsor Police Service, the employee, and the Windsor Police Association. Management staff should be the first point of contact for employees when requesting an accommodation. Together, in consultation with Human Resources and considering information from health care practitioners (where appropriate), they will work to determine the most appropriate form(s) of accommodation to meet the needs of the individual.*

*6.2. Subject to the specific responsibilities and procedures set out in Article 7 herein, the Windsor Police Service shall create an accommodation plan and attempt to determine*



*methods of achieving the requirements for success in the position in alternate manners. In the creation of the accommodation plan, the Windsor Police Service shall:*

- a) Identify the need and/or receive the request for accommodation.*
- b) Work with its employees to obtain all relevant information, as may be required, to ensure that all restrictions and/or functional abilities are identified.*
- c) Determine the objectives for performance in the current role and potential barriers.*
- d) Convene a meeting with the necessary parties, including the member requesting accommodation, the supervisor, the Director, Human Resources, and any other required individuals to review the request for accommodation.*
- e) Create a plan for achieving the objectives in an alternate manner.*
- f) Examine the options for accommodation, and select the most appropriate avenue for accommodation.*
- g) Put the accommodation plan (including any return to work plan) in writing to be signed by the member requesting accommodation and the Director, Human Resources (or designate).*
- h) Implement the accommodation process.*
- i) Provide training as appropriate.*
- j) Review and revise based on the accommodated individual's circumstances, operational needs, and other feedback.*
- k) Create an Emergency Response Plan for employees who may need assistance in the event of an emergency.*

*6.3. If an employee cannot be accommodated in their current position, the Human Resources department, working with appropriate Windsor Police Service members, the employee, and the Windsor Police Association, will attempt to place the employee in another available position.*

*6.4. Where the employee is placed in an alternate position, the Windsor Police Service shall ensure that the employee has the requisite qualifications and skillset necessary for success in the position, is capable of performing the tasks associated with the position and that the alternate work is acceptable.*

*6.5. Appropriate accommodations may include, but are not necessarily limited to:*

- a) Work station adjustments;*
- b) Job redesign;*
- c) Modifications to organizational policies and practices;*



- d) *Technical aids;*
- e) *Human support;*
- f) *Provision of materials in alternative formats;*
- g) *Building modifications;*
- h) *Counseling and referral services;*
- i) *Temporary or permanent alternative work;*
- j) *Modification of performance standards while retaining core job requirements;*
- k) *Leaves of absence;*
- l) *Changes to scheduling or hours of work.*

6.6. *An Accommodation Plan may include the following:*

- a) *1. A statement of the member's relevant limitations and needs, including any necessary assessments and information from experts or specialists, bearing in mind the need to maintain the confidentiality of medical reports;*
- b) *Arrangements for necessary assessments by experts or professionals;*
- c) *Identification of the most appropriate accommodation short of undue hardship;*
- d) *A statement of goals and specific steps to be taken to meet them;*
- e) *Clear timelines for the provision of identified accommodations, including check-in points for re-assessment, and;*
- f) *A mechanism for review and re-assessment of the accommodation plan as necessary;*
- g) *Criteria for determining the success of the accommodation plan; and*
- h) *An accountability mechanism for both the Service and member requesting the accommodation, which will be identified within the accommodation plan.*

**FOLLOW-UP / NEXT STEPS:**

Service Directive 310-02 Accommodation is scheduled for review by the responsible manager every two years to ensure the Directive remains current, and is in compliance with relevant legislation, *Ontario Human Rights Code* and Board policies. The risk assessment and review schedule are reassessed as well as conflicts with other Service Directives. The review also takes in to consideration and Ministry or other best practices.

**RECOMMENDATION 24**

**The Commission recommends the Director - Human Resources regularly report in writing to the Chief (and the appropriate senior leadership) on accommodation, workplace harassment**

**and other human resources issues. This report should include the Director's review of the impact and effectiveness of existing Directives, practices, procedures and policies and include recommendations on change. The Board should receive regular reports in writing on these same topics (p. 49).**

RESPONSIBILITY: Service

STATUS: Completed

RELATED RECOMMENDATIONS: 24, 25, 28, 33

**ACTION PLAN:**

Review and update Directive 112-01 Mandatory Reports to include a Human Resources report on accommodation and other human resources issues. Identify which reports the Board should receive and the frequency.

Require the impact and effectiveness of existing Directives, practices, procedures, and policies to be included in the Human Resources report.

**ACTION TAKEN:**

In January 2021, Directive 112-01 Mandatory Reports was updated to include an Annual Human Resources report to the Chief of Police and the Board, which will include a review by the Director on the impact and effectiveness of existing Directives, practices, procedures, and policies, and a Quarterly Human Resources report to the Chief of Police and the Board on human resources issues. Currently, all harassment matters and civilian disciplinary matters are reported to the Deputy Chief, Operational Support, when they occur; written monthly summaries are also provided.

**FOLLOW-UP / NEXT STEPS:**

Service Directive 112-01 Mandatory Reports is scheduled for review by the responsible manager every three years to ensure the Directive remains current, and is in compliance with relevant legislation, *Ontario Human Rights Code* and Board policies. The risk assessment and review schedule are reassessed as well as conflicts with other Service Directives. The review also takes in to consideration and Ministry or other best practices.

**RECOMMENDATION 25**

**The Commission recommends the training initiatives must be fully documented and form part of the Directors reporting obligation. His reports should include detailed descriptions of:**

- a. Training provided to new members;**
- b. New training or refresher training available for supervisors and other members and whether and to what extent such training is compliant with the existing or a new Accommodation Directive; and**

**c. Aggregated data on who has actually received such training, to ensure member compliance.**

**It is also important that competency questioning related to all promotional levels include case scenarios around accommodation, workplace harassment and related issues (p.50).**

RESPONSIBILITY: Service

STATUS: Completed

RELATED RECOMMENDATIONS: 8, 24,

**ACTION PLAN:**

The Human Resources Director reporting obligations with respect to training in the area of accommodation, workplace harassment, and other human resource issues will be included as part of the mandatory reporting requirement in R.24.

Formalize in Directive 352-01 Promotional Process the current practice of including competency questions related to case scenarios around accommodation and workplace harassment issues (Recommendation 8).

**ACTION TAKEN:**

In January 2021, Directive 112-01 Mandatory Reports was updated to include an Annual Human Resources report to the Chief of Police and the Board, which will include a review by the Director on the impact and effectiveness of existing Directives, practices, procedures, and policies, and a Quarterly Human Resources report to the Chief of Police and the Board on human resources issues.

The Annual Human Resources report will include descriptions of the training provided to members on accommodations, workplace harassment, and other human resource issues, the compliance of the training with Service Directives, and data on member compliance with training courses.

Human Rights training (including civility in the workplace) is available to all members online through the Canadian Police Knowledge Network (CPKN) learning management system, which allows the Service to track which employees have completed the necessary training.

Harassment Training has been provided to new employees, initially when they join the Service. The Service has prepared an online training module which was uploaded to our online training provider, Canadian Police Knowledge Network (CPKN) in July 2021. Amended Service Directive 361-04 Workplace Violence, Harassment and Sexual Harassment has been posted and the training module has been launched. The mandatory training is expected to be completed by all members by October 31, 2021.

All training will be reviewed in the third quarter of each year to determine whether there are any individuals who have not completed annual training requirements.

Directive 352-01 Promotional Process, Appendix C was amended and includes the following:

*Promotional Process – Oral Interview:*

1. *One question from the following category will be included in the Oral Examination for Levels A, B, and C:*
  - *Accommodation, workplace harassment, discrimination, civility, and other related issues.*

**FOLLOW-UP / NEXT STEPS:**

The Human Resources Annual Report will be submitted to the Board at the January 2022 regular Board meeting and annually thereafter in accordance with Directive 112-01 Mandatory Reports.

Service Directive 112-01 Mandatory Reports and 352-01 Promotional Process are scheduled for review by the responsible manager every three years to ensure the Directives remains current, and is in compliance with relevant legislation, *Ontario Human Rights Code* and Board policies.

The risk assessment and review schedule are reassessed as well as conflicts with other Service Directives. The review also takes in to consideration and Ministry or other best practices. The training provided by Human Resources on Accommodation, Harassment and any other human resource issues will be scheduled for review in conjunction with the applicable Directive to ensure the training remains current, and is in compliance with relevant legislation, *Ontario Human Rights Code* and Board policies.

**Recommendation 26**

**The Commission recommends that the stigma and policing culture concerning accommodations be recognized, addressed through education and training, and overcome. That culture should also be addressed through measures taken by the Service to acknowledge the value of work being done by accommodated officers, while mindful of their privacy interests (p. 51).**

RESPONSIBILITY: Service

STATUS: Completed

RELATED RECOMMENDATIONS: 11, 23, 26



**ACTION PLAN:**

Develop education and training pertaining to the stigma concerning accommodation.  
Develop strategies to acknowledge the value of work being done by accommodated members.

**ACTION TAKEN:**

Service Directive 310-02 Accommodation provides for training for all members with respect to Accommodation as follows:

*1. Training:*

- 9.1. All members shall receive initial training on their rights, responsibilities, and related legal liabilities.*
- 9.2. All members acting in a Supervisory or Management capacity will receive training and education regarding:
  - a) Their responsibilities and related legal liabilities, which may arise from the Code amendments, Human Rights Tribunal Decisions, and this Directive; and*
  - b) Their responsibilities and related legal liabilities, under the Ontarians with Disabilities Act, 2001 and the Human Rights Code.**
- 9.3. All training programs will be evaluated regularly to assess their adequacy and effectiveness in meeting the objectives of this Directive or Directive 310-01 Human Rights.*

AODA training and Human Rights training (including civility in the workplace) has been rolled out online through the CPKN learning management system, which allows the Service to track which employees have completed the necessary training.

The Service Sergeant Mentoring Program was first held in-house in January 2019. This course is provided in addition to the Ontario Police College Front Line Supervisor Course. The curriculum included a discussion regarding the value of work performed by accommodated members. Consideration is being given to expanding this program to other ranks. The latest program ran from March 22 to April 1, 2021.

Harassment Training has been provided to new employees, initially when they join the Service. The Service has prepared an online training module which was uploaded to our online training provider, Canadian Police Knowledge Network (CPKN) in July 2021. Amended Service Directive 361-04 Workplace Violence, Harassment and Sexual Harassment has been posted and the training module has been launched. The mandatory training is expected to be completed by all members by October 31, 2021.

**FOLLOW-UP / NEXT STEPS:**

Service Directive 310-02 Accommodation is scheduled for review by the responsible manager every two years to ensure the Directive remains current, and is in compliance with relevant legislation, *Ontario Human Rights Code* and Board policies. The risk assessment and review schedule are re-assessed as well as conflicts with other Service Directives. The review also takes into consideration any Ministry or other best practices.

The training provided by Human Resources on Accommodation, Harassment and any other human resource issues will be scheduled for review in conjunction with the applicable Directive to ensure the training remains current, and is in compliance with relevant legislation, *Ontario Human Rights Code* and Board policies.

The Service recognizes the importance of recognizing and addressing the stigma and policing culture concerning accommodations and the Service will continue to expand opportunities to acknowledge the value of the work done by accommodated officers. The paradigm shift in dealing with accommodations as identified in Recommendation 23, is one example of how the Service is addressing the culture around accommodations.

**RECOMMENDATION 27**

**The Commission recommends that any lack of confidence in the Service's processes for handling workplace harassment be addressed through the following measures, some of which have been implemented or are in the process of being implemented:**

- a. **The creation of a new Workplace Harassment Directive that is fair and transparent, and that gains legitimacy, in part, through the active involvement of a Review Committee (which includes Association representation) in how complaints are dealt with.**
- b. **The assignment of workplace harassment investigations to a small cadre of investigators trained in workplace harassment investigations**
- c. **The assignment of an investigator or investigative team to a particular complaint on a rotating basis, if at all possible, to minimize concerns about how investigators are selected for certain investigations**
- d. **A process that provides for the possibility of external investigators in appropriate circumstances and for a mechanism for the affected parties to raise conflict of interest issues over the selection of a specific investigator. The draft Directive incorporates both suggestions. Under the draft Directive, the Chief retains the discretion not to direct an external investigation even in the face of a Review Committee's recommendation to the contrary. In the Commission's view, the Review Committee and the Chief should work together to develop some written guidance, with Board oversight and involvement, on when an external investigation is warranted. This recommendation parallels the Commission's earlier recommendation on how sensitive criminal investigations should be dealt with**



- e. **Education and training of all civilian employees and all sworn officers, regardless of rank on workplace harassment, discrimination, civility and related issues. Such education and training must take place initially, when employees join the Service; for all employees when new policies and processes are introduced (as they will be through the new Workplace and Harassment Directive); and, at regular intervals after that. Those intervals should be set out in writing in the applicable Directives. It is equally important that an understanding of these issues form a part of the promotional evaluation process for candidates for supervisory positions (pp. 52-53)**

RESPONSIBILITY: Service

STATUS: Completed

RELATED RECOMMENDATIONS: 8, 27, 28, 29, 30

**ACTION PLAN:**

Amend current Directive 361-04 Workplace Harassment in consideration of OCPC recommendations, including:

- Assign workplace harassment investigations to a small group of training workplace harassment investigators on a rotating basis.
- Provide training upon hire and at regular intervals on workplace harassment, discrimination, civility, and related issues.
- Formalize in Directive 352-01 Promotional Process the current practice of including competency questions related to case scenarios around accommodation and workplace harassment issues (R.8).

**ACTION TAKEN:**

Service Directive 361-04 Workplace Violence, Harassment and Sexual Harassment was amended to address the issues identified in the recommendation as follows:

1. The Directive was amended in consultation with the WPA and Senior Leadership Team.

While the Commission recommended the active involvement of a review committee, the WPA was not amendable to participating in a review committee that determined a complaint by one of its members against one of its members would move forward.

2. Workplace harassment investigations are currently assigned only to those members who have training in workplace harassment investigations. The Service currently has eight trained investigators.

Directive 361-04 Workplace Violence, Harassment and Sexual Harassment includes the

following:

*Workplace Violence and Harassment Program & Procedures*

*3.4 The Service shall provide appropriate training in Workplace Harassment and/or Discrimination investigative techniques and report writing for Members who will be involved in investigating complaints of Workplace Harassment and/or Discrimination.*

- a) It is the current practice of the Service to assign investigators or investigative teams to a complaint on a rotating basis if at all possible, to minimize concerns about how investigators are selected for certain investigations.*
- b) The Directive includes the following provisions to provide for an external investigator and a mechanism for the affected parties to raise conflict of interest issues:*

*6.57 It is the responsibility of the Investigators, Complainant, and/or Respondent to declare any existing or potential conflict with respect to the composition of the Qualified Investigative Team to the Director, Human Resources.*

*6.58 If the Director, Human Resources, in consultation with the Inspector, Professional Standards Branch, determines that an external investigation may be necessary because due to a reasonable apprehension of bias that cannot be mitigated by assigning an internal investigator, they shall forthwith deliver this recommendation, together with a detailed rationale, to the Chief of Police for review. The Chief of Police will then exercise discretion to appoint an internal or external investigator or appoint such other individual as is deemed appropriate to investigate the formal Workplace Harassment and/or discrimination complaint.*

*Responsibilities of Members*

*3.11 Members shall participate in any training provided related to Workplace Harassment and/or Discrimination and shall apply the specific procedures outlined in this Directive.*

Harassment Training has been provided to new employees, initially when they join the Service. The Service has prepared an online training module which was uploaded to our online training provider, Canadian Police Knowledge Network (CPKN) in July 2021. Amended Service Directive 361-04 Workplace Violence, Harassment and Sexual Harassment has been posted and the training module has been launched. The mandatory training was completed by all members by October 31, 2021.

Directive 352-01 Promotional Process, Appendix C was amended and includes the following:

*2. Promotional Process – Oral Interview:*

*One question from the following category will be included in the Oral Examination for Levels A, B, and C:*

- *Accommodation, workplace harassment, discrimination, civility and other related issues*

**FOLLOW-UP / NEXT STEPS:**

Service Directive 361-04 Workplace Violence, Harassment and Sexual Harassment is scheduled for review by the responsible manager every three years to ensure the Directive remains current, and is in compliance with relevant legislation, *Ontario Human Rights Code* and Board policies. The risk assessment and review schedule are reassessed as well as conflicts with other Service Directives. The review also takes in to consideration and Ministry or other best practices. The corresponding training module will be reviewed in conjunction with the Directive.

Service Directive 352-01 Promotional Process is scheduled for review by the responsible manager every three years to ensure the Directive remains current, and is in compliance with relevant legislation, *Ontario Human Rights Code* and Board policies. The risk assessment and review schedule are reassessed as well as conflicts with other Service Directives. The review also takes in to consideration and Ministry or other best practices.

**RECOMMENDATION 28**

**The Commission recommends that the Board be provided with detailed information about the Service's education and training programs so it can exercise its oversight responsibilities (p. 53).**

RESPONSIBILITY: Service

STATUS: Completed

RELATED RECOMMENDATIONS: 24, 27, 28

**ACTION PLAN:**

The Human Resources Director reporting obligations with respect to training in the area of accommodation, workplace harassment, and other human resource issues will be included as part of the mandatory reporting requirement in R.24.

**ACTION TAKEN:**

In January 2021, Directive 112-01 Mandatory Reports was updated to include an Annual Human Resources report to the Chief of Police and the Board, which will include a review by the



Director on the impact and effectiveness of existing Directives, practices, procedures, and policies, and a Quarterly Human Resources report to the Chief of Police and the Board on human resources issues.

The Annual Human Resources report will also include descriptions of the training provided to members on accommodations, workplace harassment, and other human resource issues, the compliance of the training with Service Directives, and data on member compliance with training courses. Currently, all harassment matters and civilian disciplinary matters are reported to the Deputy Chief, Operational Support, when they occur; written monthly summaries are also provided.

**FOLLOW-UP / NEXT STEPS:**

The Human Resources Annual Report will be submitted to the Board at the January 2022 regular Board meeting and annually thereafter in accordance with Directive 112-01 Mandatory Reports.

Service Directive 112-01 Mandatory Reporting is scheduled for review by the responsible manager every three years to ensure the Directive remains current, and is in compliance with relevant legislation, *Ontario Human Rights Code* and Board policies. The risk assessment and review schedule are reassessed as well as conflicts with other Service Directives. The review also takes in to consideration and Ministry or other best practices.

**Recommendation 29**

**The Commission recommends a mechanism be created that enables advisors to report, without undermining confidentiality, on the extent to which their services are even being used and challenges in their work (p. 54).**

RESPONSIBILITY: Service

STATUS: Completed

RELATED RECOMMENDATIONS: 27, 28, 29, 30

**ACTION PLAN:**

Amend Directive 361-04 to create a mechanism that enables advisors to report on the extent to which their services are being used and the challenges in their work.

**ACTION TAKEN:**

Directive 361-04 Workplace Violence, Harassment, and Sexual Harassment was amended to include the following:

*Responsibilities of Workplace Violence / Harassment Advisors:*

3.20 *Advisors shall provide a monthly report to the Director, Human Resources, regarding the extent to which they are being consulted and any challenges they observe regarding the implementation or execution of this Directive.*

Harassment Training has been provided to new employees, initially when they join the Service. The Service has prepared an online training module which was uploaded to our online training provider, Canadian Police Knowledge Network (CPKN) in July 2021. Amended Service Directive 361-04 Workplace Violence, Harassment and Sexual Harassment has been posted and the training module has been launched. The mandatory training is expected to be completed by all members by October 31, 2021.

**FOLLOW-UP / NEXT STEPS:**

Service Directive 361-04 Workplace Harassment is scheduled for review by the responsible manager every 3 years to ensure the Directive remains current, and is in compliance with relevant legislation, *Ontario Human Rights Code* and Board policies. The risk assessment and review schedule are reassessed as well as conflicts with other Service Directives. The review also takes in to consideration and Ministry or other best practices. The corresponding training module will be reviewed and amended in conjunction with the Directive.

**RECOMMENDATION 30**

**The Commission recommends that the Service explicitly address how it reconciles the advisors' duty of confidentiality with the Service's obligation to end workplace harassment when it is ongoing, either in the new Directive or through education and training (p. 55).**

RESPONSIBILITY: Service

STATUS: Completed

RELATED RECOMMENDATIONS: 27, 28, 29, 30

**ACTION PLAN:**

Amend Directive 361-04 to address how it reconciles the advisors' duty of confidentiality with the Service's obligation to end workplace harassment when it is ongoing. Provide training to service members and harassment advisors to address the advisors' role and confidentiality and privacy.

**ACTION TAKEN:**

Directive 361-04 Workplace Violence, Harassment, and Sexual Harassment was amended to include the following:

*Responsibilities of Workplace Violence / Harassment Advisors:*

- 2.18 *Advisors shall follow up with any member who seeks advice or information regarding this Directive. If the matter has not been resolved and appears to constitute a valid claim of harassment, bring the matter forward to their supervisor for investigation, as may be appropriate in the circumstances.*

*Workplace Violence and Harassment Program & Procedures:*

- 3.5 *The Service shall provide training to Workplace Violence and Harassment Advisors to provide guidance on the interpretation of the policies and procedures of this directive.*

*Responsibilities of Members*

- 3.11 *Members shall participate in any training provided related to Workplace Harassment and/or Discrimination and shall apply the specific procedures outlined in this Directive.*

Harassment Training has been provided to new employees, initially when they join the Service. The Service has prepared an online training module which was uploaded to our online training provider, Canadian Police Knowledge Network (CPKN) in July 2021. Amended Service Directive 361-04 Workplace Violence, Harassment and Sexual Harassment has been posted and the training module has been launched. The mandatory training is expected to be completed by all members by October 31, 2021.

**FOLLOW-UP / NEXT STEPS:**

Service Directive 361-04 Workplace Violence, Harassment and Sexual Harassment and corresponding training module are scheduled for review by the responsible manager every three years or as required to ensure the Directive remains current, and is in compliance with relevant legislation, *Ontario Human Rights Code* and Board policies. The risk assessment and review schedule are reassessed as well as conflicts with other Service Directives. The review also takes in to consideration and Ministry or other best practices.

**RECOMMENDATION 31**

**The Commission recommends that the Board develop some guidelines on the considerations that should inform its decision-making around human rights settlements. There should be a regular review by the Board of ongoing human rights complaints and the lessons learned in individual cases. When a human rights complaint reveals a larger issue to be addressed, the Service and the Board must be transparent in acknowledging the existence of that issue to the Service's members as a whole, and in identifying how the Service and/or Board have addressed the issue (p. 55).**

RESPONSIBILITY: Board

STATUS: Completed

**ACTION PLAN:**

Board to engage McTague Law Firm LLB to create a new policy to address the recommendation.

1. *The Windsor Police Services Board strives to implement fair and transparent policies and processes to ensure a high degree of public trust in the Windsor Police Service and its members, as well as a high degree of trust from members of the Windsor Police Service.*
2. *To this end, it is the policy of the Windsor Police Services Board, with respect to human rights claims and proceedings against the Windsor Police Service and/or the Windsor Police Services Board, to require the Chief of Police to:*
  - a) *Inform the Windsor Police Services Board of any human rights claims or proceedings against the Windsor Police Service and/or the Windsor Police Services Board as well as, in particular, allegations set out therein that could reveal systemic or recurring human rights issues;*
  - b) *Keep the Windsor Police Services Board apprised of any and all developments relating to human rights claims or proceedings against the Windsor Police Service and/or the Windsor Police Services Board including, without limitation, the ongoing costs of same;*
  - c) *Inform the Windsor Police Services Board of any offers to settle human rights claims or proceedings against the Windsor Police Service and/or the Windsor Police Services Board; and*
  - d) *Obtain authorization from the Windsor Police Services Board prior to making or accepting any offers to settle human rights claims or proceedings against the Windsor Police Service and/or the Windsor Police Services Board.*
3. *In considering any potential settlement of a human rights claim or proceeding, the Board shall consult with the Chief of Police and legal counsel and give consideration to the following:*
  - *The relative strengths and weaknesses of the claim or proceeding;*
  - *The anticipated costs of defending the claim or proceeding;*
  - *The recommendations from the Chief of Police in regard to the claim or proceeding;*
  - *The legal advice from legal counsel in regard to the claim or proceeding;*
  - *How any prior similar claims or complaints were dealt with;*
  - *Whether the proposed settlement encourages public trust in the Windsor Police Service;*
  - *Any other consideration that the Board determines to be relevant to the specific claim or proceeding.*
4. *The Windsor Police Services Board shall regularly review ongoing human rights claims or proceedings to ascertain the existence of potential systemic or recurring human rights issues.*



*The Board will strive to address any identified potential systemic or recurring human rights issues in a transparent manner, having regard to any relevant legislative or legal restrictions, with the Chief of Police and members of the Windsor Police Service as a whole, and identify how the Board and/or Service will address the issue identified.*

**FOLLOW-UP / NEXT STEPS:**

On April 22, 2021 the Board approved Policy 2021-03 Disclosure of Human Rights Claims and Proceedings and passed a resolution to review every three years.

On July 22, 2021 the Board approved the WPS Board Policy Review Plan 2021 – 2022 Project Plan. This plan seeks to review all board policies and bylaws and collate them into a public document to be posted on our website and social media channels. This project is tracking for completion by the end of 2021.

**RECOMMENDATION 32**

**The Commission recommends that the Board receive governance training and education, designed with Ministry involvement or input as soon as possible (p. 55).**

RESPONSIBILITY: Board

STATUS: Completed

RELATED RECOMMENDATIONS: 32, 33

**ACTION PLAN:**

Engage the Ministry of the Solicitor General to look into options for board governance training and education for all Board members in early 2021.

**ACTION TAKEN:**

Board governance training and education session scheduled and completed with the Ministry of the Solicitor General, Public Safety Division, External Relations Branch on January 21, 2021.

**FOLLOW-UP / NEXT STEPS:**

The Board will engage the Ministry of the Solicitor General to conduct governance training and education sessions for new members of the Board and as required.

**RECOMMENDATION 33**

**The Commission recommends that the Board must play a critical role in asking the hard questions required to ensure that the Service is not merely "checking off the right box" or responding to issues in a less than effective way (p. 56).**

RESPONSIBILITY: Board



STATUS: Completed

RELATED RECOMMENDATIONS: 32, 33

**ACTION PLAN:**

Amend Directive 112-01 Mandatory Reporting to include reports to Board to provide the Board with relevant information in order for the Board to respond to issues in an effective way.

**ACTION TAKEN:**

Service Directive 112-01 Mandatory Reports was updated and provided to the Board as information on January 21, 2021. The Directive identifies reports required either by statute or to ensure that relevant performance measures are periodically measured and reported. The receiver and frequency of the report are also identified.

The regular Board Meeting agenda format has been revised and streamlined to ensure that members of the Board have an opportunity to ask questions regarding any agenda items. As well, a standing item, "Communications," was added to the agenda so that Board members can request the Chief address issues of concern, such as significant current events in the community. Questions or topics are submitted to the Chief in advance of the meeting and are included on the agenda.

**FOLLOW-UP / NEXT STEPS:**

In consultation with and at the request of the Board, update and amend Service Directive 112-01 Mandatory Reports to ensure the Board is provided relevant information in a timely manner to ensure the Service is responding to issues in an effective way.

**RECOMMENDATION 34**

**The Commission recommends that senior leaders recognize that they must not only avoid direct involvement in hiring or promotional decisions respecting their relatives, but any indirect involvement. This includes inquiring about how their relatives fared in the process or expressing views about the merits of their relatives' candidacy to those involved in the process (p. 59).**

RESPONSIBILITY: Service

STATUS: Completed

**ACTION PLAN:**

Review Directive 325-02 Employment Relationship Policy and any other applicable Directives, and make amendments to address the recommendation.



**ACTION TAKEN:**

Directive 141-01 Conduct Requirements, Directive 325-02 Employee Relationship Policy, and Directive 320-01 Recruitment Selection Process, were amended and include the following:

*Directive 141-01 Conduct Requirements*

*C. Terms and Conditions of Service*

- 9. A member of the Service shall not interfere with any hiring or promotional process respecting their relatives, either directly or indirectly. This includes making any inquiries about the process, making any inquiries about how their relative fared in the process or expressing views regarding the merits of their relatives' candidacy to those involved in the process. (see also Directive 325-02)*

*Directive 325-02 Employment Relationship Policy*

*II. Policy Statement*

- G. No administrator, manager, or member of the Windsor Police Service shall interfere with any hiring or promotional process involving an immediate relative, either directly or indirectly. This includes making any inquiries about the process, making any inquiries about how their relative fared in the process or expressing views regarding the merits of their relatives' candidacy to those involved in the process.*

*Directive 320-01 Recruitment and Selection Process*

*II. Policy Statement*

- L. No person involved in any stage of the Recruitment process involving an immediate relative of an active or retired member of the Windsor Police Service shall disclose, directly or indirectly, any information regarding the candidate's progress through the system or merits of their candidacy.*

The amended Directives were provided to the Board at the January 2021 Board meeting for information.

**FOLLOW-UP / NEXT STEPS:**

Service Directives 141-01 Conduct Requirements, 325-02 Employment Relationship Policy and 320-01 Recruitment and Selection Process are scheduled for review by the responsible manager every three years to ensure the Directive remains current, and is in compliance with relevant legislation, *Ontario Human Rights Code* and Board policies. The risk assessment and review

schedule are reassessed as well as conflicts with other Service Directives. The review also takes in to consideration and Ministry or other best practices.

### **RECOMMENDATION 35**

**The Commission recommends that the Service's senior leadership and the Board need to adopt additional measures to accurately assess the views of the Service's employees and promote morale. They include several measures earlier identified in relation to more specific systemic issues. The recommended measures are:**

- a. An anonymous survey of the Service's employees. It should be professionally designed to ascertain their views on the range of issues raised by fellow employees during this Review. Its design should be informed, in part, by the issues set out in this Report.**
- b. Exit interviews of every departing employee to be conducted by the Chief or if necessary, the Deputy Chiefs.**
- c. The survey and the exit interviews should inform additional steps to be taken to promote good morale.**
- d. The development of a robust communications strategy, including greater dialogue between the Chief/ senior leadership and employees about the Service's direction. Misperceptions persist at the Service due to poor communication, at times, between senior leadership and all employees.**
- e. True training for supervisors on how to be supervisors. Some of the systemic issues identified in this Report could have been mitigated if supervisors had a better understanding of how to supervise those under their command. The Commission supports enhanced training for supervisors, including presentations on how to have difficult conversations with those under their command. It also supports regular meetings between supervisors and those under their command. These will enhance these relationships, increase accountability and avoid some of the concerns expressed by officers who met with the Commission. The challenge is to avoid simply "checking a box" by adopting inadequate training or education of supervisors on how to be supervisors. The inadequacy of this training was identified as an issue by a number of senior officers. The Service must also promote sustainable performance management through policies and procedures on what performance management looks like, along with appropriate Board oversight with defined deliverables and measurements for success.**

**These measures, together with implementation of the other recommendations in this Report, viewed cumulatively, should assist in addressing the Service's morale. They are all designed to promote a respectful, harassment-free workplace that values equity and diversity, ongoing communication between senior leadership and the Service's members with appropriate supervision and oversight (pp. 60-61).**

**RESPONSIBILITY: Service**



STATUS: Completed

RELATED RECOMMENDATIONS: 6, 15

**ACTION TAKEN:**

Internal employee consultation surveys have been conducted. The 2022 WPS/WPA Employee Consultation Survey closed August 21, 2022. The Service and the Windsor Police Association are jointly facilitating the entire 2022 Annual Employee Consultation Survey process. As stated to the membership “transparent and continuous communication between all stakeholders is foundational to fostering a fair, respectful, inclusive and diverse workplace”.

Exit interviews were offered since 2019 to all personnel who either retired or resigned from the Service. Beginning in 2021; however, members were scheduled to have a meeting with the Chief as a matter of routine prior to their exit.

Both the survey and exit interviews, inform additional steps to promote good morale. It is anticipated that the results of the 2022 survey will be published internally and externally prior to the end of 2022.

On November 17, 2021 Crestview Strategy issued “Windsor Police Service Communications Playbook – Final Recommendations”. On Feb 16, 2022 applications were sought for an entry level communications expert. On April, 20 2022 the job description changed for a more fulsome Civilian Communications Expert. The new Director of Corporate Communications was hired August 29, 2022. The unit is currently in the process of expanding. In September 2022, applications were sought for a civilian communication specialist, to assist Director of Communications as this unit grows and expands its mandate.

The Service Sergeant mentoring program was first held in-house in January 2019. This course is provided in addition to the Ontario Police College Front Line Supervisor Course. The curriculum includes a segment on how to have difficult conversations. Consideration is being given to expanding this program to other ranks. The latest program ran from March 28 to April 8, 2022.

**FOLLOW UP/NEXT STEPS:**

The Service will amend and regularly review the applicable Service Directives as per Directive 160-01 Directives/Memorandums/Orders.

**RECOMMENDATION 36**

**The Commission recommends that the Service reinforce with its supervisors that members are fully entitled to seek employment elsewhere, and that there is no place for pejorative comments about those members based on their desire to depart. Such comments or similar harassment or reprisal activity should be appropriately dealt with (pp. 62-63).**



RESPONSIBILITY: Service

STATUS: Completed

RELATED RECOMMENDATIONS: 27, 35

**ACTION PLAN:**

Review Directive 364-01 Workplace Harassment and amend to reinforce with members that members are fully entitled to seek employment elsewhere, and pejorative comments constitute harassment. Include this same reinforcement in Workplace Harassment training.

**ACTION TAKEN:**

Service Directive 361-04 Workplace Violence, Harassment and Sexual Harassment was amended to address the issues identified in the Commission's recommendations. The Directive includes the following with respect to harassment and reprisal:

*2. Definitions*

*For the purposes of this Directive, the following terms are defined as follows:*

*2.13 Examples of Harassment: Conduct that constitutes Workplace Harassment and/or Workplace Sexual Harassment includes, but is not limited to:*

*a) repeated pejorative comments / conduct to, or about, members who wish to seek employment with an organization other than the Windsor Police Service;*

*3. Workplace Violence and Harassment Program & Procedures*

*3.6 The following principles will guide the Service in addressing allegations of Workplace Harassment and/or Discrimination:*

*a) complaints and incidents of Workplace Harassment and/or Discrimination, whether raised by the victim or a witness to the alleged harassment, will be acted upon promptly, impartially, judiciously, and with an appropriate level of discretion and confidentiality;*

*b) any threat or act of reprisal or retaliation against a member who makes a complaint, either formally or informally, or against any participant in the investigation of a complaint is strictly prohibited and shall be considered as a violation of this Directive, the Code and the OHSA, and will be subject to appropriate disciplinary action up to and including termination;*



*Responsibilities of Members:*

*3.11 Members shall participate in any training provided related to Workplace Harassment and/or Discrimination and shall apply the specific procedures outlined in this Directive.*

Harassment Training has been provided to new employees, initially when they join the Service. The Service has prepared an online training module which was uploaded to our online training provider, Canadian Police Knowledge Network (CPKN) in July 2021. Amended Directive 361-04 Workplace Violence, Harassment and Sexual Harassment has been posted and the training module has been launched. The mandatory training was completed by all members by October 31, 2021.

FOLLOW-UP / NEXT STEPS:

Service Directive 361-04 Workplace Harassment is scheduled for review by the responsible manager every 3 years to ensure the Directive remains current, and is in compliance with relevant legislation, *Ontario Human Rights Code* and Board policies. The risk assessment and review schedule are reassessed as well as conflicts with other Service Directives. The review also takes in to consideration and Ministry or other best practices.

**RECOMMENDATION 37**

**The Commission recommends that any relevant policy or procedures merely remind anticipated references that they do not speak for the Service and that this should always be reflected when providing a reference. There is no need for any policy, procedure, or practice that only permits a Service member to provide a reference with the Chief's approval (p. 63).**

RESPONSIBILITY: Service

STATUS: Completed

ACTION PLAN:

Amend Directive 141-01 Conduct Requirements to address this recommendation.

ACTION TAKEN:

On January 11, 2021, Service Directive 141-01 Conduct Requirements was updated to remind anticipated references they do not speak for the Service. The Directive was provided to the Board for information on January 21, 2021.

Directive 141-01 Conduct Requirements includes the following:

*II. Policy Statement*

*F. Testimonials and Advertisements:*

*Unless authorized by the Chief of Police, members shall not:*

4. *Utilize police letterhead or insignia, or otherwise represent or speak for the Service when providing any written or verbal reference or recommendation:*
  - a) *to any person concerning a current or former member,*
  - b) *to any person concerning a non-member of the Service.*

**FOLLOW-UP / NEXT STEPS:**

Service Directive 141-01 Conduct Requirements is scheduled for review by the responsible manager every 3 years to ensure the Directive remains current, and is in compliance with relevant legislation, *Ontario Human Rights Code* and Board policies. The risk assessment and review schedule are reassessed as well as conflicts with other Service Directives. The review also takes in to consideration and Ministry or other best practices.

**Conclusion**

The Windsor Police Services Board and Windsor Police Service have completed all of the 37 recommendations made by the OCPC.

The OCPC Investigation and the resulting recommendations compelled the Windsor Police Service and Windsor Police Services Board to look into the way business was being conducted with respect to the seven identified themes. The initiatives and policies that subsequently emerged are long-term in scope and have the ability to change the culture at the Windsor Police Service for the betterment of our membership and the community. The Windsor Police Service remains committed to furthering the progress identified in this report and into the future.

