

LONDON POLICE SERVICES BOARD POLICY

LPSB Policy: 100

Title: Proceedings of Meetings

Amended: May 19, 2005

Amended: April 20, 2006

Amended: May 18, 2006

Amended: March 22, 2007

Amended: April 19, 2007

Amended: November 16, 2020

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1. Policy:

It is the policy of the London Police Services Board (hereinafter referred to as the "Board") with respect to rules governing proceedings and administration that:

1. The Board is responsible for the provision of adequate and effective police services including law enforcement, crime prevention, assistance to victims of crime, emergency response, and public order maintenance for the City of London;
2. The Board shall establish policies for the effective management of the police service under the *Police Services Act*;
3. It is the responsibility of the Board to direct the Chief of Police to develop operating procedures to ensure the effective operation of the London Police Service in accordance with objectives, priorities, and policies of the Board; and
4. The Board shall enact **Administration of the Proceedings of Meetings Policy** (attached) to ensure the establishment of procedures under the *Police Services Act* that shall assist in the effective operation of the London Police Services Board.

- 2. Reference(s): Former By-Law 1998-1: Sections 1 through 21 inclusive. Administration of the Proceedings of Meetings Policy (Pursuant to LPSB Policy 10 (4)).**

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I DEFINITIONS

1. In this Policy:

- a) **“Chair”** or “Acting Chair” means the person presiding at the meeting;
- b) **“Administrator”** means the Administrator to the London Police Services Board;
- c) **“Board”** means the London Police Services Board and shall be composed of such members appointed under Part III of the *Police Services Act*;
- d) **“Member”** means a member of the London Police Services Board as defined in the *Police Services Act*;
- e) **“Council”** means the Municipal Council of the Corporation of the City of London.
- f) **“Committee”** means a standing, or ad hoc, committee and any other similar entity composed of individuals of the Board pursuant to the *Police Services Act*.

II APPLICATION

- 1. The rules of procedure contained in this Policy shall be observed in all proceedings of the Board and shall be the rules for the order and dispatch of business before the Board, and where applicable, in a committee of the Board.
- 2. The rules of procedure may be suspended by a vote of the majority of the Members present and voting.
- 3. All points of order or procedure for which rules have not been provided in this Policy shall be decided by the Chair in accordance with Robert's Rules of Order or, if Robert's Rules of Order are silent on the issue, in accordance with the Rules of Procedure for Proceedings of the Municipal Council of the Corporation of the City of London.

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III COMPOSITION OF THE BOARD

The Board shall consist of Members as determined by the provisions of the *Police Services Act*, as amended from time to time.

IV CONDUCT OF MEMBERS

1. Members shall:

- a) Treat other Members and any person appearing before, or speaking to, the Board with courtesy and respect;
- b) Speak only on the subject in debate; and
- c) Obey the rules of the Board, or a decision of the Chair, or of the Board, on questions of order or procedure or upon the interpretation of the rules of the Board.

2. If a Member persists in disobedience after having been called to order by the Chair, the Chair, in accordance with s. VII 1. j), shall forthwith put the question, no amendment or debate being allowed: "That such Member be ordered to leave their seat for the duration of the meeting of the Board."

3. If a Member who has been ordered to leave their seat apologizes to the Chair and the other Members, they may, by vote of the Members, be permitted to retake their seat.

4. No meeting of the Board shall be recorded by a Member of the Board without prior disclosure of that recording to the other Members.

5. Members shall refrain from engaging in conduct that would discredit or compromise the integrity of the Board or the Police Service.

6. A Member whose conduct or performance is being investigated or inquired into by the Commission under the *Police Services Act* shall decline to exercise their duties as a Member for the duration of the investigation or inquiry.

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7. If the Board determines that a Member has breached the Code of Conduct set out in the Regulation of the *Police Services Act*, the Board shall record that determination in its Minutes and may:
 - (a) Require the Member to appear before the Board and be reprimanded;
 - (b) Request that the Ministry of the Solicitor General conduct an investigation into the Member's conduct; or
 - (c) Request that the Commission conduct an investigation into the Member's conduct under the *Police Services Act*.

V DUTIES AND RESPONSIBILITIES OF THE BOARD

1. The Board shall be responsible for the duties as set out in the *Police Services Act*.
2. Members shall discharge their duties loyally, faithfully, impartially, and according to the *Police Services Act*, any other Act and any Regulation, Rule, or Policy, as provided in their oath or affirmation of office.
3. Members shall uphold the letter and spirit of the Code of Conduct set out in the Regulation of the *Police Services Act*, as amended from time to time, and shall discharge their duties in a manner that shall inspire public confidence in the abilities and integrity of the Board.
4. Members shall discharge their duties in a manner that respects the dignity of individuals and in accordance with the Human Rights Code and the Charter of Rights and Freedoms (Canada).

VI SELECTION OF CHAIR AND VICE CHAIR

1. The Members of the Board shall, at the first meeting held in January of each year, select Members to be the Chair and Vice Chair for the year in the following manner (unless the Chair and Vice Chair are selected by acclamation):
 - a) The election of Chair and Vice Chair shall be conducted by the immediate Past Chair, or, if they seek election, by another Member who is not seeking election. In the absence of such a Member, the election shall be conducted by the Administrator;

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- b) Nominations shall require a mover and seconder who are Members of the Board;
- c) Where more than one nominee stands for election, a vote shall be taken;
- d) Prior to the vote being taken, each nominee shall be given 10 minutes to make a presentation. Candidates shall be called upon in alphabetical order;
- e) After the presentations have been completed, the vote shall be conducted by ballot;
- f) If nominees are tied on the first vote, a ten minute recess shall be held, followed by a second vote. If on the second vote the nominees remain tied, a further ten minute recess shall be followed by a third vote. If nominees remain tied after the third vote, the election of the Chair shall be decided by lot drawn by the Administrator.

VII DUTIES OF THE CHAIR

1. It shall be the duty of the Chair to:

- a) Act as the sole Board spokesperson for the major decisions of the Board (although members remain free to publicly express their views, in their personal capacity and not speaking for the Board, respecting any matter);
- b) Represent and support the Board, declaring its will and implicitly obeying its decision in all things;
- c) Set the agenda;
- d) Open the meeting of the Board by taking the chair and calling the Members to order;
- e) Receive and submit, in the proper manner, all motions presented by the Members;
- f) Put to vote all questions, which are duly moved, and to announce the results;

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- g) Decline to put to vote motions which infringe upon the rules of procedure or which are beyond the jurisdiction of the Board;
- h) Restrain the Members, when engaged in debate, within the rules of procedure;
- i) Enforce, on all occasions, the observance of order and decorum by the Members;
- j) Call by name, any Member persisting in breach of the rules of procedure and, following the procedure set out in s. VII 2, to order them to vacate the room in which the meeting is being held;
- k) Inform the Board on any point of order as necessary;
- l) Adjourn the meeting, upon motion duly moved, when business is concluded;
- m) Adjourn the sitting, if they consider it necessary because of grave disorder, without the question being put, or to suspend the sitting for a time to be specified by them;
- n) Sign all documents for, and on behalf of, the Board, including but not limited to, by-laws, resolutions, orders and agreements which have been approved by the Board; and
- o) Vote (except if otherwise disqualified) on all questions.

A decision of the Chair (or Vice Chair) may be appealed to the full Board by motion made immediately after the decision appealed from and the decision may be overturned upon a majority vote of the Board including the Chair. In the event of a tie vote, the appeal shall be deemed to be defeated.

VIII DUTIES OF THE VICE CHAIR

1. The Vice Chair shall act in the absence of the Chair and shall have the same authority while presiding at the meetings as the Chair would have had if present.

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IX DUTIES OF THE ADMINISTRATOR

1. It shall be the duty of the Administrator to:
 - (a) Attend all meetings of the Board and to record the minutes, orders, and requests of all such meetings;
 - (b) Notify Members of each regular meeting and of special meetings of the Board called pursuant to s. XI;
 - (c) Give notice to Members of all meetings thereof other than those fixed by adjournment, said notice to be telephoned, mailed or delivered to each Member at his/her residence or place of business so as to be received not later than twenty-four (24) hours prior to the meeting. The notice shall be accompanied by the minutes, if any, and any other matters, so far as known, to be brought before such meeting. Lack of receipt of the notice shall not affect the validity of holding the meeting or any action taken thereat. The notice calling a special meeting shall state the business to be considered at the special meeting, and no business other than that stated in the notice shall be considered at such meeting except with the unanimous consent of the members present and voting;
 - (d) Furnish the Chief of Police with copies of all resolutions and enactments and orders of the Board as soon as possible after the meeting of the Board at which the action of the Board in respect thereof takes place, and in any event, not later than the fourth day after the Board meetings;
 - (e) Forward the minutes of the Board meetings to each Member as soon as possible after the Board meeting;
 - (f) Prepare the Agenda as set by the Chair under s. VII 1. c), for regular meetings on the Friday prior to the regular meeting. Such Agenda shall be accompanied by explanatory materials as determined by the Chair in consultation with the Chief and shall be delivered to the Members' places of business or residences, depending on the members' preferences, or picked up by the Members at Headquarters if the Administrator is so advised;
 - (g) Compose all correspondence arising from the minutes of the Board meetings, unless otherwise directed;

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- (h) Maintain the Board “LPSB Special Funds” account, and to make payments from the Fund as approved by the Board in accordance with the provisions of the policy governing said account;
- (i) Draft the estimates of Board expenses, for inclusion in the Annual Operating Budget, for the approval of the Board.

X COMMITTEES OF THE BOARD

1. The Board may, at any time by resolution, appoint one or more Members to a committee of the Board to inquire into any matter within the jurisdiction of the Board.
2. Committee Members shall request assistance directly from the Chief of Police, or designate, when services are required from a member of the London Police Service to assist the committee.
3. Committees shall report upon their work to the Board at the next meeting of the Board following the holding of any committee meeting.

XI MEETINGS OF THE BOARD

1. The Board shall meet at least four times each year and shall hold its meetings on the third Thursday of every month at Police Headquarters or at such other place, or time, as may be determined from time to time by the Chair.
2. The Chair (in the absence of the Chair, the Vice Chair and in the absence of both the Chair and Vice-Chair, the Member with board seniority) shall preside at all meetings, and may at any time summon a special meeting of the Board, and it shall be their duty to summon a special meeting whenever requested by a majority of the Members. The Chair shall not cancel, or reschedule, a meeting without the consent of a majority of the Board. The Administrator shall give notice to the Members of all special meetings of the Board whenever required by competent authority and such notice shall be by telephone, delivery, or mail to each Member so as to reach their residence or place of business at least forty-eight hours before the time fixed for such meeting to be held.

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3. In the absence of the Chair or Vice Chair, a special meeting may be summoned by the Administrator upon a requisition by a majority of the Board. Such meeting shall not be called for a time which conflicts with a meeting of the Council of the City of London.
4. Members shall attend, and actively participate in, all Board Meetings.

XII PUBLIC AND IN CAMERA MEETINGS

1. All meetings of the Board shall be open to the public, subject to subsection (2) of this section.
2. The following subjects may be discussed at properly constituted closed meetings of the Board:
 - a) Intimate financial and personnel matters, where a named employee or prospective employee is involved, or where employee relations or reputations could be damaged, unless the employee or employees involved have requested that the matter be discussed in a meeting open to the public and the majority of the Board concurs;
 - b) Negotiations on salaries or working conditions of employees, and matters arising out of the administration of collective agreements;
 - c) Property matters, in which premature public disclosure could cost the public money or be prejudicial to the interests of a property owner or the City, when the acquisition or sale of property is being investigated or negotiated;
 - d) Matters in which public discussion could prejudice the Board's, or the City's, legal position or be detrimental to the Board/City in proceedings before any court or administrative tribunal;
 - e) Consideration of Awards of Merit or other outstanding achievements;
 - f) Matters that are specifically restricted by legislation regarding the protection of privacy;

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- g) Matters, the revelation of which would endanger the security of police officers, of citizens or property, or the operations of the policing services.
- 3. No person, other than Members, the Administrator, the Chief of Police and the Deputy Chiefs, and persons invited by the Board, shall attend closed meetings of the Board, and persons other than the Members shall vacate the meetings if requested to do so by the Board.
- 4. Members shall not publicly disclose or discuss confidential information, including information which cannot be disclosed as a result of the provisions of the Ontario Municipal Freedom of Information and Protection of Privacy Act obtained in their capacity as Members.

XIII AGENDA FOR MEETINGS

- 1. Prior to each regular meeting, the Administrator, in consultation with the Chair, shall prepare and cause to be printed an agenda of all the items in the order of business set out herein, and shall ensure that the agenda, along with the minutes of the last regular meeting, is delivered to the residence or place of business of every Member not less than four days before the time appointed for the commencement of such meeting.
- 2. Any Member may cause an item to be put on the agenda, in concurrence with the Chair, and provided that it reaches the Administrator no less than 7 days prior to the time appointed for the next regular meeting.
- 3. The Board shall not consider any item of business that has not been distributed to the Members with the Agenda, except as otherwise decided by a majority of Members present and voting. The Chair shall draw such non-distributed items of business to the Board's attention early in the meeting.
- 4. The order of business referred to under s. XIII (1) is as follows: Disclosure of Interest; Passing of Minutes of the Last Meeting; Presentations; Business Arising from Minutes; Statistics; Other Business; Correspondence; Addendums and Additional Items.
- 5. Following the distribution of agenda information to all Members, the public agenda materials may be made available to the media, and to any member of the

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public requesting information. Such material to be made available no earlier than the Monday preceding the day upon which the meeting is to be held.

XIV CORRESPONDENCE AS AN AGENDA ITEM

1. Every letter, petition, and other communication addressed to the Board shall be received by the Administrator who shall:
 - a) Where, in the opinion of the Chair, the subject matter of any communication is properly within the jurisdiction of the Board, place such communication on the agenda, or in the Reading File, for the next regular meeting of the Board, to be dealt with during such meeting;
 - b) Where, in the opinion of the Chair, the subject matter of any communication is properly within the jurisdiction of the London Police Service, refer such communication to the Chief of Police for necessary action, with a report to be presented by the Chief at the next Board meeting if required.

XV QUORUM AND PROCEEDINGS OF MEETINGS

1. A quorum shall be a majority of the Members according to the *Police Services Act*.
2. As soon as possible after the hour of the meeting, and where a quorum is present, the Chair shall take the chair and call the meeting to order.
3. If a quorum is not present within thirty minutes after the time established in s. XI (1) for a regular meeting or the time fixed for a special meeting, the Administrator shall record the names of the Members then present, and the meeting shall proceed subject to the ratification at the next regular Board meeting. It shall also be noted in the minutes that a quorum was not present.
4. The Minutes of the meeting shall be recorded by the Administrator.

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XVI CONFLICT OF INTEREST

1. The Chair and Members shall be governed by the *Municipal Conflict of Interest Act*, 1983, and the agenda shall include a provision for Members to declare a conflict or conflicts of interest. The Administrator shall record in reasonable detail, the particulars of any conflict of interest disclosures made by Members, and any such record shall appear in the minutes of that particular meeting of the Board. Members declaring a conflict of interest shall immediately vacate the meeting, if it is an In Camera meeting, until the matter is no longer under consideration.
2. Members shall not use their office to advance their interest or the interests of any person or organization with whom, or with which, they are associated.
3. Members shall not use their office to obtain employment with the Board or the London Police Service for themselves or their family member;
(a) A family member in this context means the parent, spouse, or child of the person, as those terms are defined in the *Municipal Conflict of Interest Act*.
4. A Member who applies for employment with the London Police Service, including employment on contract or on a fee for service, shall immediately resign from the Board.

XVII RULES OF DEBATE

1. Before speaking to a question or motion, a Member shall address the Chair.
2. When a Member wishes to speak to any question, motion or item, they shall in an orderly fashion, attempt to obtain the Chair's attention to indicate that such Member wishes to speak, and the Chair shall keep a list of those Members who have so indicated a desire to speak. The Chair shall then recognize the Members who wish to speak in the order in which their intentions have come to the Chair's attention and appear on the list.
3. When two or more Members indicate their intention to speak, the Chair shall recognize the Member who, in the Chair's opinion, first indicated their intention to speak, as the Member who may speak to the question or motion first.

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4. When a Member is speaking, no other Member shall interrupt that Member except to raise a point of order.
5. A Member may require the question or motion under discussion to be read at any time during the debate, but so as not to interrupt a Member who is speaking.
6. A Member shall not speak more than once to the same question or motion without leave of the Chair, except to explain a part of their speech which they feel may have been misconstrued, but shall not be permitted to introduce any new matter.
7. Notwithstanding s. XVII (4), a reply may be made by the Member who has presented a motion to the Board, following the conclusion of the speeches of the other Members.
8. No Member shall speak to the same question or motion, or in reply, for more than three minutes, without leave of the Board.
9. After a question is put by the Chair, no Member shall speak to the question nor shall any other motion be made until after the vote is taken and the result has been declared.

XVIII MOTIONS

1. Wherever possible, the actions and decisions of the Board shall be effected by means of motion or resolution. A motion shall be moved and seconded before being discussed or being put to a vote.
2. The Administrator shall repeat a motion before a vote is taken if required to do so by a Member.
3. After a motion has been moved, it may be withdrawn by the mover at any time before a vote is taken.
4. A motion properly before the Board for decision must receive disposition before any other motion can be received, except motions to:
 - i) Adjourn
 - ii) Amend

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- iii) Refer
 - iv) Suspend the rules of procedure
 - v) Table the question
 - vi) Vote on the question
5. A motion to adjourn the meeting may be made at any time except when:
- a) A Member is speaking or during the taking of a vote;
 - b) The question has been called; or
 - c) A Member has already indicated to the Chair that they desire to speak on the question.
6. When a motion to adjourn is resolved in the negative, it cannot be made again until the Board has conducted further proceedings.
7. A motion to amend:
- a) Shall be relevant to the question to be decided; and
 - b) Shall not be received if it, in essence, constitutes a rejection of the main question.
8. A motion to refer the question shall include:
- a) The name of the committee, other body or official to whom the question is to be referred;
 - b) The terms upon which the question is to be referred; and
 - c) A debate only in respect of the desirability of referring the question and the terms of the referral, and no discussion of the main question or an amendment thereto shall be allowed until after its disposition.
9. After any question, except one of indefinite deferment, has been decided by the Board, any Member who was present and who voted in the majority may, at a subsequent meeting of the Board, move for the reconsideration thereof, provided due notice of such intention is given as required by the Policy, but no discussion of the main question by any person shall be allowed unless the motion to reconsider has first been adopted.
10. No question shall be reconsidered more than once at a meeting of the Board.

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11. Outstanding Motions & Inquiries

- (a) Inquiries made at a meeting of the board may be introduced verbally or in writing and shall be recorded in the minutes of the meeting.
- (b) Following each Board meeting the Board Administrator will place board motions requiring action on the Outstanding Board Motions and Inquiries Report, assign a tracking number to each item and forward them to any person* assigned responsibility for responding.
- (c) The response shall be submitted in writing to the Board Administrator for inclusion in an upcoming Board agenda.
- (d) The Board Administrator shall keep a record of all inquiries and motions requiring a response and shall submit a list of outstanding inquiries and motions to the Board at each regular Board meeting.

* Refers to Board members, Chief or Deputy(s), Board Solicitor or Board Administrator.

XIX VOTING ON MOTIONS

- 1. A motion shall be deemed to have been carried when a majority of the Members present and voting have expressed their agreement with the question.
- 2. When the Chair is satisfied that a question contains distinct proposals, or upon the request of a Member, the Chair may divide the question, and the vote upon each proposal shall be taken separately.
- 3. If a Member present abstains from voting when a question is put, they shall be deemed to have voted in the negative, except where the Member is prohibited from voting by statute.
- 4. When a recorded vote is requested by a Member, or is otherwise required, except during the In-Camera session of the meeting, the Administrator shall record the names and vote of every Member on the question. During a recorded vote, all Members may vote including the Chair.
- 5. Any question on which there is an equality of votes shall be deemed to have been decided in the negative.

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6. Members, on occasion, may be contacted for emergency approvals on matters requiring the immediate approval of the Board, where there is insufficient time to await the next regular Board meeting or to call a special meeting of the Board. In these circumstances the Administrator shall:
 - a) Contact Members by the most appropriate means, including telephone, fax, hand delivery, or email;
 - b) Make available to each Member, wherever possible, all materials relevant to the decision to be made;
 - c) Request that Members, upon review of relevant material, convey approval/disapproval by telephone, fax, hand delivery, or email; and
 - d) Upon receipt of approval by majority of Members, convey approval to appropriate Department.

XX HEARING OF DELEGATIONS

1. Delegations shall be heard only at regular meetings, and with the consent of the Chair or a majority of the Board, and provided that the person(s) requesting a delegation has provided written notice of their request at least ten (10) days before the date of the Board meeting. The request shall also include a list of person(s) who shall be appearing before the Board and a copy of the materials that shall be presented. Delegations shall be restricted to presentations of ten (10) minutes and shall address their remarks to the stated business. Notwithstanding the foregoing, the time allotted for any delegation may be extended an additional five (5) minutes at the discretion of the Chair.
2. Upon receipt of the written notice requesting a delegation, the Administrator shall list the delegation on the next appropriate meeting agenda.
3. Upon the completion of the presentation to the Board by a delegation, any discourse between Members and the delegation shall be limited to Members asking questions for clarification and obtaining additional, relevant information only. Members shall not enter into debate with the delegation respecting the presentation.
4. No Delegation shall:

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- i) Speak disrespectfully of any person;
 - ii) Use offensive words or unparliamentary language;
 - iii) Speak on any subject other than the subject for which they have received approval to address the Board; or
 - iv) Disobey the rules of procedure or a decision of the Chair.
5. The Chair may curtail any delegation, any questions of a delegation, or debate during a delegation, for disorder or any other breach of this policy and, where the Chair rules that the delegation is concluded, the person or persons appearing shall immediately withdraw.

XXI POLICIES

- 1. The Chair may direct, at the request of a Member, that every policy, when introduced upon motion by a Member, or any number of policies introduced together in one motion, be addressed separately.
- 4. Every policy, when introduced, shall be in typewritten form and shall contain no blanks except as may be required to conform to accepted procedure or to comply with the provisions of any Act, and shall be complete with the exception of the number and the date of the policy.