



## Middlesex OPP Detachment Board Rules and Procedures

### 1. Definitions

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- 1.1. For the purpose of the Rules and Procedures, the following definitions shall apply:

**“Act”** means the *Community Safety and Policing Act, 2019*, S.O. 2019, c. 1, as amended.

**“Agenda”** means the order in which business is conducted at a meeting.

**“Board”** means the Middlesex OPP Detachment Board.

**“Chair”** means the member elected as Chair of the board or the presiding officer of the Meeting.

**“Closed Session”** means a meeting of the board from which members of the public shall be excluded, and shall be held in accordance with the provisions of subsection 44 of the *Act*.

**“Detachment Commander”** means an Ontario Provincial Police Detachment Commander reporting to the Middlesex OPP Detachment Board.

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

**“Member”** means a member of the Middlesex OPP Detachment Board.

**“Quorum”** means a majority of the members of the board pursuant to the *Act*.

**“Rules and Procedures”** means the Rules and Procedures established in accordance with subsection 46 of the *Act*;

**“Secretary”** means the Secretary of the Middlesex OPP Detachment Board.

**“Vice-Chair”** means the Member elected as the Vice-Chair of the board and to act as the Chair in their absence.

## **2. Application**

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- 2.1 The rules in this Rules and Procedures apply to all proceedings of the board and must be observed at all times. In the event of conflict between this Rules and Procedures and legislation, the provisions of the legislation prevail to the extent of the conflict.
- 2.2 The Chair, and in the absence of the Chair, the Vice-Chair shall decide all points of order or procedure for which rules have not been provided, and shall do so in accordance with the rules of parliamentary procedure as contained in Robert's Rules of Order.
- 2.3 The board may waive any rules of procedure as it considers appropriate by 2/3 vote.
- 2.4 Notwithstanding Section 2.3, the board cannot waive the following rules:
  - a) Meetings are open to the public; and
  - b) Quorum is necessary for board meetings.

## **3. Selection of Chair and Vice Chair**

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- 3.1 The members of the board shall, at the first meeting in each year, select from amongst its members, a Chair and Vice Chair.
- 3.2 The election of Chair shall be conducted by the Secretary.
- 3.3 The election of the Vice Chair shall be conducted by the Chair.

## **4. Agenda**

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- 4.1 The Board Secretary will prepare an agenda for the use of the members at the meetings of the board.
- 4.2 For a regular board meeting, below is the general order of business:
  - 1) Call to Order
  - 2) Declarations of Conflict(s) of Interest
  - 3) Approval of Minutes from Previous Meeting(s)

- 4) Presentations
- 5) Detachment Commander Report
- 6) Reports to the Board
- 7) Correspondence
- 8) New Business
- 9) Closed Session (if required)
- 10) Adjournment

- 4.3 Any member may submit an item to be put on an agenda provided that it is received by the Board Secretary prior to the agenda deadline and subject to Board Secretary and Chair approval.
- 4.4 The agenda for each regular meeting will be available to each member at least seven (7) days before the scheduled meeting. The agenda shall be posted publicly on the Detachment Board's website(s).
- 4.5 The Board will deal with matters in the order established by the order of business as shown on the agenda. The Chair may, at their discretion, alter the established order to facilitate the business of the meeting.
- 4.6 Any member may add new business to the agenda after the agenda deadline if it relates to an urgent matter and the board consents to the addition.
- 4.7 The Chair will use their reasonable efforts to satisfy the notice provisions set out in this section. Failure to satisfy any of the notice provisions contained in this section does not invalidate the meeting or any proceeding at the meeting.
- 4.8 Every letter, petition, and other correspondence addressed to the board shall be received by the Secretary of the board who shall:
  - a) where, in the opinion of the Secretary, the subject matter of any communication is properly within the jurisdiction of the board, place it on the agenda for the next regular meeting of the board to be dealt with during such meeting;
  - b) where, in the opinion of the Secretary, and confirmed by the Chair, the subject matter of any communication is properly within the jurisdiction of the Police Service, shall refer it to the Detachment Commander for necessary action and a report presented at the next board meeting if required.
- 4.9 Personal information and opinions in communications are part of the public record unless the author of the communications specifically requests the

removal of their personal information when submitting it. Requests for removal of information are at the discretion of the Board Secretary, and personal information in this context does not include the name/author of the communication, as communications will not be anonymous.

## **5. Minutes**

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- 5.1 The Board Secretary will record, without note or comment, all resolutions, decisions, and other proceedings of the board.
- 5.2 Unless otherwise decided by the board, the minutes of each Board meeting will be submitted for confirmation or amendment to the Board at its next regular meeting or as soon thereafter as is reasonably practicable.
- 5.3 The approved public minutes of the board will be posted on the board's website.

## **6. Regular Board Meetings**

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- 6.1 The regular meetings of the board will be held at least four times each year pursuant to Section 43(1) of the Act, or more frequently at the direction of the board or call of the Chair.
- 6.2 The board will hold its regular meetings according to the schedule and locations set annually and approved by the Board, or at such other place or time as may be determined by the board. Regular meetings are open to the public unless otherwise closed pursuant to Section 44 of the Act.
- 6.3 The Chair will preside at all board meetings. In the event the Chair does not attend a meeting within thirty (30) minutes after the time appointed for the meeting, the Vice-Chair will call the members to order and will preside until the arrival of the Chair. If the Chair and Vice-Chair are not in attendance, then those members in attendance will, by resolution, appoint one of themselves to act as Acting Chair for that meeting or until the arrival of the Chair or Vice-Chair.
- 6.4 The board may alter the meeting schedule as it considers necessary.

## **7. Special Board Meetings**

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- 7.1 The Chair may, at any time, call a special meeting of the board on twenty-four hours' notice and will do so whenever requested in writing by a majority of the members of the board.

- 7.2 The Board Secretary may give notice of special meetings to the members of the board by electronic means.
- 7.3 The notice calling a special meeting of the board will state the business to be considered at the special meeting and no business may be considered at a special meeting of the board other than that specified in the notice, unless approved by the board.
- 7.4 Notwithstanding any other provision contained in this section, the Chair may cancel a special meeting if they called the meeting. The Chair may only cancel a special meeting that was requested by the members if a majority of the members consent to the cancellation.

## **8. Closed Session Meetings**

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- 8.1 The board may move into a closed session specifically called for that purpose, if the subject matter being considered is in accordance with Section 44 of the Act.
- 8.2 No people other than members and those permitted by the board will attend closed session meetings, and all others will vacate the meetings when asked by the Chair.
- 8.3 All information pertaining to a confidential meeting will be treated as confidential by all persons in attendance unless the board agrees to disclose it publicly.
- 8.4 During a closed session meeting, the board may move any item from the closed session agenda to a public agenda.
- 8.5 Before holding a meeting or part of a meeting that is to be closed to the public, the board shall approve a motion stating the following:
  - a) The fact that the meeting will be closed to the public;
  - b) The reasons the board has determined it is necessary to exercise its' discretion to close the meeting to the public; and,
  - c) The general nature of the matter to be considered at the closed meeting.
- 8.6 The agenda for a closed session meeting shall be distributed to members of the board (confidentially) as early as possible prior to the meeting.
- 8.7 No vote shall be taken at a meeting which is closed to the public unless the vote is for procedural matters or giving directions or instructions to officers, employees, or agents of the board.

- 8.8 The Board Secretary shall record in the minutes of the meeting the reason for the board going into a closed session.
- 8.9 The Board Secretary shall record all vote(s)/direction(s) provided during a closed session which relate only to the direction provided by the board.
- 8.10 The minutes are the official record of the Closed Session Meeting.
- 8.11 Upon coming out of a closed session, the Chair shall verbally, or by motion, report the progress made during the closed session. If there is nothing to report, the Chair shall state that.
- 8.12 The rules governing the procedure of the board and the conduct of its members shall be observed in a closed session so far as they are applicable.

## **9. Quorum**

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- 9.1 Greater than 50% of the OPP Detachment Board members eligible to vote and not excluded by legislation shall constitute quorum.
- 9.2 As soon as possible after the hour fixed for a meeting of the board, and where a quorum is present, the Chair will take the chair and call the meeting to order.
- 9.3 If quorum for a board meeting is not present within thirty (30) minutes of the time fixed for the commencement of the meeting, or the resumption of a meeting after an adjournment or recess, the Board Secretary will record the names of the members present and the meeting will stand adjourned until the time identified in a motion to “fix the time to which to adjourn”, or the next regular meeting of the board.
- 9.4 If quorum is lost during a meeting of the board, the Chair will, upon determining that quorum is not present, request the Board Secretary to call for a quorum period of fifteen (15) minutes, or until a quorum is present, whichever is sooner.
- 9.5 If there is still no quorum of the Board after fifteen (15) minutes, the meeting will stand adjourned and the Board Secretary will record the names of the members present. In this case, all unfinished business will be carried forward to the next meeting of the board.

## **10. Electronic Meetings**

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- 10.1 The Board may, at the direction of the Chair, hold a regular or special meeting

where some or all members participate electronically and are not physically present at the same location.

10.2 Electronic participation shall mean participation by teleconference or video conference.

10.3 Where a meeting is held in accordance with section 10.1:

- a) notice of the meeting and instructions on how members of the public can view and/or participate in the meeting will be included in the agenda and/or notice for the meeting;
- b) any member participating in the meeting electronically will be deemed present for the purposes of quorum and voting under the Rules and Procedures, and for all other purposes;
- c) the Rules and Procedures will apply to the meeting with any other necessary modifications as may be required.

10.4 In the event of technical failure during the meeting, the board may take a recess of not more than ten (10) minutes to allow staff to reinstate the electronic participation. If a member of the board can no longer participate by electronic means, it will not affect the validity of the meeting or decisions made prior to the technical failure.

## **11. Code of Conduct and Conflict of Interest**

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11.1 Board members will be governed by the *Community Safety and Policing Act, 2019*, as amended and O. Reg. 409/23 as it relates to the code of conduct and conflict of interest of members.

11.2 Members shall declare any conflicts of interest and recuse themselves from discussions or decisions where such conflicts exist.

## **12. Rules of Procedure**

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12.1 Members shall be recognized by the Chair before speaking.

12.2 All decisions of the board shall be made by motion, which must be moved and seconded by members.

12.3 A motion that has not been seconded will not be recorded in the minutes.

12.4 Each member shall have one vote. In the event of a tie, the motion is defeated.

12.5 Robert's Rules of Order Newly Revised shall be used as a guideline to address

procedural issues not explicitly covered by the Rules and Procedures.

- 12.6 Where there is a conflict between the Rules and Procedures and Robert's Rules of Order, the provisions of the Rules and Procedures shall prevail.

### **13. Enactment and Review**

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- 13.1 The Middlesex OPP Detachment Board Rules and Procedures shall come into force and effect once approved by resolution.
- 13.2 This Middlesex OPP Detachment Board Rules and Procedures will be reviewed, at minimum, once per term within the first year of the term, and be amended as necessary.