

POLICY REGARDING A PERFORMANCE REVIEW SYSTEM FOR THE CHIEF OF POLICE

WHEREAS section 31(1) of the *Police Services Act* provides that a board “is responsible for the provision of adequate and effective police services in the municipality and shall . . . (b) generally determine, after consultation with the chief of police, objectives and priorities with respect to police services in the municipality; (c) establish policies for the effective management of the police force; (d) recruit and appoint the chief of police and any deputy chief of police, and annually determine their remuneration and working conditions, taking their submissions into account; [and] (e) direct the chief of police and monitor his or her performance”;

AND WHEREAS the Kingston Police Services Board wishes to establish a policy for the Chief of Police Performance Review System to provide a framework for discussing and monitoring the Chief’s performance against expected job outputs and the achievement of results;

NOW THEREFORE the Kingston Police Services Board enacts as follows.

1. Definitions

1.1. In this policy the following definitions apply.

- (a) “Act” means the *Police Services Act*, RSO 1990, c.P.15, and amendments thereto.
- (b) “Board” means the Kingston Police Services Board, the governing authority for the police service of the city of Kingston, with a majority of the members of the Board constituting a quorum in accordance with section 35(2) of the Act.
- (c) “Board Policy Manual” means the manual of policies and procedures maintained by the Board for the effective management of the Kingston Police pursuant to section 31(1)(c) of the Act.
- (d) “Chief of Police” means the Chief of Police for the Kingston Police.
- (e) “Police service” means the Kingston Police.

2. Board Policy

2.1. The Board recognizes that reviewing the performance of its chief of police is an important governance responsibility legislated by the Police Services Act and that it is integral to the Board’s strategic planning process and good governance of the police service.

2.2. The Board is committed to establishing and participating in a Performance Review System for its chief of police that promotes individual excellence and increases mutual understanding and communication between the Board and the Chief of Police.

2.3. Ideally, the formal assessment will ensure open communication is maintained and the well-being of the police service is fostered through mutual trust and planning. Furthermore, the Board expects the Chief of Police to achieve significant results each year and, in doing so, to improve the quality of policing services to the citizens of Kingston.

2.4. Additionally, less formal but progressive periodic discussions should be maintained with the Chief of Police throughout the annual review period, to keep abreast of performance and provide an opportunity for mutual input.

2.5. The goal of the Performance Review System is to provide the Board with a formal opportunity to assess the results achieved by the Chief of Police in implementing the Board's strategic plan and specific objectives set at the beginning of each annual review period.

3. General Principles

3.1. A performance review system is an annual requirement intended to support and reinforce the achievement of the priorities, goals, and objectives outlined in the Board's strategic plan and general expectations that the Board has of its chief of police.

3.2. The Performance Review System consists of four components:

- (a) the Position Description for the Chief of Police;
- (b) a Performance Plan that sets out the objectives and expected accomplishments for the year under review;
- (c) a Performance Review Questionnaire, with rationale and instructions; and
- (d) a finalized Performance Review that includes a Performance Plan for the next review period.

3.3. The Performance Review System adopted by the Board is based on the system developed by the Ontario Association of Police Services Boards but modified to reflect the duties and responsibilities of the Chief of Police.

3.4. In reviewing the performance of the Chief of Police, monitoring processes and reporting requirements contained in the Board Policy Manual under Section 2, Board–Chief Linkages, and Section 3, Chief's Requirements, shall also be taken into consideration.

4. Process

4.1. At the start of each annual review period, the Chief of Police and the Board will jointly complete a Performance Plan to determine the objectives and expected accomplishments for the year. For newly appointed chiefs of police, this will occur at the commencement of the appointment; for incumbent chiefs of police, this will occur as part of the annual Performance Review. This Performance Plan will form the basis for the Performance Review and may also include training and development objectives.

4.2. Six weeks before the end of the annual review period, the Chief of Police will be provided with a Performance Review Questionnaire template that has been populated with the objectives and expected accomplishments as outlined in the Performance Plan. The Chief of Police will report on accomplishments realized during the reporting period, as well as prepare a draft Performance Plan, by completing the template in the defined areas and returning the questionnaire to the Board Secretary.

4.3. A month before the end of the annual review period, a copy of the Performance Review Questionnaire annotated with the accomplishments reported by the Chief of Police and a draft Performance Plan from the Chief of Police will be circulated to all Board members. Each Board member shall complete the questionnaire in the defined areas and return it in a sealed envelope (or, if completed electronically, in a confidential e-mail) to the Board Secretary within a specified time-frame.

4.4. The completed questionnaires shall be delivered to the Board Chair, who will review and compile one Performance Review for the Chief of Police, including any comments from Board members. The Chair shall also compile a draft Performance Plan for the coming year based on Board member input from the completed questionnaires.

4.5. Once the Performance Review has been compiled, it and the Performance Plan for the following year shall be discussed by the Board at a “Board only” meeting. Following this meeting, the Chair will meet with the Chief of Police to discuss the Performance Review and to discuss the Performance Plan for the next review period, with a view to finalizing it.

4.6. The Chair shall report back to the Board on the meeting with the Chief of Police and seek final approval for the Performance Review and Performance Plan. Following final Board approval, the finalized Performance Review and Performance Plan will be provided to the Chief of Police.

4.7. As a result of changing circumstances, the Board and/or Chief of Police may wish to revisit the Performance Plan during the year. In the interests of continual monitoring of the objectives in the Performance Plan, the Chief of Police will be provided with an opportunity during the in-camera session of regular meetings to notify the Board of ongoing progress and/or any barriers to achieving the objectives.

4.8. The Board reserves the right to meet with the Deputy Chief or others with whom the Board may have individual employment agreements as to their performance reviews by the Chief of Police.

4.9. Performance reviews are also used as a basis on which to determine the remuneration and working conditions of the Chief of Police and Deputy Chief, in accordance with section 31(1)(d) of the Act.

4.10. The Board has the authority and responsibility to meet with the Chief of Police and Deputy Chief to discuss performance outside the regular schedule of performance review as may be required.

5. Commencement

5.1. This policy comes into force and effect on the day that it is passed.

ADOPTED AND PASSED by the Kingston Police Services Board this 21st day of October, 2021, by Resolution No. 21-64.

Chair

Secretary