



Kingston Police Service Board

Public Agenda Recommendation Report

To: Chair and Board Members
From: Lorie Sargeant, Board Administrator
Subject: Code of Conduct for Police Service Board Members Policy
Date: April 16, 2025

Recommendation:

That the Kingston Police Service Board adopt the proposed Policy on Code of Conduct for Police Service Board Members as attached to Report Number 25-25.

Introduction and Background:

Section 25(6) of the *Community Safety and Policing Act, 2019* (CSPA) states the “Every member of a police service board shall comply with the prescribed code of conduct.” The prescribed code of conduct is set out in Ontario Regulation 408/23: Code of Conduct for Police Service Board Members.

This regulation outlines the expectations, responsibilities, and ethical standards required for all board members in the performance of their duties. It is intended to support accountability, professionalism, and public trust in the oversight of policing.

Discussion/Analysis:

In support of this statutory requirement, the Policy & By-Law Committee has prepared a policy that formally incorporates the provisions of Ontario Regulation 0/23 into the Kingston Police Service Board’s policy framework. The purpose of the policy is two-fold:

1. To bring the Code of Conduct to the direct attention of board members; and
2. To serve as a reminder of the members’ obligations to comply with the Code as part of their role on the Board.

Adopting this policy provides a clear point of reference for board members and reinforces our shared commitment to ethical oversight and accountability.

Attachments:

Schedule "A" – Code of Conduct for Board Members (Draft)

Contacts:

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Consultation:

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KINGSTON POLICE SERVICE BOARD

Code of Conduct for Police Service Board Members Policy (GP-02)

Adopted::

Reviewed:

Revised:

Expires: Indefinite

Rescinds:

Legislation: Community Safety and Policing Act, 2019

O. Reg. 408/23: Code of Conduct for Police Service Board Members

1. **Preamble:**

The Board Members Code of Conduct (the Code) sets out the standards of conduct of Board members appointed to the Kingston Police Service Board (the Board).

It is the policy of this Board that Board Members familiarize themselves and comply with *Ontario Regulation 408/23 - Code of Conduct for Police Service Board Members* and this Policy.

Board Policy:

1. **Conduct Becoming of a Board Member:**

- a) A member of the Board shall not conduct themselves in a manner that undermines or is likely to undermine the public's trust in the Board or the Police Service maintained by the Board. A member of the Board shall not be subject to discipline for a contravention of this section if, on a balance of probabilities, their conduct was in the good faith performance of their duties as a Board member;
- b) A member of the Board shall comply with the *Community Safety and Policing Act (CSPA)* and the *Regulations* made under it;

- c) A member of the Board shall not, by act or omission, conduct themselves in a manner that is likely to cause the Board to fail to comply with the *CSPA or the Regulations* made under it;
- d) A member of the Board shall comply with any rules, procedures and by-laws of the Board;
- e) A member of the Board shall not substantially interfere with the conduct of Board meetings;
- f) A member of the Board contravenes this code of conduct if they are found guilty of an offence under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or the *Cannabis Act* (Canada) that was committed after they were appointed as a member of the Board;
- g) A member of the Board shall not, in the course of their duties, treat any person in a manner that the member, at the time, knows or reasonably ought to know would contravene the *Human Rights Code*. A member of the Board shall not be subject to discipline for a contravention this section if, on a balance of probabilities, the member's conduct was in the good faith performance of their duties; and
- h) A member of the Board shall conduct themselves in a professional and respectful manner in the course of their duties including, without limitation, not using abusive or insulting language in the course of their duties. A member of the Board shall not be subject to discipline for a contravention of this section if, on a balance of probabilities, the member's conduct was in the good faith performance of their duties.

2. Statements and Attendance:

- a) A member of the Board shall not knowingly make false statements pertaining to the duties of a member of this Board;
- b) A member of a Board shall not purport to speak on behalf of the Board unless authorized by the Board to do so;
- c) A member of the Board shall clearly indicate when they are expressing a personal opinion when commenting on an action or omission of this Board, the police service maintained by the Board or a member of the police service;
- d) A member of the Board shall not access, collect, use, alter, retain, destroy or

disclose to any person information that has been obtained by or made available to the member in the course of their duties if doing so would be contrary to law;

- e) A member of the Board shall not disclose to the public information obtained or made available in the course of the member's duties except as authorized by the Board or as required by law. This section does not apply to information that was already made available to the public by a person who was authorized to do so prior to the member's disclosure; and
- f) A member of the Board shall attend all Board meetings unless able to provide a reasonable explanation for their absence.

3. **Misconduct and Conflicts of Interest:**

- a) A member of the Board shall disclose any conduct of another member of the Board that the member reasonably believes constitutes misconduct:
 - I. To the Chair of the Board; or
 - II. If the misconduct involves the Chair, to the Inspector General.
- b) A member of this Board shall disclose any charges laid against them under the *Criminal Code* (Canada), the *Controlled Drugs and Substances Act* (Canada) or the *Cannabis Act* (Canada) and any finding of guilt made in relation to those charges.

This section only applies to charges or findings that were made after the member's appointment to the Board.

The disclosure required by this section must be made to the person or body that appointed the individual as a member of the Board or, in the case of a member appointed by the Lieutenant Governor in Council, to the Minister;

- c) A member of the Board shall not apply for employment with the police service maintained by the Board unless they resign from the Board before applying;
- d) A member of the Board shall promptly disclose any conflict of interest:
 - I. To the Chair of this Board; or
 - II. If the conflict of interest involves the Chair, to the Inspector General.

After making the disclosure required by this section, the member shall disclose the conflict at the next meeting of this Board.

- e) A member of a Board shall not use their position as a Board member to:
- I. Benefit themselves;
 - II. Benefit one or more persons with whom they have a personal relationship;
or
 - III. Interfere with the administration of justice.
- f) A member of this Board shall not participate in discussion of or voting with respect to matters at Board meetings if the member has a conflict of interest in the matter.

4. Reporting

Any complaints regarding the conduct of the Board or a Board Member may be forwarded to the Inspector General pursuant to sections 106 or 107 of the *Community Safety and Policing Act*.

Chair

Administrator/Secretary