

SERVICE OR POLICY COMPLAINT POLICY AND PROCEDURE	
LEGISLATIVE AUTHORITY	<i>Police Act</i> , Part 11, Division 5; Provincial Policing Standard 6.1.1; OPCC Guideline on Service or Policy Complaints
DATE APPROVED	
DATE REVIEWED	
DATE AMENDED	
DATE TO BE REVIEWED	

BACKGROUND

The Surrey Police Board (the “Board”) is the decision authority for complaints regarding Surrey Police Service (SPS) services or policies. These are complaints about:

- the general direction and management or operation of SPS, or
- the adequacy or appropriateness of any of the following:
 - SPS’s staffing or resource allocation;
 - SPS training programs or resources;
 - the Chief Constable’s standing orders or policies;
 - SPS’s ability to respond to requests for assistance; or
 - internal procedures.

Complaints about SPS’s service or policies are processed by the Board in accordance with Division 5 of the *Police Act* and are distinct from registered complaints about the conduct of a sworn member that are processed by the Police Complaint Commissioner.

PURPOSE

The purpose of this policy is to foster public trust in the administration of complaints about SPS services or policies by:

- (1) Ensuring complaints are reviewed in a fair and reasonable process that includes consideration of whether the allegations indicate discriminatory policies or practices or a nexus to a human rights issue.
- (2) Determining if a complaint meets the criteria to act promptly pursuant to section 171 (1) of the *Police Act*.

- (3) Enabling the Board to seek external counsel, if required, to assist in forming a recommended course of action.
- (4) Providing assistance to complainants, if necessary, to clarify the nature and scope of the complaint and to understand the process and procedure for reviewing complaints.
- (5) Requesting information from SPS regarding particulars of incidents or policies and practices associated with the complaint, to assist the Board in forming a recommended course of action.
- (6) Providing direction to SPS, where appropriate, to begin immediate remedial action to address the complaint, including but not limited to contacting the complainant.
- (7) Taking any remedial action that is deemed adequate to respond to the complaint, including remedial action that may have already been undertaken.
- (8) Providing complainants with any assistance required to reduce or eliminate barriers to participation, promote equitable access to the complaints process for all individuals regardless of language, disability, culture, mental health or other complex social factors, and ensure the complainant can make an informed decision about whether to file a service or policy complaint or a registered complaint.

PROCEDURE FOR SERVICE OR POLICY COMPLAINTS

1. Complaints may be sent to the Police Complaint Commissioner *via* Info@OPCC.ca, to the Surrey Police Board Chair *via* info@surreypoliceboard.ca or to an SPS officers who is on duty and assigned to receive and register complaints.
2. For a complaint made to the Board Chair or an on-duty SPS officers assigned to receive and register complaints, the Board Chair or SPS officer must assist the complainant to file the complaint by reducing barriers to equitable access and providing information about the process so the complainant may make informed decisions as to the type of complaint they wish to make.
3. Upon notice of a complaint, the Board Chair will
 - a. record the complaint, including date and time when notice was received;
 - b. provide the complainant written acknowledgment notice was received;
 - c. forward a copy of the complaint to the Police Complaint Commissioner, the Chief Constable and directors of the Surrey Police Board; and
 - d. place the matter on the agenda of the next regular meeting, or, if it is received after the regular meeting agenda has been published, on the agenda of the following regular meeting.

4. Within 20 business days of receiving a complaint, the Board's Governance Committee will conduct a preliminary assessment of the complaint to determine whether it fits within the criteria for a "service or policy complaint," including whether the complaint alleges any discriminatory policies or practices, and will make recommendations to the Board at the next regular public meeting.
5. If the Governance Committee determines that more information is required from the complainant or that the complainant requires assistance to reduce or eliminate barriers to participation, the Governance Committee will assign a representative, the Executive Director or SPS member to obtain more information from or provide assistance to the complainant.
6. Complainants will be notified in writing of the date and time of the regular public meeting where their complaint will be considered by the Board.
7. The Surrey Police Board is the ultimate decision-maker about the admissibility of a complaint and, when considering a complaint, must determine which of the following actions to take in accordance with section 171(1) of the *Police Act*:
 - a. Request that the Chief Constable investigate and report on the complaint.
 - b. Initiate a study concerning the complaint.
 - c. Initiate an investigation into the complaint.
 - d. Dismiss the complaint on any of the following grounds:
 - i. the complaint is trivial, vexatious or not made in good faith;
 - ii. the complaint is filed for an improper purpose or motive;
 - iii. the complaint concerns a policy or service matter that has been appropriately resolved;
 - iv. the complaint is not about a policy or service matter that is under the general direction and management or operation of SPS or otherwise described in section 168 of the *Police Act*.
 - e. Take any other course of action the Surrey Police Board considers necessary to respond adequately to the complaint.
8. When determining which course of action is necessary to take in order to respond adequately to the complaint, the Board must consider whether the complaint includes allegations of discriminatory policies or practices.
9. If the complaint is determined to be admissible, the Board must take one or more of the courses of action set out in Article 7 of this policy and within 20 business days provide

written notice to the complainant, the Director of Police Services and the Police Complaint Commissioner of the course of action being taken.

10. If the Surrey Police Board determines that the complaint is inadmissible, the Board Chair will notify the complainant, the Director of Police Services and the Police Complaint Commissioner in writing that the complaint is not admissible for one or more of the reasons set out in Article 6 of this policy, state the grounds for dismissal, and provide reasons for the decision.
11. If the Board's decision is to request that the Chief Constable investigate and report back to the Board regarding the complaint, the Chief Constable may seek guidance at any time from the Board Chair, Vice Chair or Governance Committee Chair in completing the investigation and report for the Board.
12. The Chief Constable's report should include as much information as possible to assist the Board in assessing the complaint, including:
 - a. Relevant facts regarding issues alleged in the complaint;
 - b. Copies of relevant SPS policies and Provincial Policing Standards relating to issues raised in the complaint;
 - c. Any corrective action already implemented by SPS that is relevant to the complaint or its subject matter;
 - d. Any stakeholder or public comments regarding the subject matter of the complaint; and
 - e. Any other information that would be of assistance to the Board in assessing appropriate action to resolve the complaint.
13. The Surrey Police Board will provide periodic updates to the complainant and Office of the Police Complaint Commissioner (OPCC) as may be necessary in the circumstances, and the OPCC may request the Board provide status reports to the complainants and OPCC.
14. The Surrey Police Board may only conclude consideration of a complaint at a regular public meeting and only after it has determined that sufficient action has been taken to address the service or policy complaint fairly, reasonably and adequately.
15. Once the Surrey Police Board deems the complaint to be concluded, within 20 business days the Board Chair will provide a written report to the complainant, the Police Complaint Commissioner, the Director of Police Services and the Chief Constable that includes the decision to conclude review, reasons for the decision, any

action or actions taken, and a copy of any investigation or study report relied upon for the decision.

16. Upon receipt of the written report, the complainant has 20 business days to request a review of the Board’s decision by the Police Complaint Commissioner.
17. The Police Complaint Commissioner has 40 business days to review the Board’s decision, comment on the Board’s response to the complainant or exercise one of the powers granted under the *Police Act*, section 173(1) and publish any recommendations to the Board to examine any policies or procedures that may have been a factor for the complaint in the OPCC Annual Report.
18. If the Police Complaint Commissioner or Director of Police Services requests a review of the Board’s decision, the Board’s Executive Director will advise the Board Chair, Vice Chair and Governance Committee Chair and place the request on the agenda of the next regular public meeting or the Board Chair may call a Special Meeting of the Surrey Police Board to deal with the request if circumstances require.
19. The Board must keep minutes and records of any of its meetings, hearings or inquiries conducted in dealing with a service or policy complaint. Meetings or hearings concerning service or policy complaint matters are required to be open to the public, unless the Board Chair determines that a meeting or hearing, or a portion of a meeting or hearing, would disclose matters of public security, labour relations, a person’s financial affairs or information otherwise requested to be discussed in private.

COMPLAINT ADMISSIBILITY TRIAGE TOOLKIT

20. The Governance Committee will assess each service or policy complaint and triage them in accordance with the Surrey Police Board’s Triage Toolkit:

	Assessment Factor	Key Considerations	Decision Guide
1	Jurisdiction/Type	Is it about service or policy, not an individual’s conduct	If yes, continue. If unclear, clarify with the complainant or consult the OPCC
2	Clarity & Specificity	Does the complaint specify issues like training, policies, resources, general services	If lacking clarity, request more detail and assist the complainant. Otherwise, proceed
3	Substance/Merit	Does the complaint raise a systemic issue (e.g training gaps, policy failure, unfair or discriminatory practices)	If yes, proceed to the next stage. If trivial or filed for an improper purpose, consider dismissing with reasons

4	Risk/urgency	Does the complaint involve risk to public safety or rights?	If risk is assessed as high, consider immediate study or investigation
5	Potential Action	Is it appropriate for the complaint to be investigated internally or does the complaint raise issues that require independent investigation?	Concerns about general administration of SPS service or policies may be investigated internally in most cases. It is recommended that the Board engage an independent reviewer for complaints involving special circumstances
6	Follow-up/Reporting	How will decisions and outcomes be reported to the complainant and OPCC?	All decisions must be in writing and provided to the complainant, OPCC and Director of Police Services within 20 business days, and the complainants informed of their right to ask the OPCC to review the decision within the prescribed time frame.

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