

<b>Policy Name:</b>	<b>SERIOUS FINANCIAL COMPLAINTS</b>		
<b>Policy #:</b>	AD 2.10	<b>Last Updated:</b>	2020-09-29
<b>Issued By:</b>	HUMAN RESOURCES AND COMPENSATION COMMITTEE	<b>Approved By:</b>	SURREY POLICE BOARD
		<b>Review Frequency:</b>	AS REQUIRED

**RELATED POLICIES**

AD 2.2 Complaints and Professional Standards

AD 2.4 Internal Discipline

**1. PURPOSE**

1.1. Surrey Police Service (SPS) has adopted various policies that require Employees, Volunteers, and Contractors to conduct themselves in a professional, ethical, and honest way. The purpose of this Policy is to facilitate the disclosure of financial misconduct that is contrary to the public interest. It provides a process for Employees, Volunteers, and Contractors to report financial conduct that is not consistent with SPS policies without fear of retaliation or penalty.

**2. SCOPE**

2.1. This Policy applies to SPS Employees, Volunteers, and Contractors. It does not cover issues arising from policing as described in the B.C. *Police Act*.

**3. RESPONSIBILITIES**

3.1. The Surrey Police Board (Police Board) is responsible for establishing and sustaining a Policy for:

- i. The confidential submission by Employees, Volunteers, and Contractors of concerns/complaints regarding questionable financial matters; and

- ii. The receipt, retention, and treatment of complaints received by SPS regarding alleged fraudulent and serious financial matters.

Examples of complaints are set out in Appendix B.

3.2. The Police Board has adopted this Policy to ensure that:

- i. Complaints are received, investigated, and retained on a confidential basis in compliance with all applicable laws; and
- ii. Retaliation against or penalization of Employees, Volunteers, or Contractors for making a good-faith report of a complaint is dealt with promptly.

3.3. The Police Board has the responsibility of overseeing this Policy and for enabling compliance by Employees, Volunteers, and Contractors. The Police Board has delegated the day-to-day administration of this Policy to the "Designated Officers". Contact information for the Designated Officers is in Appendix C.

#### **4. POLICY STANDARDS**

##### **Reporting of Complaints**

- 4.1. A Complainant is required to promptly report any complaints under this Policy to a Designated Officer.
- 4.2. A Complainant wishing to report a complaint should send the complaint in writing to a Designated Officer, who will treat all disclosures in confidence and will involve only those individuals who need to know in order to investigate such complaint.
- 4.3. A Complainant may refer a complaint to the Police Board Chair, if they believe that it has not been effectively addressed after being raised with the Designated Officer, or if the complaint relates to the conduct of the Chief Constable, or if the complaint relates to the conduct of a Designated Officer. A Complainant wishing to refer a complaint to the Police Board Chair shall do so in writing in a sealed envelope marked "Confidential - For the Police Board Chair".

##### **Investigating Complaints and Reporting Results**

- 4.4. The Designated Officer(s) will review and assess the seriousness and credibility of all complaints promptly and determine, in consultation with others (if necessary), the manner in which a complaint will be investigated, use of internal and/or external resources, and who will lead such investigation. The investigation of all complaints will be monitored on an ongoing basis by the Designated Officer(s).
- 4.5. If upon the initial assessment of the complaint it appears that the complaint could materially affect the financial statements of SPS or the integrity of SPS's system of internal controls, the Designated

Officer(s) will advise the Police Board. Depending on the nature of a complaint and its materiality as determined by the Designated Officer(s), the Designated Officer(s) will keep the Police Board Chair updated on the status of the investigation to ensure compliance with regulatory requirements.

4.6. It is anticipated that the Designated Officer(s) will complete their assessment of each complaint and assign the investigation of such complaint within ten (10) business days of receipt.

4.7. Persons assigned to investigate complaints will:

- i. Treat each report of a complaint, as well as its investigation and disposition, on a confidential basis in accordance with this Policy;
- ii. Involve in the investigation only the people who need to know in order to properly carry out such investigation; and
- iii. Conduct each investigation in a timely manner.

#### **Documentation Requirements**

4.8. All complaints will be fully documented in writing by the person(s) assigned to investigate the complaint. Such documentation will be marked as "Privileged and Confidential" and will include:

- i. the original report of the complaint;
- ii. the reference number assigned to the complaint;
- iii. a summary/log of the investigation;
- iv. copies of any reports issued in connection with the complaint;
- v. a log of any communications with the Complainant; and
- vi. a summary of the disposition of the complaint.

#### **Retention Requirements**

4.9. Such documentation will be maintained in accordance with SPS's Records Retention Policy and will be available for inspection by the Designated Officer(s), the Police Board, external auditors, and external legal counsel or other advisors hired in connection with the complaint. Disclosure of such documentation to any other person, and in particular any third party, will require the prior approval of the Police Board Chair to ensure that privilege of such documentation is properly maintained.

## **5. ADMINISTRATION**

### **Confidentiality**

5.1. SPS is committed to maintaining procedures for the confidential reporting of complaints. All complaints will be treated on a confidential basis. Generally, a report of a complaint will only be disclosed to those persons who have a need to know in order to properly carry out an investigation of such complaint.

**Retaliation**

5.2. Retaliation or other action taken against any Complainant who, in good faith, reports a complaint will not be tolerated. Anyone engaging in retaliatory conduct will be subject to disciplinary action, which may include termination of employment. Engaging in retaliatory conduct may be considered misconduct under the B.C. *Police Act*.

**Expectations**

5.3. Employees who violate this Policy may be subject to disciplinary action, up to and including termination of employment. Volunteers and Contractors may have their relationship with SPS terminated.

**Policy Review Schedule**

5.4. This Policy will be reviewed and amended as required from time to time by the Police Board. Such amendments will be communicated to Employees, Volunteers and Contractors.

**Communication of the Complaints Process**

5.5. A copy of this Policy will be posted on the SPS intranet and the SPS website. This information will make clear that no Complainant will be penalized for making a good-faith report of a complaint, nor will SPS tolerate retaliation against a Complainant who makes a good-faith report of the complaint. SPS will periodically communicate reminders of the process for reporting complaints.

**Enquiries**

5.6. Any questions with respect to the general application of this Policy should be made to a Designated Officer.

## **APPENDIX A: DEFINITIONS**

“Complainant” means an Employee, Volunteer, or Contractor who has brought forward or filed a complaint under this Policy.

“Contractor” means all individuals who access the Workplace, as defined in this Policy, for the purpose of providing services or supplies to SPS on a contractual basis.

“Designated Officer(s)” means those persons designated by the Police Board to receive and process complaints under this Policy.

“Employee” means any Employee of SPS (including Members and civilian staff).

“Member” means a sworn Police Officer appointed by the Surrey Police Board.

“Supervisor” means Team Leader, Manager, Sergeant, Staff Sergeant, Inspector, Superintendent, Deputy Chief Constable, Chief Constable, and other persons acting in a supervisory capacity who are accountable for a particular area or shift on behalf of SPS.

“Volunteer” means a person serving SPS who is not an Employee, as defined in this Policy, and includes individuals serving on any board(s), commission(s) or committee(s) established by SPS.

“Workplace” means anywhere where activities directly related to the business of the SPS occur, including anywhere there is the potential for impact on the workplace or any location travelled to and for a work-related reason.

## APPENDIX B: EXAMPLES OF COMPLAINTS

For the assistance of those dealing with this Policy, these are examples of complaints which should be reported pursuant to this Policy:

- Use of SPS funds or property for an illegal, improper, or unethical purpose (examples: fraud; theft of SPS property or embezzling funds; misappropriating funds, assets or SPS information; bribes; kickbacks or influence payments; or misdirecting funds to related parties);
- Manipulating SPS accounting or audit-related records or documents (in any format, including electronic records such as emails) or destroying any SPS accounting or audit-related records or documents except as otherwise permitted or required by the SPS Records Retention Policy;
- Fraud or deliberate error in the preparation, evaluation, review, or audit of SPS financial statements;
- Fraud or deliberate error in the recording and maintaining of SPS financial records (examples: overstating expense reports; falsifying time sheets; preparing erroneous invoices; misstating inventory records or describing an expenditure for one purpose when, in fact, it is being made for something else);
- Deficiencies in or non-compliance with SPS internal accounting controls (for example, circumventing review and approval procedures);
- Misrepresentations or false statements to or by an officer, manager or accountant regarding a matter contained in SPS financial records, financial reports, or audit reports;
- Deviation from full and fair reporting of SPS's financial condition, results of operations, or cash flows;
- Efforts to mislead, deceive, manipulate, coerce, or fraudulently influence any internal or external accountant or auditor in connection with the preparation, examination, audit or review of any financial statement or record of SPS; and
- Actions that contravene SPS policies, applicable government laws, regulations and rules.

## **APPENDIX C: CONTACT INFORMATION FOR THE DESIGNATED OFFICERS**

Any updates to the contact information related to the above Designated Officers will be promptly communicated.