



Policy Name:	ACCEPTABLE USE OF COMPUTING ENVIRONMENT AND ELECTRONIC COMMUNICATIONS POLICY		
Last Updated:	October 10, 2020		Policy #:
Issued By:	Human Resources and Compensation Committee	Approved By:	Surrey Police Board
Review Frequency:	As required		

The definitions of various terms used in this Policy are as set out in Appendix A to this Policy.

1.0 PURPOSE

Surrey Police Service (“SPS”) provides an expansive computing and electronic communications environment to deliver its business model. This Policy:

- Establishes the acceptable usage practices for SPS’s computing environment and electronic communications (e.g. electronic mail, internet, intranet, phones, and other electronic systems);
- Informs SPS Employees, Contractors, Volunteers, and others of their responsibilities;
- Supports Federal, Provincial and SPS privacy and security requirements for all computing environment and electronic communications; and
- Clarifies SPS’s requirement that its electronic devices and electronic communications systems be used only for appropriate purposes.

2.0 SCOPE

This Policy applies to all users of SPS’s computing environment including, Employees, Contractors, Volunteers, and any other individual acting on behalf of or conducting business for SPS that uses SPS’s computing environment and electronic communication system for work, professional, or personal use (as defined below). SPS operational policies supplement this Policy.

This Policy applies to all equipment and systems that are owned or leased by SPS, and to personal computing equipment that is used, with authorization, for SPS purposes, regardless of physical location. This Policy is consistent with the *Police Act*, *BC Provincial Policing Standards*, *BC Human Rights Code*, federal and provincial privacy legislation, and other SPS policies.

3.0 RESPONSIBILITIES

Deputy Constable Support Services is responsible for issuing policies, directives, and guidelines on the appropriate use of SPS’s IT Resources.

Supervisors are responsible for ensuring that Employees, Volunteers, Contractors, and others are made aware of their responsibilities concerning this Policy.

Employees are responsible for reading, understanding, and complying with this Policy and for seeking direction from their supervisors if they have questions. Employees are responsible to report any suspected breach of this Policy (either personal or by another party) through the chain of command to the Deputy Chief Constable Support Services (or Designate).

4.0 POLICY STANDARDS

4.1 General

SPS's computing environment and electronic communications systems shall be used in a manner consistent with the SPS's policies, its values, and federal and provincial laws.

Any collection, access, use, transmission, or disposal of SPS related information (including records, reports, emails, data, etc.) or use of its computing environment or electronic communications systems, whether for personal or business use, may be audited, inspected, monitored or investigated to:

- (a) Maintain, repair, and manage SPS's computing environment and electronic communication systems for efficient operation;
- (b) Respond to and remediate a security or privacy incident;
- (c) Meet legal requirements to produce information;
- (d) Ensure accessibility of SPS's computing environment and electronic communication systems for the continuity of work processes;
- (e) Improve business processes and manage productivity;
- (f) Investigate reasonable concerns about user misconduct; and
- (g) Ensure compliance with legislative and Policy requirements.

4.2 Personal Use

SPS's computing environment and electronic communications are to be used for work purposes meeting appropriate professional standards. Occasional personal use of SPS's computing environment is permissible on the following basis:

- Personal use is done on personal time with no adverse effect on the individual's performance of work duties or responsibilities;
- The personal use does not violate any SPS Policy, or provincial or federal law or standard;
- No software, music, movies, entertainment videos or other unapproved bandwidth-intensive applications are viewed, downloaded or saved while connected to SPS's network or its cellular network;
- No charges are incurred by SPS for the personal use;
- There is no adverse impact on the availability of IT resources for SPS business purposes;
- It does not include accessing information for personal gain or advantage that the average citizen could not obtain from SPS; or
- No electronic communications are made which could harm SPS's reputation.

4.3 Prohibited Use

The following activities are prohibited:

4.3.1 Computing Environment – All Devices

- Any activity that is illegal or fraudulent under federal or provincial legislation;
- Unauthorized downloading, installation or copying of copyrighted material (including software) for which SPS does not have a license;
- Accessing SPS data, an SPS application or using an SPS account for a purpose other than conducting SPS business (other than as expressly authorized in Personal Use above);
- Unauthorized downloading, installing or use of unapproved software or cloud services;
- Accessing data, a system, or an account for a purpose other than conducting SPS business;
- Introduction of malicious programs into the network or server (e.g. viruses, password breakers and keystroke recorders);
- Sharing account passwords or allowing use of SPS accounts by others;
- Use of SPS's system to procure or transmit material which is not permitted under the Code of Conduct, or the Human Rights and Respectful Workplace Policy;
- Unauthorized access or use of SPS data or applications; and
- Use of unauthorized cloud services or mobile applications for conducting SPS business.

These restrictions apply to the use of any SPS computing environment at any time.

4.3.2 Electronic Communications System

- Distributing personal information or any other privileged, confidential, or sensitive information, without proper authorization;
- Sending unsolicited messages, including the sending of "junk mail/text" or , advertising material to individuals who did not specifically request such material;
- Sending or receiving inappropriate materials;
- Any form of harassment via email, telephone, texting, or any other electronic communication, whether through language, frequency, or size of messages; and
- Impersonation of another sender or another sender's email address.

These restrictions apply to the use of any SPS electronic communications at any time.

5.0 ADMINISTRATION

5.1 Audit

SPS has the right to audit its computing environment and electronic communications to ensure compliance with this Policy. Its computing environment, tools and applications are the property of SPS and are subject to the *Freedom of Information and Protection of Privacy Act*. SPS may monitor, copy, access or disclose any information that is stored, processed, received, or transmitted on its computing environment.

SPS reserves the right to access, audit, monitor, inspect, copy, store and review its computing environment, without prior notice, upon receiving a complaint of misconduct regarding inappropriate e-mail content, text or attachments, Internet usage, or the inappropriate release of confidential information.

SPS has the right to edit and remove inappropriate information or contributions to its computing environment and electronic communication systems.

5.2 Expectations

Any Employee found to have violated this Policy may be subject to disciplinary action, up to and including termination of employment. Volunteers and Contractors may be denied access to SPS's computing environment and electronic communication systems and may have their relationship with SPS terminated.

5.3 Policy Review

This Policy will be periodically reviewed, and amended as required by the Executive Team, for approval by the Surrey Police Board. Such amendments will be communicated to Employees, Volunteers and Contractors.

Appendix A - DEFINITIONS

Commercial Activity: Any transaction related to advertising or promoting goods or services, providing a business opportunity, or directing a recipient to information which is considered to have a commercial purpose.

Computing Environment: Any electronic information, information system, application, device (including PCs, laptops, mobile devices, and telephones) or other computing technology that is connected to the SPS's IT systems (including cloud-based services and mobile services).

Contractor: Individuals who access SPS Premises, as defined in this Policy, for the purpose of providing services or supplies to the SPS on a contractual basis.

Electronic Communication: Any form of digital communication including, but not limited to, email, text/short message service, instant messaging, online chat, social media posts/tweets, blogs, online video/audio posts, telephonic, faxing, and Audio/Video conferencing.

Electronic Communication System: The technology on which the electronic communication occurs.

Employee: Any Employee of SPS, including students, whether unionized or exempt. Employees may be sworn members or civilian staff.

Executive Team: The Chief Constable and the Deputy Chief Constables.

Inappropriate Material: Materials including, but not limited to, any material that is pornographic, sexual or erotic, obscene, lewd, offensive or harassing, threatening, defamatory, racially offensive, promoting of violence, hatred, abuse or neglect, or any material which can be reasonably interpreted as offensive or contravenes the BC *Human Rights Code*, the *Criminal Code* or any other Federal or Provincial laws. This includes any material that may bring the reputation of the SPS into disrepute.

Mobile Devices: Devices such as a smart phone (iPhone, Android, etc.), cell phone and tablets (iPads).

SPS Premises: Includes, but is not limited to, any property permanently or temporarily coming under the jurisdiction of SPS, including land, building, job sites, facilities, parking lots, equipment, vehicles, whether owned, leased or used by SPS and wherever located. The work site of a seconded Employee is considered an extension of their SPS workplace, and therefore SPS Premises.

SPS Property: All assets of the SPS, whether temporary, permanent, owned, leased or otherwise acquired, including real, personal or intellectual property, vehicles, chattels, materials, equipment and supplies.

Social Media: Websites and online applications that allow people and organizations to create, share, and exchange content or to participate in social networking.

Supervisor: A team leader, manager, sergeant, inspector, Deputy Chief Constable, Chief Constable, and any other person acting in a supervisory capacity who is accountable for a particular area or shift on behalf of SPS.

User: Any person authorized to access SPS e-mail or the Internet, including permanent, temporary, and term employees, contract personnel, contractors, consultants, volunteers, other personnel at the SPS, and all personnel affiliated with third parties.

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



Policy Name:	CODE OF CONDUCT		
Last Updated:	November 4, 2020		Policy #:
Issued By:	Human Resources and Compensation Committee	Approved By:	Surrey Police Board
Review Frequency:	As Required		

The definitions of various terms used in this Policy are as set out in **Appendix A** to this Policy.

1.0 PURPOSE

The Code of Conduct of the Surrey Police Service (“SPS”) addresses Employee behaviours (conduct) that may create risk for its delivery of public services and the protection of the public. SPS understands that those involved in the delivery of public services and the protection of the public must meet the highest standard of ethical behaviour to create and sustain public trust.

SPS Employees must use their best judgment to maintain the highest standards of honesty and integrity.

Compliance with the Code of Conduct obliges SPS Employees to ensure that nothing done in the discharge of their duties as SPS Employees, and nothing done in the management of their affairs outside the scope of their employment, will constitute a breach of this Policy. The requirement to comply with these standards of conduct is fundamental to SPS’s ability to carry out its mandate.

This Policy is in addition to any and all other laws, regulations, policies, procedures, directives and orders that may deal with the same subject matter and to which Employees must also comply, including the *BC Police Act*, the *Code of Professional Conduct Regulation*, and the *B.C. Provincial Policing Standards*.

SCOPE

This Policy applies to SPS Employees. This Policy provides standards for:

- Conflict of Interest
- Confidentiality
- Outside Employment
- Use of SPS Assets
- Entertainment, Gifts and Other Benefits

- Political Activity/Political Office
- Personal Relationships
- Speeches by Employees
- Intellectual Property

3.0 RESPONSIBILITIES

- 3.1** For Employees, compliance with this Code of Conduct Policy is a condition of employment. Employees have a duty to report any violation or potential violation of the Code of Conduct as described in Section 5.1 of this Policy.
- 3.2** Standards for each area of Employee responsibility under the Code of Conduct are included in this Policy. Employees with questions about this Policy, or their specific responsibilities under this Policy, should speak with their Supervisor, Human Resources, the Professional Standards Unit, or other channels as deemed appropriate by the Chief Constable.
- 3.3** Employees must act at all times in full compliance with both the letter and the spirit of applicable laws and policies. Employees will not commit or condone any unethical or illegal act or instruct another Employee, Volunteer, or Contractor to do so. Employees are expected to be sufficiently familiar with the applicable legislation and SPS policies to recognize potential liabilities and to know when to seek advice from their Supervisor.
- 3.4** Supervisors are expected to be a role model for Code of Conduct standards; ensure awareness of and compliance with this Policy; take appropriate action to promptly, impartially, and confidentially address issues covered by this Policy; seek advice and assistance on the Policy within the chain of command; and report all incidents and actions per Policy requirements.

4.0 POLICY STANDARDS

4.1 Conflict of Interest

To ensure honesty, integrity, and impartiality are beyond doubt, Employees shall not place themselves in a position where they are under obligation to any person who then might benefit from special consideration or favour, or seek in any way to gain special treatment from them. Conflict of interest may exist whether or not a remunerative advantage has been or may be conferred on an Employee.

There is a perceived conflict of interest when a reasonable person could perceive that an Employee's ability to perform a duty or function of their position was or would be affected by their private interests.

- 4.1.1 Special Treatment.** Employees must not grant any special consideration, treatment, or advantage to any person in their dealings with SPS.
- 4.1.2 Private Interests.** Employees must not represent any private interests in their dealings with SPS.

- 4.1.3 **Representation of SPS.** Employees must not represent SPS in any dealings directly or indirectly with any of their Relatives, Friends, or Business Associates.
- 4.1.4 **Influence.** Employees must not attempt to influence SPS's dealings with any of their Relatives, Friends, or Business Associates.
- 4.1.5 **Financial Obligations.** Employees shall not assume any financial obligation which might have the effect of influencing them in the impartial discharge of their duties. Employees shall discharge their financial obligations to the point where the good name of SPS will not be affected.
- 4.1.6 **Financial Benefit.** No Employee may accept, or offer or agree to accept, a commission, reward, advantage or benefit of any kind from any person who has dealings with SPS, either on their own behalf or through a Relative or other person for personal benefit.
- 4.1.7 **Lobbying the City of Surrey** (including its Council, Boards, Commissions, Committees, and Staff) is not permitted during SPS work hours or when in uniform. Employees must not use their position with SPS to influence the City of Surrey on personal matters, in any method not available to the public.

4.2 Confidentiality and Use of Information

- 4.2.1 **Duty of Confidentiality.** All Employees, through the nature of their duties and course of employment, have degrees of access to confidential material and information. Employees shall not access or disclose any confidential information without proper authorization or as required by law. Employees who are in doubt as to whether certain information is confidential must ask their Supervisor before accessing or disclosing it.
- 4.2.2 **Use of Confidential Information.** Employees must not personally benefit, or appear to benefit, from the use of information acquired because of their duties with SPS unless such information is generally available to the public.
- 4.2.3 It is expected that where Employees handle confidential public, contractor, supplier or Employee information as part of their job, that use of such information is only for legitimate business purposes and is not to be disclosed without consent/authorization, or as required by law.
- 4.2.4 This confidentiality requirement survives employment with SPS. Employees who are no longer employed by SPS are prohibited from divulging or disclosing any confidential information which the Employee received or became aware of in the course of employment.
- 4.2.5 All Employees must be aware of and adhere to the Freedom of Information and Protection of Privacy Act as it relates to the release of, or acquisition of, information in the performance of their duties.

4.3 Outside Employment/Secondary Activities

- 4.3.1 Employees' primary occupational responsibilities are to SPS. Employees shall not engage in any outside employment, any private business activities or interests, or any volunteer activity or other undertaking that could reasonably:
- a) interfere with, or negatively impact, the fulfilment of their responsibilities to, and the performance of, their duties for, SPS;
 - b) place on them demands inconsistent with their duties with SPS;
 - c) call into question their capacity to perform their duties with SPS in an objective manner;
 - d) influence or affect the manner in which such person carries out their duties with SPS;
 - e) be in conflict with their position and duties with SPS;
 - f) bring SPS or its Employees into disrepute by nature of the employment, business or undertaking, either directly or indirectly; or
 - g) provide, or appear to provide, a gain or benefit because of their position with SPS.
 - h) Involves duties with any similarity to, or relationship with, a police duty or responsibility.
- 4.3.2 **Permission:** Employees may hold outside jobs or engage in self-employment activities on their own time, using their own resources, and in a manner not adversely affecting their performance or objectivity for SPS, with the prior approval of the Chief Constable (or Designate). Employees wishing to engage in outside employment or secondary activities will submit, through the chain of command, a written request to hold outside employment, for review and determination by the Chief Constable (or Designate), and will not undertake such outside employment or secondary activities until approved by the Chief Constable (or Designate).
- 4.3.3 **Reconsideration:** If the Chief Constable (or Designate) denies a request for approval of outside employment, the Employee may submit a request for the Surrey Police Board to review that decision. The request for review will be presented by the Employee or the Employee's designate to the Surrey Police Board and the Employee will be advised of the Surrey Police Board's decision.

4.4 Use of SPS Assets

Employees may not use or request the use of any SPS property for personal benefit or profit, unless:

- (i) the property is available for such use by the public generally and the Employee receives no special preference in its use;
- (ii) the property is made available to the Employee as a matter of SPS Policy; or
- (iii) the property is made available for personal use under the terms of the Employee's Employment Contract or appointment.

SPS property shall not, under any circumstances, be used for illegal purposes or unauthorized use.

4.5 Entertainment, Gifts and Other Benefits

It is essential to efficient business practices that all those who do business with SPS, as Contractors, suppliers, or clients, not be shown any favoritism and have access to SPS on equal terms.

4.5.1 **Restriction on Gifts:** Employees must not accept or solicit, either directly or indirectly, gifts, gratuities, entertainment/hospitality, rewards, services, or other advantages or benefits from any person, in the course of their SPS employment, except as described in the following Section 4.5.2 (Permissible Gifts) and subject to Section 4.5.3 (Exception) and Section

(Compliance). Entertainment/hospitality includes invitations to attend events, or functions. Gifts and benefits include cash, preferred loans, securities, or commissions.

4.5.2 **Permissible Gifts.** Employees may accept gifts, hospitality or other benefits which meet all the following conditions:

- a) is a normal exchange of hospitality among persons doing business;
- b) is an infrequent occurrence;
- c) is a token of insignificant economic value (less than \$25) exchanged as a part of protocol;
- d) is a normal presentation made to persons participating in public functions;
- e) would not be viewed or reasonably perceived by the public as placing any obligation on the Employee or as impacting their impartiality; and
- f) does not compromise the integrity of operations or administration of the SPS.

4.5.3 **Exception.** If it is not possible or it is exceptionally difficult to decline gifts, hospitality or other benefits without offending the person involved (for example, as a result of different cultural norms), the Employee must immediately report the matter, in advance if practicable, to their Supervisor, who will advise the Deputy Chief Constable Support Services (or Designate).

4.5.4 **Compliance** Should any reward, gift, gratuity, unauthorized compensation, or other benefit come into the possession of SPS or an Employee which does not fall within the conditions set out in Section 4.5.2 (Permissible Gifts), such item will be immediately forwarded to the Deputy Chief Constable Support Services (or Designate) accompanied by a written explanation of the circumstances of its receipt. The Deputy Chief Constable Support Services (or Designate) will assess the circumstances and make recommendation to the Chief Constable, who will determine the disposition of the item (which may include return, retention, donation to charity, etc.). Full and immediate disclosure of borderline cases will generally be taken as good faith compliance with the Code of Conduct

4.5.5 It is never acceptable for an Employee to offer entertainment, gifts, or benefits in return for, or to secure, preferential treatment for SPS, or for personal gain.

4.6 Political Activity

- 4.6.1 SPS supports Employees' individual and democratic rights to engage in political activity. However, an Employee's activities must not infringe on the public's right to an impartial police service. Sworn members shall, while on duty or in uniform, refrain from any public expression of political opinion. A similar restriction is in place for civilian staff when they are performing SPS work.
- 4.6.2 An Employee may, while off duty and not in uniform (sworn member), or outside of work hours (civilian staff), attend, participate and express views on any issue not directly related to their responsibilities as a sworn member or civilian staff, as long as the Employee does not associate their position at SPS with the issue and does not represent their personal views as being those of SPS.
- 4.6.3 Other than at an SPS sanctioned event, sworn members shall not appear in uniform, either on or off duty, at any: rally; march; political or religious event; without first obtaining written approval from the Chief Constable (or Designate). Employees wishing to obtain such approval shall submit a written request, through the chain of command, to the Chief Constable outlining: the nature of the event; the identity of the organization sponsoring the event; and the Employee's affiliation to the organization. Sworn members proposing to appear at an event on behalf of SPS must clarify why it would be beneficial to appear on SPS's behalf (whether in uniform or not).

4.7 Political Office

- 4.7.1 An Employee's participation in political activity, whether an appointment to a Board or candidacy in an election, is regulated by Federal, Provincial and Municipal legislation. Appointment, candidacy, or service by an Employee is prohibited if it interferes with SPS duties or places or is likely to place the Employee in a position of conflict of interest
- 4.7.2 An Employee may not run for election or be nominated to run for political office without first taking an unpaid leave of absence. If an Employee is elected to political office resignation of employment may be required.
- 4.7.3 An Employee may not use their position or employment with SPS to actively campaign for the election of or solicit funds for a potential or a declared candidate for elected office, whether municipal, provincial or federal or to actively campaign or partake in political activity with respect to municipal, provincial or federal campaigns or elections, or work for candidates for elective office during the Employee's working hours for SPS. This section shall not affect the Employee's right to actively participate in the democratic process or participate in elections, whether municipal, provincial, or federal as a regular citizen during their own time

4.8 Personal Relationships

Employees must maintain a high standard of conduct in professional relationships with all fellow Employees and colleagues (e.g. Contractors and Volunteers). It is inappropriate for a person in a position of authority to enter into a Personal Relationship with a subordinate where there may be a conflict of interest. If a Personal Relationship exists or does occur as defined by this Policy, the intention of this Policy is that one or both parties involved will be transferred and/or reassigned.

This Policy provides a broad guideline for assessing Personal Relationships between Employees and colleagues that give rise to an actual, potential, or perceived conflict of interest between professional responsibilities and personal relationships. Situations are evaluated on a case by case basis where there may be an actual or potential conflict of interest between professional responsibilities and Personal Relationships.

- 4.8.1 **Supervisor/Person of Authority.** An Employee shall be considered the direct supervisor/person of authority of another when the responsibilities of the Employee include disciplining, evaluating, assigning work, directing, or instructing the other individual. It also includes an Employee who is responsible for approving reports of the other individual or may be required to investigate the other individual.
- 4.8.2 **Personal Relationship.** A Personal Relationship is a relationship with a Relative, Friend, or Business Associate, or a romantic and/or intimate relationship.
- 4.8.3 **Reporting.** If a Supervisor or person in authority commences a romantic and/or intimate relationship with a subordinate under their supervision, or as a result of a transfer is placed in a position whereby they are supervising anyone with whom they have a Personal Relationship, the individual must disclose in confidence the relationship to their immediate Supervisor. If the Personal Relationship may be a conflict of interest, the Supervisor should seek advice from Human Resources regarding the need to transfer and/or reassign one or both of the individuals involved.
- 4.8.4 **Job Placement.** The appointment or placement of an individual to a position of authority over someone with whom they have a Personal Relationship is prohibited, unless authorized by an exemption. Appendix B of this Code of Conduct Policy sets out the exemption process. Upon written application, the Deputy Chief Constable commanding the Division involved may authorize an exemption, if the actual or potential conflict of interest can be eliminated or appropriately minimized.
- 4.8.5 **Oversight.** An Employee who has a Personal Relationship with another individual, but is not directly supervising that individual, shall not participate in any disciplinary, complaint, or evaluation procedure involving that individual. Such matters shall be forwarded up the chain of command without comment or endorsement.

4.8.6 **Exceptions.** Individuals involved in a Personal Relationship shall not be placed in a partnership or an assignment where they will work directly with each other, except as noted below. Further, whenever practicable, individuals involved in a Personal Relationship shall not be assigned to the same Patrol District, or to the same "operational" unit when there is an overlap of shifts. The intent of this sub-section is to reduce potential conflict of interest issues arising in work settings where there may be contact with the public.

The following exceptions may require individuals involved in a Personal Relationship to be assigned to the same duty:

- a) call out;
- b) additional staffing needs required over a minimal period of time; and
- c) special events or unique circumstances.

4.8.7 Reference may be made to the Board's Human Rights and Respectful Workplace Policy regarding the issue of sexual harassment and the pursuit of Personal Relationships which may fall under that Policy.

4.9 Speeches by Employees

4.9.1 No SPS Employee may make a speech pertaining in any manner to police matters and activities to any gathering or group without first obtaining the permission of the Chief Constable.

4.9.2 An Employee may hold a position of leadership in a non-profit or professional association where they may be viewed as a spokesperson for that organization. In such situations, the Employee will ensure that when speaking on behalf of the association they are viewed as speaking for the organization and not as a spokesperson for SPS.

4.10 Intellectual Property

Employees often engage in various forms of writing, research, data collection, analysis, system development or modification, or problem solving for SPS. The product of their efforts produced within the scope of their employment belongs to SPS, whether or not the product was conducted or concluded at work.

Such work product includes computer programs, technical process, inventions, research methods, reports, articles, designs, trademarks, and any other form of innovation or development. All patent, trademark, copyright, industrial design, or other intellectual property rights, as applicable, must be assigned by Employees to SPS.

5.0 ADMINISTRATION

5.1 Duty to Report

5.1.1 **Self-reporting.** When an Employee perceives that they are or may potentially be in a position of conflict with the Code of Conduct, they must disclose the conflict in writing as follows:

- in the case of an Employee to the Deputy Chief Constable of their Division;

- in the case of an Inspector to the Deputy Chief Constable Support Services;
- in the case of a Deputy Chief Constable to the Chief Constable; and
- in the case of the Chief Constable to the Surrey Police Board Chair.

The Deputy Chief Constable, Chief Constable, or the Surrey Police Board, as the case may be, upon reviewing such written disclosure, shall determine if the Employee is or may potentially be in a position of conflict with the Code of Conduct and so inform the Employee of such determination in writing.

- 5.1.2 Third party reporting of suspected non-compliance with this Policy: Employees are required to report any conduct which they believe, in good faith and based on reasonable belief, is in contravention of the Code of Conduct. Employees are expected to report internally prior to sharing the matter externally.
- 5.1.3 Employees should report third party Code of Conduct concerns, as follows:
- Employees are encouraged to discuss the matter with the individual involved. When an Employee is not comfortable in raising the matter directly with the individual, they should report the conduct concerns to their Supervisor. If the concern is with their Supervisor, they should approach a higher level in the chain of command or Human Resources.
 - If an Employee is uncomfortable with the approach described in the previous paragraph or their concerns have not been resolved, they can report as follows: if the concerns are about another Employee, the report should be made to the Deputy Chief Constable Support Services; if the concerns are about an Inspector, the report should be made to the Deputy Chief Constable Support Services; if the concerns are about a Deputy Chief Constable the report should be made to the Chief Constable; and if the concerns are about the Chief Constable, the report should be made to the Surrey Police Board Chair.
- 5.1.4 It is the responsibility of the recipient of a report under this Policy to address the matter. Procedures for making a report, investigating a report, and reporting back to the Employee raising the matter are outlined in Appendix C - Investigation Procedure, or as otherwise required by the *BC Police Act*, other laws, and Surrey Police Board Policy.
- 5.1.5 If it has been alleged that an Employee has breached or may have breached the Code of Conduct and these circumstances have been reported in accordance with the Code of Conduct, the individual in respect of who the allegations have been made will be informed of the allegations and given the opportunity to respond to them and where appropriate to contribute to the discussions on how the breach could be remedied.
- 5.1.6 An employee who makes a knowingly false, frivolous, vexatious, bad faith or malicious report may be subject to discipline.
- 5.1.7 If an Employee raises concerns about the conduct of another and pursues another course of action (e.g. grievance under a collective agreement, Police Act complaint, etc.), SPS has the discretion to decide whether it will continue dealing with the matter under the Code of Conduct Investigation Procedure.

5.2 Making a Report

- 5.2.1 Upholding the Code of Conduct is the responsibility of every Employee. Early identification and resolution of issues that may arise is critical. Reports made under Section 5.1 of the Code of Conduct should be made in a timely manner. In most cases, the earlier a report is made the easier it is to take corrective action.
- 5.2.2 Employees are encouraged to identify themselves when making a report to facilitate the investigation of the suspected non-compliance with the Code of Conduct. While every effort will be made to respect an employee's wish to remain anonymous, no guarantee of anonymity is made.

5.3 Confidentiality

- 5.3.1 All processes under this Policy are confidential. Complainants, Respondents, Witnesses, and Supervisors must maintain confidentiality concerning Code of Conduct complaints or investigations. The Freedom of Information and Protection of Privacy Act governs rights to privacy and access to information with respect to any complaint.
- 5.3.2 If any individual knowingly discloses confidential information collected under this Policy contrary to the Policy and without proper authorization, that individual may be subject to discipline, up to and including termination of employment.

5.4 Expectations

SPS will take corrective action in response to any infraction or transgression of the Code of Conduct. Misconduct will be reviewed and may be subject to disciplinary action up to and including termination of employment, seeking restitution, commencement of civil action, instructing the Employee to divest themselves of the outside interest or transfer assets into a blind trust (proving that such divestment or transfer is done at arm's length), transferring the Employee to another position, eliminating the conflict through a prescribed course of action, or any combination thereof.

5.5 Policy Review Schedule

The Code of Conduct will be reviewed and amended as required, by the Executive Team, for approval by the Surrey Police Board. Such amendments will be communicated to Employees.

5.6 Retaliation

Retaliation for speaking out, bringing a complaint, or participating in the investigation of a complaint under this Policy is prohibited. Retaliation is a serious disciplinary offence and will not be tolerated. Retaliatory behaviour includes unjustified or unwarranted:

- Criticism of a person's job performance;
- Refusal to extend to a person an opportunity available to others;
- Refusal to work with a person; or
- Reassignment of a person to different duties or a different position.

5.7 BC Police Act. Where a complaint may constitute misconduct under the *BC Police Act*, the complaint

must be handled per the *Police Act*. In the event of inconsistency between this Policy and the *Police Act*, the *Police Act* will govern.

- 5.8 Collective Agreements.** Nothing in this Policy should be construed as depriving unionized Employees covered under collective agreements *with* SPS of their rights under those collective agreements.
- 5.9 Communication of the Complaints Process.** A copy of this Policy will be posted on SPS's intranet and its website. SPS will advise Employees of the process for reporting under the Policy on an ongoing basis.

APPENDIX A - DEFINITIONS

Business Associate: a business in which an Employee is a partner; the Relative of an Employee is a partner in a business; a corporation in which the Employee beneficially owns, directly or indirectly, more than 10 percent of the voting rights attached to the outstanding voting securities of the corporation; or a trust or estate in which the Employee has a substantial beneficial interest or for which the Employee serves as trustee.

Contractor: Individuals who access SPS Premises, as defined in this Policy, for the purpose of providing services or supplies to the SPS on a contractual basis.

Employee: Any Employee of SPS, including students, whether unionized or exempt. Employees include sworn members or civilian staff.

Friend: an individual with whom the Employee is connected by frequent or close association.

Private Interest: a pecuniary or economic interest or advantage including any real or tangible benefit that personally benefits the Employee or their Business Associate but does not include an interest arising from the performance of the Employee's official duty or function that applies to the public and that affects an individual as one of a broad class of the public, or concerns the Employee's remuneration and benefits received in that capacity.

Relative: A relative by blood, adoption or marriage and includes a Spouse, child, parent, step parent or step child, sibling, aunt, uncle, niece, nephew, in laws, grandparent, legal guardian, and any other person permanently residing in the same household or with whom the Employee permanently resides.

SPS Property: All assets of the SPS, whether temporary, permanent, owned, leased or otherwise acquired, including real or personal property, vehicles, chattels, materials, equipment and supplies.

Spouse: A person the Employee is married to or with whom the Employee is living in a marriage-like relationship, but does not include a person with whom the Employee is separated or living apart and with whom the Employee has entered into an agreement to live apart or who is a subject of a court order recognizing the separation.

SPS Premises: Includes, but is not limited to, any property permanently or temporarily coming under the jurisdiction of SPS, including land, building, job sites, facilities, parking lots, equipment, or vehicles, whether owned, leased or used by SPS and wherever located. The work site of a seconded employee is considered an extension of their SPS workplace, and therefore "SPS Premises".

Supervisor: A team leader, manager, sergeant, inspector, Deputy Chief Constable, Chief Constable, and other persons acting in a supervisory capacity who is accountable for a particular area or shift on behalf of SPS.

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

Workplace: Anywhere activities directly related to the business of the SPS occur, including any social gathering where there is the potential for impact on the workplace or any location travelled to for a work-related reason.

APPENDIX B - EMPLOYEE EXEMPTION PROCEDURE

On occasion, it may be appropriate and in the best interest of SPS to allow an exemption from the Code of Conduct that would normally be considered a breach of the Code of Conduct. The following outlines the procedure for an Employee who requests an exemption from the Code of Conduct.

PROCEDURE

1. A request for an exemption from the Code of Conduct may be made by an Employee or by a Supervisor on behalf of an Employee with the Employee's consent.
2. A Code of Conduct exemption request should be sent directly to the appropriate Deputy Chief Constable. If the request is being made on behalf of an Employee by a Supervisor, the Supervisor will provide the Employee with a copy of the request
3. The following information should be included in a request for an exemption from the Code of Conduct:
 - a) A statement outlining the specific nature of the requested exemption, including the standard of the Code of Conduct from which the exemption is requested.
 - b) A statement of relevant circumstances and materials relating to the request being made, including the name of the Employee, their job title and work assignment. This statement must be prepared and signed by the Employee.
 - c) Reasons why it may be suitable to grant an exemption.
 - d) When an exemption is requested under the Conflict of Interest provisions, a statement of the steps the Employee has taken, or will take to avoid any conflict of interest relating to the disclosed circumstances must be provided.
 - e) A statement outlining any communication the Employee has had regarding matters related to the exemption requested.
4. The Deputy Chief Constable will endeavor to acknowledge in writing that the request has been received and may request additional information.
5. The Deputy Chief Constable will consult with the Chief Constable in considering granting an exemption. A legal opinion may be sought.
6. The Deputy Chief Constable will advise the Employee in writing of the decision regarding the exemption request. If granted, the exemption may have specific conditions imposed.
7. The Deputy Chief Constable will provide the Employee's Supervisor and the Chief Constable with a copy of the exemption.

APPENDIX C – STANDARD INVESTIGATION PROCEDURE

The following outlines the procedure to be undertaken by the recipient (as defined in Section 5.1 of this Policy) of a report of a suspected violation of the Code of Conduct or by such other person who may be designated by the recipient to conduct the investigation (i.e. the investigator).

1. The recipient will consider all reports to be provided in confidence, and will disclose reports only to the extent required to adequately investigate and address the matter; required or permitted by the Code of Conduct or its procedures; or as required by law.
2. If a report is made by an identified Employee, the recipient of the report will ensure the allegation is investigated promptly.
3. If a report is made anonymously, the recipient will decide whether to conduct an investigation, considering the seriousness of the allegation, the credibility of the allegation or concern, and the likelihood that the allegation can be confirmed from an independent or reliable source.
4. The recipient will determine the extent of the investigation to be conducted, and whether a third-party investigator should be retained. The extent of any investigation into a report of suspected non-compliance will depend on the nature of the report including the substance and seriousness of the alleged non-compliance, the level of detail provided in the report, and any legal requirements.
5. Where the recipient or investigator conducts interviews associated with the investigation, they will conduct interviews in a manner that respects individual privacy and confidentiality to the extent possible. The recipient or investigator may interview witnesses identified by the Employee in the report and others who are positioned to provide information relevant to the investigation. The recipient or the investigator will interview the Employee in respect of who the allegations have been made in the report and provide that individual with an opportunity to respond to the allegations, and, where appropriate, contribute to the discussions on how any established non-compliance with the Code of Conduct could be remedied.

Disclosure when the Investigation is Completed

The recipient will ensure the Employee who made the report is notified once the investigation is completed (unless the Employee has made the report anonymously). However, due to privacy legislation, the *BC Police Act*, and other legal requirements, the recipient may not disclose to the Employee the outcome of the investigation or any actions taken in response to the report. The contents of the investigation will be kept confidential to the extent required by law and SPS Policies.

Reporting Retaliation

If Employees believe they have been subjected to any retaliation or adverse employment consequences for reporting conduct they believe is in contravention of the Code of Conduct, they may file a complaint with the recipient. The recipient will ensure that retaliation complaints are investigated and that the employee(s) who filed the retaliation complaint are notified of the outcome of the investigation.

Investigations of Allegations Against Sworn Members

Any investigation regarding a sworn member will be conducted pursuant to requirements of the *BC Police Act* and Surrey Police Board polices.

When a recipient receives a report containing allegations against a sworn member, the recipient will promptly notify the appropriate SPS Discipline Authority. If the alleged misconduct would constitute a “public trust default” under the *Police Act* or any other breach of the *Police Act* or Surrey Police Board polices, the SPS Discipline Authority will be responsible for causing the complaint to be investigated. Any release of information arising from such a complaint and its investigation may be subject to the provisions of the *Police Act* and other legislation.

Policy Name:	FIT FOR DUTY		
Last Updated:	September 29, 2020		Policy #:
Issued By:	Human Resources and Compensation Committee	Approved By:	Surrey Police Board
Review Frequency:	As Required		

The definition of various terms used in this Policy are as set out in Appendix A to this Policy.

1.0 PURPOSE

Surrey Police Service (“SPS”) is committed to sustaining a safe, healthy, and productive workplace, that is free from impairment as a result of Substance Use. As a public safety and law enforcement agency, SPS meets the definition of a safety-sensitive workplace.

This Policy establishes expectations for appropriate conduct as it relates to Substance Use and the consideration of other factors that could impact an individual’s ability to perform their work duties safely and competently, as well as the consequences for non-compliance with this Policy.

It is expected that Employees will attend at work Fit for Duty and will remain so for the entirety of their shift. SPS and those who perform services on its behalf, have a shared responsibility to maintain a safe and healthy work environment.

2.0 SCOPE

This Policy applies to all Employees and Volunteers. This Policy does not apply to employment applicants.

3.0 RESPONSIBILITIES

3.1 SPS’s Responsibilities

- SPS commits to cultivating, promoting, and maintaining a safe, healthy, and productive environment for everyone who works for SPS, or who interacts with SPS;
- SPS supports and accommodates to the point of undue hardship Employees who are dealing with disabilities, including issues of Substance Use and dependency, that may impact the workplace, and/or affect an Employee’s ability to safely and competently perform their duties; and
- SPS encourages and provides opportunities for Employees affected by or dealing with disabilities, including issues of Substance Use and dependency, to seek early assistance and pursue recovery.

3.2 SPS Employees Responsibilities

- Employees must at all times be Fit for Duty;
- Employees are responsible for understanding and complying with this Policy; and
- Employees have an obligation to voluntarily disclose their personal Substance Use and are encouraged to report suspected Substance Use in co-workers, before job performance is affected, or violations of Workers Compensation Board of BC (WorkSafe BC) regulations or this Policy occur.

4.0 POLICY STANDARDS

It is recognized that being impaired by stress, fatigue, drugs, alcohol, or medication while at work poses serious safety and health risks, not only for the individual involved but for all those who work with or otherwise come into contact with that individual.

Employees must report to work Fit for Duty and remain Fit for Duty at all times while engaged in SPS business and/or on SPS Premises. When being called in to work, Employees are to notify their Supervisor if they are not Fit for Duty and are not to report for work.

Employees must not enter any SPS Premises if they are not Fit for Duty. An Employee who is no longer Fit for Duty or becomes impaired during the performance of their work must immediately cease work and report to their Supervisor, in a safe manner.

Employees observing a potentially unsafe or harmful condition or act by any person on SPS premises, or while performing duties for SPS, whether related to Substance Use or otherwise, must promptly address the matter with that person and promptly advise their Supervisor.

4.1 Possession

- 4.1.1 The possession of Alcohol and/or legal Drugs during work hours is only allowed if:
- (a) It is being temporarily stored for the purposes of transportation away from SPS Premises and the alcohol or drug is contained in its original, sealed, and unopened packaging (e.g. locked in an Employee's personal vehicle).
 - (b) The purchase of Alcohol and/or Drugs during Work Hours is not allowed, except as part of authorized duties (e.g. a covert operation).

- 4.1.2 The possession of the Alcohol or Drugs is part of an Employee's job function (e.g. handling seized Drugs or Alcohol, processing evidence, etc.).

4.2 Consumption

- 4.2.1 Prior to commencing work, Employees shall abstain from using Alcohol, Medication, or Drugs in a manner that could render them unfit to perform their duties safely and efficiently.

- 4.2.2 Employees shall abstain from using Alcohol and Drugs during work hours, provided that:
- Employees who perform covert duties may be given prior approval by their Supervisor to consume Alcohol or Drugs when operationally necessary. In such circumstances, the Supervisor shall weigh the concerns regarding the consumption of alcohol or drugs against the specific needs of the police operation.
 - Employees who have prior authorization from the Chief Constable are authorized to consume Alcohol for official business or protocol functions.

4.3 Medications

Employees must use Medications, whether over-the-counter or prescribed by a registered and regulated healthcare professional, responsibly to ensure they remain Fit for Duty in the workplace and while performing their duties. Employees are expected to consult with their personal physician or pharmacist to determine if use of Medication will have any potential adverse impact on their ability to be Fit for Duty. Employees must notify their Supervisor of any potential impairment or other adverse effect associated with the use of Medication which affects work performance so appropriate workplace accommodations can be considered.

4.4 Standards Enforcement

4.4.1 Supervisor Responsibilities

Supervisors are responsible for:

- Communicating and implementing this Policy;
- Identifying, investigating, and addressing situations where an Employee appears not Fit for Duty in consultation with the Duty Officer and/or Human Resources;
- Encouraging Employees to disclose any condition or considerations, including Substance Use, that may compromise their performance or the health and safety of the workplace;
- Working with Human Resources to determine the appropriate course of action when an Employee discloses that they are experiencing difficulties related to Substance Use or a Substance Use Disorder and
- Maintaining privacy and confidentiality regarding an Employee's health situation.

4.4.2 Assessment and Correction Action - In any situation where Fit for Duty concerns have been raised, Supervisors will ensure any necessary action is taken without delay and will promptly investigate the matter. Supervisors have the authority to assess whether an Employee is Fit for Duty, in consultation with the Duty Officer and/or Human Resources.

4.4.3 A Supervisor must have an Employee immediately cease the performance of their work duties, if the Supervisor has reasonable grounds to believe that the Employee is impaired and is a risk to the health and safety of themselves or others. Where practicable, the determination that an Employee is not Fit for Duty should be made by a Supervisor and at least one other person. Observations and actions in connection with such determination are to be documented.

4.4.4 The Supervisor shall promptly report any incidents of an Employee not being Fit for Duty through their chain of command to the Chief Constable.

4.4.5 The Supervisor will make any necessary arrangements for the immediate safety and well-being of an Employee deemed not Fit for Duty and relieved from duty.

4.5 Testing

- 4.5.1 Random or blanket Drug or Alcohol testing of Employees is not permitted, except as part of an individual testing protocol recommended by an Employee's treating physician, or as part of an agreed upon or required treatment program. Prior to any such testing protocol being implemented, the Employee will have an opportunity to consult with their union (if applicable).
- 4.5.2 Drug and/or Alcohol Testing may occur in the following circumstances:
If there are reasonable grounds to suspect that an Employee is impaired at work and/or on SPS premises, by Drugs or Alcohol; and/or following a significant workplace accident or incident where the involved Employee's Fitness for Duty is a reasonable line of inquiry as part of the preliminary investigation.
- 4.5.3 Refusal to test by the Employee will be deemed a positive result for impairment.
- 4.5.4 Tampering with or otherwise attempting to falsify Alcohol or Drug test results constitutes a violation of this Policy and is subject to discipline.
- 4.5.5 Additional procedures for Fit for Duty testing are documented in the Supervisor Manual.

5.0 ADMINISTRATION

5.1 Confidentiality

SPS is committed to protecting Employee privacy in accordance with the *Freedom of Information and Protection of Privacy Act* and to ensuring any intrusion into an Employee's personal life is proportional to what is necessary to accomplish this Policy's goals, is necessary to ensure the safety of Employees and the public, and is for the purpose of enforcing this Policy.

Medical information is the property of the Employee; however, in some cases failure to provide this information may impact an Employee's Return to Work, Stay at Work, entitlement to benefits, or the accommodation process. SPS recognizes that denial and lack of self-awareness may be a symptom of Substance Use Disorder.

5.1.1 Disclosure: Unless the Employee otherwise provides consent, SPS will:

1. Maintain the confidentiality of information obtained under this Policy. SPS will use obtained information only for the purposes of administering this Policy, where disclosure is necessary for related health and safety concerns (e.g. where there is deemed to be a potential for risk to self, others or SPS), or as required by law.
2. Ensure the Supervisor and co-workers of an Employee impaired by, or dependent on, any Substance will only be informed of any applicable work restrictions, when accommodation requirements or safety concerns dictate, or when necessary for a legitimate work purpose.

5.2 SELF DISCLOSURE

Employees with a Substance Use Disorder or who experience difficulty as a result of Substance Use, are encouraged and expected to take the initiative and responsibility to address the matter, including seeking advice and counselling, and following appropriate and prescribed treatment promptly, before work performance is affected, or a violation of this Policy or applicable laws and regulations occurs.

SPS is committed to helping Employees who are dealing with Substance Use Disorders and will promote self-awareness and voluntary referral for assistance to enable Employees with Substance Use Disorders to get well. Information regarding SPS's Employee and Family Assistance Program and extended health care benefits program is available to Employees on the intranet.

Under Workers Compensation (WorkSafe BC) regulations, Employees are required to report to a Supervisor any circumstance where a co-worker's ability to work without risk to their personal health or safety, or to the health or safety of another, is in jeopardy.

5.3 Expectations

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

5.3.1 No Excuse. Employee non-compliance with SPS policies, applicable laws and regulations, inappropriate behaviours, or unsafe performance of work duties is not excused as a result of Substance Use or dependency.

5.3.2 Performance Management. Poor work performance or misconduct that is connected to Substance Use, but which is not due to disability, is subject to regular performance management and discipline protocols.

5.3.3 Accommodation and treatment are the preferred course of action for Employees with Substance Use Disorders. Discipline may result where there has been failure to disclose a disability resulting in impairment at work, or where impairment at work is not related to a disability.

5.3.4 Employees are required to cooperate fully with any investigation conducted under this Policy. A refusal to cooperate with this Policy constitutes a violation of this Policy and is subject to discipline.

5.4 Policy Review Schedule

This Policy will be reviewed and amended as required, by the Executive Team, for approval by the Surrey Police Board. Such amendments will be communicated to Employees, Volunteers, and Contractors.

5.5 Policy Implementation

5.5.1 Additional procedures to assist with the implementation of this Policy may be developed and implemented by the Chief Constable.

5.5.2 Contractors engaged by SPS are expected to ensure compliance with Workers Compensation (WorkSafe BC) Regulations, which prohibit a person from entering or remaining at a workplace if their behaviour is affected by Substance Use so as to create an undue risk to workers. Additional standards are identified in the SPS Procurement Standards for contractors.

5.5.3 It is understood that those involved in the delivery of public services and the protection of the public must meet the highest standard of ethical behaviour to create and sustain public trust as set out SPS's Code of Conduct. In that respect, any Employee who is charged or convicted of a criminal offence where use of Alcohol or Drugs was a factor, who knows he/she is under investigation regarding such an offence, or has lost their driving privileges for any length of time as a result of the use of Alcohol or Drugs, must immediately notify their Supervisor of such circumstances.

5.6 Collective Agreements

Nothing in this Policy should be construed as depriving unionized Employees covered under collective agreements with SPS of their rights under those collective agreements.

Appendix A - DEFINITIONS

Alcohol: The intoxicating agent in beverage alcohol, ethyl alcohol or other alcohols including methyl and isopropyl alcohol.

Drug(s): Any substance which affects a person's physical or mental capacity or functioning, which causes a marked change in consciousness, or which has a physiological effect when ingested, vaped, injected or otherwise introduced into or onto the body. It includes any drug or substance defined in the *Controlled Drugs and Substances Act*, and the *Cannabis Act*.

Duty Officer: Officer designated to be in charge of SPS for the shift.

Employee: Any Employee of SPS, including students, whether unionized or exempt. Employees may be sworn members or civilian staff.

Fit for Duty: A state (physical, mental and/or emotional) which is unimpaired and which allows the individual to perform their work competently, without any limitations and in a manner which does not compromise or threaten the safety or health of the individual, others, or SPS. Impairment that may render an employee not Fit for Duty may result from (but not limited to) the use of alcohol, drugs (whether subject to medical authorization or not), medication, or the effects of fatigue, stress, mental illness or injury.

Impairment: A deterioration or diminishment of an individual's physiological or psychological ability, functioning, judgment, or condition, including but not limited to being unable to function as that individual does under normal or usual conditions, or to function safely.

Medication: A drug obtained legally as either an over-the-counter drug or through prescription by a registered and regulated healthcare professional and is intended by the manufacturer or a healthcare professional for the treatment of a physical or mental condition.

SPS Premises: Includes, but is not limited to, any property permanently or temporarily coming under the jurisdiction of SPS, including land, building, job sites, facilities, parking lots, equipment, or vehicles, whether owned, leased or used by SPS and wherever located. The work site of a seconded employee is considered an extension of their SPS workplace, and therefore "SPS Premises".

Substance Use: Includes smoking, vaping, eating, ingesting, consuming, drinking, injecting, inhaling, absorbing through the skin, or otherwise introducing alcohol or drugs into or onto the body.

Substance Use Disorder: A condition in which the recurrent use of alcohol, drugs or any other substance causes clinical and/or functional impairment, such as health problems, disability, and/or failure to meet responsibilities and/or safety standards at work, school, or home.

Supervisor: A team leader, manager, sergeant, inspector, Deputy Chief Constable, Chief Constable, and other persons acting in a supervisory capacity who is accountable for a particular area or shift on behalf of SPS.

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

Work Hours: The hours an Employee works, is scheduled to work, is called in, or otherwise requested or required to work or be available for work, and includes but is not limited to paid and unpaid breaks, and any overtime hours the Employee is required to, offers to, or does work. This includes when an Off Duty Employee puts themselves On Duty and identifies as a Police Officer in order to carry out an arrest or perform other duties.



Policy Name:	HUMAN RIGHTS AND RESPECTFUL WORKPLACE POLICY		
Last Updated:	September 29, 2020		Policy #:
Issued By:	Human Resources and Compensation Committee	Approved By:	Surrey Police Board
Review Frequency:	As required		

The definition of terms used in this Policy are as set out in Appendix A to this Policy.

1.0 PURPOSE

Surrey Police Service (“SPS”) is committed to providing a safe, healthy, and inclusive work environment, where everyone is valued and is able to fully contribute to SPS’s mission. Its diverse and equitable workplace is free from discrimination, harassment, and disrespectful behaviour (including bullying), and is supportive of individual dignity, positive self-esteem, and mutual respect.

Everyone has a role in meeting this commitment. Foundational to this Policy is the concept that each person covered by this Policy will treat others as they themselves wish to be treated, in alignment with SPS’s values.

SPS is committed to providing communication, education and training to all Employees, Volunteers, and Contractors on the Policy, and to ensuring the procedures for complaint investigation and resolution are implemented and followed.

2.0 SCOPE

- 2.1 This Policy applies to Employees, SPS job applicants, Volunteers and Contractors.
- 2.2 Places covered by this Policy include SPS Premises, locations visited by employees while traveling on SPS related business, SPS related business sites including conferences, meetings, vendor/supplier or customer sites, and locations of work-based social gatherings, whether organized by SPS or not. This Policy includes Discrimination, Harassment, and Disrespectful Behaviour involving SPS Employees that happens away from the workplace or after regular working hours, when the behaviour violates this Policy.
- 2.3 This Policy covers Discrimination and Harassment as prohibited by the B.C. Human Rights Code and Disrespectful Behaviour as detailed in the B.C. Workers Compensation Act and the related B.C. Occupation Health and Safety Regulations. It also complies with

the BC Police Act.

- 2.4 Legitimate job-related actions performed in good faith by Supervisors, such as work direction or assignment, performance appraisals, attendance monitoring, and implementation of disciplinary and other corrective actions, are not discriminatory, harassing, or Disrespectful Behaviour.

3.0 RESPONSIBILITIES

- 3.1 Every SPS Employee, Volunteer and Contractor:
- is responsible to create and maintain a workplace that is free from Discrimination, Harassment, and Disrespectful Behaviour by ensuring their behaviour is respectful and by treating others with dignity and care;
 - is responsible for their actions, reactions and behaviours, and understanding their impact on others;
 - has the right to be treated fairly and respectfully in the workplace; and
 - is expected to address behaviour that is inconsistent with this Policy by taking appropriate and timely action, including reporting any violation in accordance with this Policy.
- 3.2 Supervisors are expected to:
- facilitate a work environment that promotes a respectful and inclusive workplace;
 - be a role model for SPS behaviour standards;
 - ensure awareness of and compliance with this Policy;
 - take preventative action to avert the development, escalation, or recurrence of Discrimination, Harassment, and Disrespectful Behaviour in the workplace;
 - take appropriate action to promptly, impartially, and confidentially address issues covered by this Policy;
 - support all parties involved in resolving issues under this Policy;
 - seek advice and assistance from the Manager Human Resources where appropriate; and
 - report all incidents and actions taken to the Manager Human Resources.

4.0 POLICY STANDARDS

There are three categories of inappropriate behaviour addressed in this Policy:

1. Discrimination based on prohibited grounds under the B.C. Human Rights Code;
2. Harassment based on prohibited grounds under the B.C. Human Rights Code; and
3. Disrespectful Behaviour (including bullying and intimidation).

Intent does not determine whether behaviour amounts to Discrimination, Harassment, or Disrespectful Behaviour. A person cannot excuse their behaviour by saying they did not intend it to contravene this Policy.

4.1 Definition of Discrimination and Harassment

- 4.1.1 **Discrimination** refers to adverse differential treatment of individuals or groups that is related to a prohibited ground of discrimination under the B.C. Human Rights Code. The differential treatment may impact behaviours, practices, policies, or systems. It may be intentional or unintentional, and may stem from prejudice and/or stereotypes of others. It can result in one individual or group having an advantage over another individual or group. Discrimination can cause an individual or group to be excluded from activities where they have the right to be included. The prohibited grounds of Discrimination in employment as set out in the B.C. Human Rights Code are race, colour, ancestry, place of origin, political belief, religion, marital status, family status, physical or mental disability, sex, gender identity or expression, sexual orientation, age, and conviction of a criminal or summary conviction offence that is unrelated to employment or intended employment.
- 4.1.2 **Harassment** is a type of Discrimination. Harassment is defined as unwelcome conduct or conduct that is of such a nature that it would be reasonable to assume that it is unwelcome, that is based on or related to one of the prohibited grounds set out in Section 4.1.1 of this Policy, and that detrimentally affects the work environment or how accommodation, services, or facilities are provided, or leads to adverse job-related consequences for another person.
- 4.1.3 **Sexual Harassment** is a type of Discrimination on the prohibited ground of sex. It involves one or more incidents of unwelcome sexual advances, requests for sexual favours, or other verbal or physical conduct of a sexual nature and/or where submission to that conduct is made either explicitly or implicitly a condition of employment or the basis for employment decisions affecting the individual.

Examples of Harassment and/or Sexual Harassment include:

- Remarks, jokes, innuendos or other comments or gestures regarding someone's body, appearance, age, marital status, ethnic origin, religion, physical or sexual characteristics, or clothing;
- The display, distribution or storage of offensive or derogatory pictures, cartoons, or other material (including material on computers, social media or e mail);
- Unwelcome questions or sharing of information regarding a person's sexuality or sexual activity, religious activities, or disability status;
- Suggestive staring, leering, or other offensive gestures;
- Sexual solicitation or advance that is unwelcome;
- Unwanted physical touching;
- Sexual assault; and
- Favouring, or appearing to others to be favouring, a subordinate Employee in exchange for sexual favours.

- 4.2 **Definition of a Respectful Workplace and Disrespectful Behaviour.** A Respectful Workplace honours the entitlement of everyone to have a respectful experience and honours the pride and dignity of each person. In a Respectful Workplace, the principles of promoting cooperative and collaborative behaviours, including healthy group dynamics and proactive problem solving are honoured. A Respectful Workplace is inclusive of others.

A Respectful Workplace does not include aggressive or demeaning behaviours, negative or inappropriate communication, or bullying that is directed toward a specific person or persons that results in an individual feeling humiliated, lessened in their personal well-being, or intimidated.

Disrespectful Behaviour occurs when individuals do not honour the entitlement of everyone to be respected in the workplace. An individual engages in Disrespectful Behaviour when they take an action that they knew or reasonably ought to have known would cause another individual to feel humiliated, excluded, or intimidated.

Disrespectful Behaviour can be:

1. Vexatious: conduct, comments, actions, or gestures which are humiliating, offensive, hurtful, or belittling.
2. Repeated: conduct, comments, actions, or gestures which when taken in isolation seem minor but when repeated can lead to a conclusion of harassment.
3. A single incident of sufficient seriousness to have a significant impact on the recipient or the work environment.

Examples of Disrespectful Behaviour include:

1. written or verbal comments, actions, gestures, insults, or other behaviours or jokes which are humiliating, offensive, hurtful or belittling;
2. bullying or intimidation;
3. cyber bullying;
4. harmful hazing or initiations practices;
5. abusing authority;
6. yelling or shouting (except where intended to alert another to danger);
7. deliberately excluding an employee from relevant work activities or decision making (social isolation);
8. decision-making which is influenced by factors which have no work-related purpose; and
9. attempting to discredit an employee by spreading false information/rumours.

5.0 ADMINISTRATION

- 5.1 **Confidentiality.** All processes under this Policy are conducted confidentially. Complainants, Respondents, Witnesses, and Supervisors must maintain confidentiality concerning workplace Discrimination, Harassment, and Disrespectful Behaviour complaints or investigations.

The *Freedom of Information and Protection of Privacy Act* governs rights to privacy and access to information with respect to any complaint.

Human Resources must keep complaint records in accordance with applicable legislation. A secure and separate filing system will be maintained by the Manager Human Resources (or such other person or location as designated by the Chief Constable or by Policy) for complaints made pursuant to this Policy.

If any individual knowingly discloses confidential information collected under this Policy contrary to the Policy and without proper authorization, that individual may be subject to discipline, up to and including termination of employment.

Every reasonable effort will be made to ensure confidentiality throughout the Informal Resolution and Formal Investigation Processes. Information will only be disclosed to the extent required: (a) for the purpose of investigation or disciplinary action; (b) by SPS Policy or procedures; or (c) by law (i.e. *BC Freedom of Information and Protection of Privacy Act*, *Police Act*, *Workers Compensation Act*, or rules governing administrative proceedings and court orders).

The Manager Human Resources will inform the head of the Profession Standards Unit of complaints made against sworn police officers under this Policy, so that reporting to the Office of the Police Complaint Commissioner may occur as applicable.

- 5.2 **Expectations.** 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.
- 5.3 **Policy Review Schedule.** The Human Rights and Respectful Workplace Policy will be reviewed and amended as required, by the Executive Team, for approval by the Surrey Police Board. Such amendments will be communicated to Employees, Volunteers, and Contractors.
- 5.4 **False Complaints.** An allegation of Discrimination, Harassment, or Disrespectful Behaviour is a serious matter. Complaints, including reports, which are investigated and determined to be false and malicious may lead to discipline for the individual who files the complaint. A false and malicious complaint is a complaint brought forward in bad faith and for improper reasons. A good faith complaint brought forward for proper reasons, which is found to not have merit, is not a false and malicious complaint.
- 5.5 **Retaliation.** Retaliation for speaking out, bringing a complaint, or participating in the investigation of a complaint under this Policy is prohibited. Retaliation is a serious disciplinary offence and will not be tolerated. A separate complaint can be made if an individual has been the subject of retaliatory behaviour for bringing a complaint. Everyone has the right to report, in good faith, incidents of Discrimination, Harassment, or Disrespectful Behaviour without fear of retaliation.

Retaliatory behaviour includes unjustified or unwarranted:

- Criticism of a person's job performance;
- Refusal to extend to a person an opportunity available to others;
- Refusal to work with a person; or
- Reassignment of a person to different duties or a different position.

- 5.6 **Employee and Family Assistance Program (“EFAP”).** SPS provides an EFAP for Employees and their families. Employees are encouraged to use the EFAP whenever they feel the need for guidance or counselling in coping with any issue, including Discrimination, Harassment, and Disrespectful Behaviour.
- 5.7 **Complaint under the B.C. Human Rights Code.** An individual covered by this Policy, who believes they have been subjected to discrimination or harassment based on prohibited grounds, has the right to file a complaint under the *B.C. Human Rights Code*.
- 5.8 **BC Police Act.** Where a complaint may constitute misconduct under the *BC Police Act*, the complaint must be handled per the *Police Act*. In the event of inconsistency between this Policy and the *Police Act*, the *Police Act* will govern.
- 5.9 **Collective Agreements.** Nothing in this Policy should be construed as depriving unionized Employees covered under collective agreements with SPS of their rights under those collective agreements.
- 5.10 **Communication of the Complaints Process.** A copy of this Policy will be posted on SPS's intranet and its website. SPS will advise Employees, Volunteers, Contractors, and job applicants, of the process for reporting complaints as required from time to time. 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.

6.0 COMPLAINT PROCEDURES

- 6.1 **Rights of Complainant and Respondent.** A Complainant has the right to:
- Receive fair treatment;
 - Have their complaint dealt with in a timely manner;
 - Have their complaint reviewed without fear of embarrassment or reprisal;
 - Be accompanied by a person of their choice for support during any proceedings relating to the complaint, providing no costs are incurred by SPS;
 - Be represented throughout the complaint process by a Union Representative (where applicable); and
 - A written summary of the findings of the investigation at the conclusion of the process (if there is a Formal Investigation Process).

A Respondent has the right to:

- Receive fair treatment;
- Be informed as soon as practicable that a complaint has been made about them;
- Be provided with a summary of the allegations and be afforded an opportunity to respond to them;
- Be accompanied by a person of their choice for support during any proceedings relating to the investigation of the complaint, providing no costs are incurred by SPS;
- Be represented throughout the investigation process by a Union Representative (where applicable); and
- A written summary of findings of the investigation at the conclusion of the process (if there is a Formal Investigation Process).

The Respondent will be made aware of the Complainant's identity and will have an opportunity to respond to all allegations made.

6.2 Informal Resolution Process. With the Informal Resolution Process, SPS places emphasis on personal responsibility, the long- term nature of workplace relationships, and the concept that all individuals make mistakes.

Early resolution of Discrimination, Harassment, or Disrespectful Behaviour issues is the desirable outcome in most circumstances. While it is suggested that Complainants first attempt to resolve any respectful workplace issues through the Informal Resolution Process, Complainants may proceed directly with the Formal Investigation Process. Factors to consider include the seriousness of the allegations, the rank of the respondent(s), previous workplace issues, and any mitigating circumstances.

Informal resolution of Discrimination, Harassment, or Disrespectful Behaviour is when the Complainant and the Respondent attempt to resolve the situation by finding a mutually agreeable solution to their issue(s). Often written records of such process are not maintained. If a Supervisor is involved in the Informal Resolution Process documentation should occur.

The Informal Resolution Process includes but is not limited to the following:

1. **Generic approach:** a Supervisor who becomes aware of a situation, either by way of a complaint or by personal observation, may implement general steps to address the inappropriate behaviour. These steps may include discussions at staff meetings or briefings where it is emphasized that certain behaviour is unacceptable. Records should be made of such actions. The Supervisor should discuss such situations with their Supervisor and/or the Manager Human Resources.
2. **Direct approach:** this occurs with person to person interaction. The direct approach may be from Complainant to Respondent, co-worker/witness to Respondent, Supervisor to Respondent, Union to Respondent, etc. The approach may be made in person and be done one on one, with a co-worker, and/or with third party assistance. For third party assistance, the Manager Human Resources (or designate) may assist with the selection of a facilitator, if such assistance is requested by either the Complainant or the Respondent.

If a Complainant is not comfortable approaching the other Employee, or if the issue is not resolved, the Supervisor should be informed about the conflict. The Supervisor must discuss the situation with Human Resources.

A co-worker who sees others behaving in a way that is inappropriate or disrespectful should encourage them to stop the behaviour. If the behaviour continues, it must be reported to a Supervisor.

- 6.3 **Formal Investigation Process.** Any Employee or Volunteer who believes they are dealing with Discrimination, Harassment or Disrespectful Behaviour (or witnesses such behaviours), may file a formal complaint in writing against the alleged perpetrator with the Deputy Chief Constable Support Services (or Designate). Where the alleged perpetrator is the Chief Constable or a Deputy Chief Constable, the formal complaint is filed directly with the Surrey Police Board Chair.

Notwithstanding anything in the Policy, SPS retains the right to initiate or continue any investigation of a workplace Discrimination, Harassment, or Disrespectful Behaviour allegation where SPS believes it is in the best interests of the SPS and/or the parties to further the investigation. If the Complainant withdraws the complaint, SPS may continue with the formal investigation of the complaint.

Investigations of complaints under this Policy differ from criminal investigations. While there are incidents that may involve criminal acts, it is important that, where a complaint is processed under this Policy, SPS utilize an Investigator who is familiar with labour law, workplace discrimination matters and related statutes, including the BC Police Act, the B.C. Workers Compensation Act and the B.C. Human Rights Code. The Deputy Constable Support Services (or Designate) will appoint an Investigator to conduct an investigation into the complaint.

The Investigator may be an internal or external person, who has experience in the conduct of such investigations. The Investigator will conduct a thorough, fair, and confidential investigation of the complaint. The Investigator will interview the Complainant, the Respondent, and any Witnesses they deem may have relevant information.

- 6.3.1 A formal written complaint will:
- Identify the name and position of the Complainant;
 - Identify the name and the position of the Respondent(s);
 - List the areas of alleged violation under the Policy, if any; and
 - Contain a brief description of the key incidents that constitute the substance of the complaint.
- 6.3.2 The Investigator will conduct an interview with the Complainant that will include:
- A review of the Complainant's evidence;
 - A review of relevant documents;

- The identification of Witnesses; and
 - The outcome sought by the Complainant.
- 6.3.3 The Investigator will conduct an interview with the Respondent(s) that will include:
- A review of the complaint;
 - A review of the Respondent's evidence;
 - A review of relevant documents; and
 - Identification of Witnesses.
- 6.3.4 The Investigator will conduct an interview with any relevant Witnesses. If information is obtained from Witnesses, the Complainant, or the Respondent(s) that is material and conflicting, the Investigator will provide the Complainant and the Respondent(s) an opportunity to respond to the information.
- 6.3.5 The Investigator will prepare a confidential report for the Manager Human Resources, detailing:
- Evidence of the Complainant, Respondent, and any Witnesses;
 - The Investigator's assessment of credibility, if necessary;
 - The Investigator's findings of fact; and
 - The Investigator's conclusion as to whether the findings of fact constitute a violation of this Policy.
- 6.3.6 A copy of the report will be forwarded through the Manager Human Resources, to the Deputy Chief Constable Support Services, and the Chief Constable or designate (or to the Surrey Police Board where applicable), who will review the Investigator's report, to determine whether discipline and/or corrective action should be taken and whether to notify the Office of the Police Complaints Commissioner, where applicable.
- 6.3.7 Although there are no firm deadlines, the Investigator is required to conduct the investigation as expeditiously as practicable and in the normal case would be expected to make a determination within 60 days of beginning the investigation.
- 6.3.8 The Investigator will advise the Complainant and the Respondent(s) if the complaint is deemed to be "founded" or "unfounded". Witnesses are not advised of the investigation findings. In appropriate circumstances, the Investigator may provide the Complainant, Respondent(s), or others, additional information relating to the investigation and its conclusions.
- 6.4 **Mediation.** With the consent of the Complainant, Respondent(s), and the Manager Human Resources, the Investigator may mediate the complaint. If the complaint is resolved, the Investigator will prepare a written settlement agreement describing the terms of resolution. All parties involved in the dispute will sign the resolution, a copy of

which will be provided to the Complainant, the Respondent(s), and the Manager Human Resources. A copy will be kept on file. The Manager Human Resources will monitor the implementation of the resolution, if appropriate.

- 6.5 **Contractor Complaints.** A Contractor who believes they are subject of Discrimination, Harassment, or Disrespectful Behaviour by SPS or its employees, should contact the Manager Human Resources to access the process for complaint resolution. If the complaint is not received in written form, SPS will request the Complainant submit it in writing.

With the objective of effective resolution of complaints from Contractors, all such complaints will be initially processed through an informal investigation. An informal investigation will include a confidential meeting with an Investigator to discuss the complaint and appropriate fact-finding actions. The meeting may include a representative from the work area in question. In some circumstances, SPS may require the Complainant and Respondent to participate in mediation. If the Complainant declines to fully participate in a required mediation, SPS shall be under no obligation to progress to the Formal Investigation Process.

APPENDIX A – DEFINITIONS

Complainant: An Employee, Volunteer, or Contractor who has brought forward or filed a complaint under this Policy is someone who believes they have experienced Discrimination, Harassment or Disrespectful Behaviour in the Workplace. SPS may also be a Complainant.

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

Discrimination: Defined in Section 4.1.1.

Disrespectful Behaviour: Defined in Section 4.2.

Employee: Any Employee of SPS, including students, whether unionized or exempt. Employees may be sworn members or civilian staff.

Harassment: Defined in Section 4.1.2.

Investigator: An internal or external individual who will investigate a complaint brought under this Policy.

Manager Human Resources: The position designated by the Chief Constable to effectively address and resolve all matters that come under this Policy and provide options for support services and preventative measures.

Respondent(s): A person or group of persons, against whom allegation(s) of Discrimination, Harassment or Disrespectful Behaviour have been made pursuant to this Policy.

Sexual Harassment: Defined in Section 4.1.3.

SPS Premises: Includes, but is not limited to, any property permanently or temporarily coming under the jurisdiction of SPS, including land, building, job sites, facilities, parking lots, equipment, or vehicles, whether owned, leased or used by SPS and wherever located. The work site of a seconded employee is considered an extension of their SPS workplace, and therefore “SPS Premises”.

Supervisor: A team leader, manager, sergeant, inspector, supervisor, Deputy Chief Constable, Chief Constable, and other persons acting in a supervisory capacity who is accountable for a particular area or shift on behalf of SPS.

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

Witness(es): Any individual(s) determined to have pertinent information with relation to a complaint filed under this Policy.

Workplace: Anywhere where activities directly related to the business of SPS occur, including any social gathering where there is potential for impact on the workplace or any location travelled to for a work-related reason.



Policy Name:	LIABILITY INDEMNIFICATION POLICY		
Last Updated:	October 9, 2020		Policy #:
Issued By:	Human Resources and Compensation Committee	Approved By:	Surrey Police Board
Review Frequency:	As required		

The definition of various terms used in this Policy are as set out in Appendix A to this Policy.

1.0 PURPOSE

The Surrey Police Service (“SPS”), either directly or through the City of Surrey (the “City”) and their respective insurers, defends and indemnifies designated employees, volunteers and others in the manner and under the circumstances described in this Policy.

2.0 SCOPE

This Policy applies to those Employees (as that term is defined in Appendix A) who, at the time a claim arises, are not covered by a collective agreement or an employment contract with SPS having indemnification provisions.

3.0 RESPONSIBILITIES

The Chief Constable will designate an Administrator for this Policy. The Administrator will develop appropriate practices for this Policy and coordinate any requests made under this Policy.

4.0 APPLICATION

4.1 Defense - SPS will defend a third party claim made against, or other external investigation, inquest or inquiry involving, an Employee arising out of the usual scope of the their duties for SPS, including in connection with the exercise or intended exercise of the Employee’s powers or the performance or intended performance of the Employee’s role or function with SPS. An Employee is also eligible for coverage in circumstances where there are reasonable grounds to believe that a proceeding described in this Section is likely to be commenced. This defense extends to appeals of the decision in the original proceeding by the other party or if SPS considers it is in its best interest to appeal that decision. SPS, either directly or through the City or through their respective insurers, will, as part of defending a claim, provide legal representation to the Employee with respect to the claim. An Employee is eligible for coverage as a party in a proceeding only if the Employee's involvement in the proceeding arises from conduct that occurred in the performance of the Employee’s usual duties for SPS and only if the Employee's conduct to which the proceeding relates was not dishonest, malicious or otherwise in bad faith.

4.2 Indemnification - SPS will indemnify an Employee by paying for the satisfaction of a judgment, order, award, fine or penalty imposed on that Employee or for a settlement reached, in relation to claims and appeals for which SPS defends the Employee pursuant to Section 4.1 (*Defense*), provided the payment does not relate to conduct of the Employee which was dishonest, malicious or in bad faith, and specifically excludes defense and indemnification for the appeal of a decision in which the Employee was convicted in a prosecution. With prior approval from the Administrator, SPS may further indemnify an Employee for amounts reasonably required or incurred by the Employee in relation to an external investigation, inquest, inquiry or other proceeding that involves the administration of SPS or the conduct of SPS business.

4.3 Participation in Proceedings as a Witness - An Employee may request a consultation with legal counsel or reimbursement for reasonable legal fees incurred for obtaining legal advice with respect to appearing as a witness in a proceeding to give evidence on matters arising from their duties or functions on behalf of SPS, if the Employee has been subpoenaed to testify or the Administrator determines it is SPS' interest for the Employee to testify based on the complexity of the issue, or if the nature, effect or potential outcome of the testimony or the proceeding possesses an economic, reputational or other risk to SPS. No assistance or reimbursement will be provided where the testimony is offered to, or the Employee is subpoenaed on behalf of, a party whose interest is adverse to SPS.

4.4 Conduct - Defense and indemnification are subject to the Employee co-operating in the defense of the claim and complying with the reasonable instructions of SPS, the City, and their respective insurers and/or legal representatives throughout the process.

4.5 Exclusions - In addition to any other conditions, limitations, exceptions, or exclusions set out in this Policy, an Employee is not eligible to be defended, obtain assistance, or be indemnified with respect to:

- (a) legal proceedings brought by or on behalf of the Employee;
- (b) the application or interpretation of this Policy;
- (c) employment disputes;
- (d) a claim by a professional body of which the Employee is a member and in which the Employee is the respondent and is entitled to be defended and/or indemnified by an insurance policy covering the membership of the professional association; or
- (e) a claim for which the Employee is eligible for assistance and indemnification pursuant to another policy, agreement, or arrangement, including through a professional body, up to limits of such other policy, agreement, or arrangement, unless otherwise agreed to by the Administrator.

4.6 Commencement and Duration of Assistance

SPS will provide assistance only in respect of investigation, legal fees, disbursements and other expenses or financial obligations that arise or are incurred after the date the Employee provides notice of a claim pursuant to Section 5.1 (*Notice of Claim*).

The Employee's right to be defended and indemnified hereunder applies for so long as the Employee and the circumstances continue to meet the Policy requirements and the Employee is not in a breach of this Policy which has not been remedied promptly to the satisfaction of the Administrator.

Assistance under this Policy will terminate once an Employee is no longer involved as a party to a claim or witness in a proceeding.

5.0 ADMINISTRATION

5.1 **Notice of Claim** - An Employee must promptly inform their direct supervisor in writing upon becoming aware of a potential claim, or that a proceeding has been or is likely to be commenced against the Employee arising from the scope of the Employee's duties. The supervisor must then notify, through their chain of command, the Deputy Chief Constable Support Services, and the Administrator. Former Employees must notify the Manager, Human Resources.

5.2 **Conduct of Claims** - SPS, either directly or through the City or their respective insurers, is solely responsible for the conduct and management of a claim, including to retain and instruct legal counsel, investigators and consultants, experts and representatives and to settle any claims on terms and conditions SPS or the insurers consider appropriate. Nothing in this Policy prevents an Employee from obtaining their own legal representation however, the Employee does so at their own risk, cost and expense and is not eligible for assistance, reimbursement, or indemnification under this Policy in that event.

5.3 **Employee Cooperation** - The Employee must cooperate fully in the defense of the claim, including providing complete and accurate information, and aiding in securing witness, evidence and other information when requested. An Employee must not interfere in the management of the claim, the proceeding, or any negotiations for settlement of the claim, or act in a manner that creates a conflict of interest between the Employee and SPS or between the Employee and another Employee involved in the proceeding. An Employee must not act against the advice of legal counsel provided by or on behalf of SPS under this Policy.

5.4 **Reimbursement** - An Employee who has been provided assistance under this Policy must not profit from that assistance and must reimburse SPS if the Employee is awarded costs in the proceeding or is entitled to reimbursement of legal fees, disbursements or other expenses incurred by or on behalf of the Employee for defending the claim.

An Employee must reimburse SPS for all amounts paid by or on behalf of SPS if:

- (a) after the rights of appeal of the Employee or Crown have been exhausted or extinguished, the Employee is convicted of an offence with which the Employee was charged or a related offence; or
- (b) the Employee was not eligible for coverage, breached a condition of this Policy or the applicable insurance, or there was non-compliance with the terms of this Policy;

unless the amounts were paid on behalf of SPS by its insurer(s), and the insurer(s) have not requested the return of any amounts paid.

5.5 **Confidentiality** - An Employee will not disclose any information about the claim to any third party without the consent of SPS and their insurers, including the following information which is privileged and confidential:

- (a) the fact that assistance has been requested, provided, denied, or terminated under this Policy;
- (b) the terms or conditions of any retainer agreements with legal counsel or the advice given, and services performed by legal counsel;

- (c) any payment or reimbursement made or required;
- (d) any settlement discussions, proposals or offers; and
- (e) any evidence, information, submission or legal opinion provided or obtained or factors considered, and any notice or reason given or communications made.

The restriction on disclosure does not apply to disclosure required by law, disclosure to legal counsel, a reviewer, or any person responsible for the management of the claim or the administration of this Policy, or disclosure with the written consent of every person whose personal interests or privilege may be affected by the disclosure.

6.0 GENERAL

6.1 Policy Review Schedule - This Policy will be reviewed and amended as and when required. Such amendments will be communicated to then current Employees.

Appendix A – DEFINITIONS

Administrator: The person designated by the Chief Constable to administer this Policy.

Employee: An employee of SPS, and for the purposes of this Policy, further includes: (i) unpaid volunteers, (2) non-SPS employees serving on committees established by SPS; and (3) former Employees who, at the time a claim arose, were Employees.



Policy Name:	OCCUPATIONAL HEALTH AND SAFETY POLICY		
Last Updated:	September 29, 2020		Policy #:
Issued By:	Human Resources and Compensation Committee	Approved By:	Surrey Police Board
Review Frequency:	As required		

The definitions of various terms used in this Policy are as set out in **Appendix A** to this Policy.

1.0 PURPOSE

Surrey Police Service (“SPS”) is committed to protecting the health and safety of its Employees, Volunteers, and Contractors by:

- Promoting and sustaining a safe and healthy work environment;
- Preventing workplace incidents, injuries and illnesses;
- Complying with the *B.C. Workers Compensation Act*, the *Workers’ Compensation Board (WorkSafeBC) Occupational Health & Safety Regulation*, the *BC Police Act*, and the *B.C. Provincial Policing Standards*;
- Identifying and complying with safety roles and responsibilities, and safe work practices and procedures;
- Setting clear expectations and encouraging accountability;
- Helping Employees stay at and return to safe, productive, and meaningful work;
- Developing, delivering, evaluating, and communicating annual health and safety plans; and
- Continuously improving occupational health and safety systems.

2.0 SCOPE

This Policy applies to all Employees, Volunteers, and Contractors.

3.0 RESPONSIBILITIES

Health and safety are the responsibility of all SPS Employees, Volunteers and Contractors. Through an effective partnership between Employees, Unions, the Joint Occupational Health and Safety Committee, Supervisors, and other stakeholders, a shared commitment exists to continuously improving SPS’s occupational health and safety systems. Through this commitment, SPS meets its objective of promoting and sustaining a healthy and safe work environment.

- 3.1 The **Executive Team** is committed to improving health and safety performance, managing the occupational health and safety system, establishing annual objectives and targets for occupational health and safety, and reporting progress to stakeholders.

- 3.2 **Inspectors and Deputy Chief Constables** ensure that Employees adhere to health and safety policies, and safe work procedures/practices, and provide the tools, training and education needed to ensure a healthy and safe workplace. Working with stakeholders, they strive to eliminate any foreseeable hazard or situation that may result in incidents, injuries or illnesses.
- 3.3 **Supervisors** ensure a safe and healthy workplace for Employees. Supervisors are accountable and responsible for the safety of the Employees who report to them and must lead health and safety initiatives to meet this obligation. Supervisors must advise Employees of potential and actual hazards, and take reasonable precautions for the protection of Employees, Contractors, Volunteers and the public.
- 3.4 **The Joint Occupational Health & Safety Committee** acts as an advisory body, to identify hazards and to obtain information, recommend corrective actions, assist in resolving work refusal cases, participate in incident investigations and workplace inspections, and make recommendations to Supervisors, Inspectors and Deputy Chief Constables regarding actions required to resolve health and safety concerns.
- 3.5 **Prime Contractors and Contractors** are required to work in compliance with the Workers Compensation Act, Occupational Health & Safety Regulations, and applicable SPS safety requirements, and to be committed to workplace health and safety at all times.
- 3.6 **All Employees and Volunteers** are required to contribute to a safe and healthy workplace to minimize the potential for incidents, injuries, and illnesses. An Employee or Volunteer must perform their job tasks in accordance with established safe work procedures/practices, and Provincial, Federal, and Municipal Regulations. All Employees and Volunteers must utilize appropriate safety equipment at all times, seek supervisory clarification when needed, and immediately report any workplace incident, near miss occurrence, or possible unhealthy or unsafe condition, and/or unsafe behaviour.

4.0 ADMINISTRATION

- 4.1 **Expectations.** Violations of the B.C. Workers Compensation Act, Occupational Health & Safety Regulations, and SPS's Occupational Health and Safety policies or procedures may be subject to disciplinary action, up to and including termination of employment. Volunteers and Contractors may have their relationship with SPS terminated.
- 4.2 **Policy Review Schedule.** This Occupational Health and Safety Policy will be reviewed and amended as required, by the Executive Team, for approval by the Surrey Police Board. Such amendments will be communicated to Employees, Volunteers, Prime Contractors, and Contractors.

APPENDIX A - DEFINITIONS

Contractor: Individuals who access SPS Premises, as defined in this Policy, for the purpose of providing services or supplies to SPS on a contractual basis.

Employee: Any Employee of SPS, including students, whether unionized or exempt. Employees may be sworn members or civilian staff.

Executive Team: The Chief Constable and the Deputy Chief Constables.

Prime Contractor: The directing contractor, employer or other person who enters into a written agreement with the owner of the workplace to be the prime contractor for the purposes of the OHS provisions.

SPS Premises: Includes, but is not limited to, any property permanently or temporarily coming under the jurisdiction of SPS, including land, building, job sites, facilities, parking lots, equipment, or vehicles, whether owned, leased or used by SPS and wherever located. The work site of a seconded Employee is considered an extension of their SPS workplace, and therefore SPS Premises.

Supervisor: A team leader, manager, sergeant, inspector, and other persons acting in a supervisory capacity who is accountable for a particular area or shift on behalf of SPS.

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

Workplace: Anywhere where activities directly related to the business of SPS occur, including social where there is potential for impact on the workplace or any location travelled to for a work-related reason.



Policy Name:	SECURITY CLEARANCE POLICY		
Last Updated:	October 24,2020		Policy #:
Issued By:	Human Resources and Compensation Committee	Approved By:	Surrey Police Board
Review Frequency:	As required		

The definitions of various terms used in this Policy are as set out in Appendix A to this Policy.

1.0 PURPOSE

Surrey Police Service (“SPS”) and its Employees must maintain the public’s trust and the trust of partner agencies (i.e. agencies from which SPS receives confidential information or with which it shares such information) including PRIME-BC, other police agencies, and the Provincial and Federal Governments. Therefore, SPS has a legitimate interest in ensuring that individuals selected to work for it acquire and maintain appropriate levels of security clearance. This Policy defines the administrative processes that are designed to protect the public; protect staff; protect financial assets; protect confidential information; and protect the privacy of Employees and Applicants.

2.0 SCOPE

This Policy applies to all Employees and Applicants. A similar security process to that set out here will exist for SPS Volunteers and Contractors with access to SPS premises and systems, or who interact with the public (including At Risk Individuals) on behalf of SPS.

This Policy is consistent with the B.C. Police Act, B.C. Provincial Policing Standards, the B.C. Human Rights Code, federal and provincial privacy legislation, and other SPS Policies.

3.0 RESPONSIBILITIES

Employees who are responsible for hiring and/or promotion, must ensure that the Security Clearance Process (“SCP”) is completed and the appropriate security clearance requirements met by an Applicant or Employee prior to a job offer or promotion being made. SPS job postings and recruitment literature (internal and external) will identify the requirements to complete the SCP.

With the oversight of the Human Resources Inspector, the Security Officer (“SO”) and their staff (Departmental Security) are responsible to administer this Policy. Departmental Security staff are responsible to ensure that the Deputy Chief Constable Support Services, the Professional Standards Unit, and the designated people under the Police Act are notified, as required by law or by Policy, of issues arising under this Policy.

4.0 POLICY STANDARDS

4.1 SPS has set clear standards and expectations to attract and retain qualified Employees. All steps in its recruitment and selection processes meet standards of validity, utility, and fairness. These steps predict job performance and detect important aspects of behaviour related to the position being filled. SCP requirements enhance the recruitment and selection processes by ensuring Employees and successful Applicants can sustain the highest level of public trust.

4.2 This Policy is developed in alignment with other employment and recruitment policies to:

- Obtain information related to the Employee/Applicant's security suitability for the position for which they are being considered;
- Determine if risk is posed to SPS, Employees, the public (including At Risk Individuals), financial assets, and/or confidential information, if the individual is employed by SPS; and
- Ensure Employees maintain the required level of security clearance and abide by its requirements during the course of their employment with SPS.

4.3 Each SPS position is required to meet **Enhanced Security Clearance** requirements. Employees in this category have unescorted access to SPS Premises and defined access to SPS records, Electronic Communication, and Computing Environments.

4.4 Top Security Clearance is required for positions where the Employee meets the criteria set out for Enhanced Security Clearance but has additional access to national security/data systems, SPS records, Electronic Communication, Computing Environments, critical SPS strategies, or other information that is deemed to be Top Secret by SPS or a third party.

4.5 The level of security clearance required for a position is determined by the SO under the direction of the Inspector Human Resources, using established metrics, and is done in consultation with the Deputy Chief Constable Support Services. The level of security clearance required by a position may change as the policing model/service evolves and Employees may be required to undergo additional security reviews during their career.

4.6 To maintain their required Security Clearance, Employees need to periodically renew their level of Security Clearance based on the timelines established by Departmental Security staff. Employees must maintain their required Security Clearance to remain employed.

4.7 The SCP is structured to reflect the security requirements of each SPS position. The SCP involves the verification and assessment by the SO of information gathered from the Employee or the Applicant in the recruitment/selection process including but not limited to:

1. Birth Certificate
2. Passport
3. Proof of eligibility to work in Canada
4. B.C. Driver's License and Driver's Abstract
5. Employment history

6. Family background
7. Character references
8. Fingerprints
9. Police Information Check, Vulnerable Sector review and Criminal Record review
10. Polygraph
11. Education -- Diplomas, Degrees and Certificates
12. Credit check/Financial records
13. Out of Country verification

4.8 The SCP may also include Applicant interviews by the SO or Departmental Security staff. All information supplied by Employees or Applicants is subject to verification. False statements can disqualify an Applicant or result in an Employee's termination of employment. Data gathered through the SCP is administered, evaluated, and interpreted in a uniform manner.

4.9 Information on the administration of the SCP for Employees and Applicants is provided in Appendix B – Security Clearance for External Applicants and Appendix C – Security Clearance for Employee Applicants.

5.0 ADMINISTRATION

5.1 Confidentiality

The information obtained from the SCP is confidential to Departmental Security and will not be used for any purpose other than expressly noted in this Policy or as required in the B.C. *Police Act* or other law. No information gathered through the SCP is released to the Employee or Applicant, except as may be required by law.

Security Clearance results are not maintained in Human Resources files. Departmental Security ensures all SCP information is maintained in a secure and confidential area and restricts access to such information to those with a legitimate need. The information gathered through the SCP forms a corporate record. SPS will comply with the requirements of the *Freedom of Information and Protection of Privacy Act* and SPS's Corporate Record Policy with respect to the storage and destruction of these records.

5.2 Employee Disclosure

An Employee is required to proactively and immediately disclose events that arise in their personal or work lives that may not meet SPS's standards of behaviour (e.g. a criminal record or conviction). This disclosure should be to their Supervisor and to the Inspector Human Resources. In response to this disclosure and upon further investigation, SPS may take appropriate steps in light of the circumstances such as attempt to modify the Employee's duties, and/or transfer the Employee to a position/location where they will not work in conflict with this Policy.

If no such work is available or the behaviours are in violation of the B.C. *Police Act's* Code of Professional Conduct regulation, SPS's Code of Conduct, or the B.C. *Police Act*, then, depending on the circumstances, the Employee may be placed on an unpaid leave of absence, suspended without pay, or have their employment terminated due to the failure to meet a necessary and legitimate job qualification.

Failure to immediately disclose this information may be cause for termination of employment. Upon disclosure to the Inspector Human Resources, the Employee may be required to undergo the SCP (in part or in full). Nothing in this Policy, negates a sworn member's obligations under the *B.C. Police Act* and its Code of Profession Conduct Regulation.

In the situation where an Employee applies for a higher Security Clearance or a renewal of an existing security clearance and then fails the SCP, SPS will consider the Employee's reason for failing to disclose the issue relating to the failure, and SPS may take appropriate steps in the circumstances such as those set out above.

5.3 Expectations

Employees who violate this Policy may be subject to disciplinary action, up to and including termination of employment.

5.4 Policy Review Schedule

This Security Clearance Policy will be reviewed and amended as required, by the Executive Team, for approval by the Surrey Police Board. Such amendments will be communicated to Employees, Volunteers, and Contractors.

5.5 SPS Initiated SCP

Nothing in this Policy limits SPS's right to require an Employee to undergo the SCP when reasonable grounds exist to make such a request. If an Employee fails to participate in the SCP, SPS may take action up to and including termination of employment.

5.6 Previously Experienced Officer Hiring

Under this Policy, SPS may hire an active sworn member directly from another police department or agency. That sworn member, or Previously Experienced Officer, may have existing Security Clearance. At the direction of the SO, following documented operational policies, the Previously Experienced Officer may not be required to complete the full SCP process.

5.6. B.C. Human Rights Code

This Policy incorporates and is consistent with the fundamental principles of the B.C. Human Rights Code by ensuring that only job-related criteria are used to evaluate Applicants and Employees, and that no person will be denied employment or continued employment on the basis of a criminal conviction that is unrelated to the employment or potential employment of the individual.

Appendix A – DEFINITIONS

Applicant: A person who is not a current SPS Employee, who is seeking a position serving the SPS.

At Risk Individuals are people who because of age or emotional, mental, or physical difficulties or communication barriers, are limited in their ability to remove themselves from a harmful situation.

Working with at Risk Individuals is defined as working with At Risk Individuals directly or having or potentially having unsupervised access to At Risk Individuals in the ordinary course of employment in the practice of an occupation.

Computing Environment: Any electronic information, information system, application, device (including PCs, laptops, mobile devices, and telephones) or other computing technology that is connected to the SPS's IT systems (including cloud-based services and mobile services).

Confidential Information includes information related to individuals such as social insurance number, banking information, personal information (date of birth, gender, family status), Human Resources records, criminal investigations, criminal records, payroll records, etc. This information is typically not available from alternate sources.

Working with Confidential Information is defined as working with Confidential Information directly or having or potentially having unsupervised access to Confidential Information in the ordinary course of employment, or in the practice of an occupation.

Contractor: An individual who has access to SPS Premises, as defined in this Policy, for the purpose of providing services or supplies to the SPS on a contractual basis.

Departmental Security: a team of SPS employees (and designated Contractors) responsible for

The administration of this policy under the direction of the SO.

Employee: Any Employee of SPS, including students, whether unionized or exempt. Employees include sworn members and civilian staff.

Financial Assets include transaction data or banking equipment, SPS bank accounts and/or any legal tender including money, cheques, debit cards, credit cards, etc., to which an Employee may have either physical access or data access.

Working with Financial Assets is defined as working with Financial Assets directly or having or potentially having unsupervised access to Financial Assets in the ordinary course of employment, or in the practice of an occupation.

Previously Experienced Officer (PEO): a sworn member with policing experience with another police department or policing agency.

Security Clearance Process – the administrative processes that are designed to protect the public; protect staff; protect financial assets; protect confidential information; and protect the privacy of Employees and Applicants.

SO – Security Officer: the sworn member responsible for the administration of this policy under the direction of the Chief Constable (or their designate).

SPS Premises: Includes, but is not limited to, any property permanently or temporarily coming under the jurisdiction of SPS, including land, building, job sites, facilities, parking lots, equipment, or vehicles, whether owned, leased or used by SPS and wherever located. The work site of a seconded Employee is considered an extension of their SPS workplace, and therefore “SPS Premises”.

Supervisor: A team leader, manager, sergeant, inspector, Deputy Chief Constable, Chief Constable, and any other person acting in a supervisory capacity who is accountable for a particular area or shift on behalf of SPS.

Volunteer: A person serving SPS who is not an Employee, as defined in this policy, and includes those individuals serving on any board(s), commission(s) or committee(s) established by SPS.

Appendix B – SECURITY CLEARANCE EXTERNAL APPLICANTS

Personal information gathered for the SCP is collected under the authority of the *Freedom of Information & Protection of Privacy Act (FOIPP)*. It is used to determine the suitability, eligibility, or qualifications for employment. The SCP for External Applicants is governed by the following:

1. A person will not be considered for participation in the SPS employment process while facing criminal charges or other relevant charges , or if convicted of a criminal offence or another relevant offence for which a pardon has not been granted, if those charges could reasonably be related to employment.
2. SPS Applicants will be required to submit a formal application with confirmation of eligibility requirements and qualifications and other supporting documents required by SPS to complete the SCP (as detailed in Section 4.7 of this policy).
3. SPS Applicants are required to sign and submit a Consent for Collection & Use and Disclosure of Personal Information Form, or such other documents required by SPS to obtain and use the individual's personal information for the purposes of this policy.
4. SPS Applicants are informed of all elements in the selection process and that sensitive or confidential aspects of their personal life may be explored at the time of their formal application.
5. The SCP is only completed on preferred/valid candidates at the appropriate step in the selection process. The SCP is not a selection tool.
6. Departmental Security will determine the length of time for which a completed Security Clearance remains valid from the date it is issued. However, if in the reasonable judgment of the SO, based on information received prior to the expiration of the Security Clearance, a more current Security Clearance is required, the Applicant must comply. Failure to comply will result in the Applicant being deemed ineligible for employment.
7. Applicants may decline to participate in or complete the SCP and will be deemed ineligible for employment at that time. The Security Clearance will be deemed Closed with Consent.
8. Costs associated with the SCP will be paid by SPS.
9. Questions about the SCP should be referred to Departmental Security.
10. Individuals new to Canada will be required to provide copies of the security clearance information prepared for their immigration application, the security clearance from their country of origin, and/or the RCMP.

11. Departmental Security will verify and assess the information obtained in the SCP and notify hiring staff of the Applicant's eligibility for hire. Hiring staff are not provided with specific details of the SCP information but may be required to provide clarity on job requirements and the potential for workplace accommodation.

External Applicants who are not selected:

Applicants not eligible or selected by SPS will be informed in writing within thirty (30) days of such a decision. The letter will indicate one of the following explanations:

1. **File Closed** - At this time, the Applicant has not met the qualifications of SPS. The unmet qualifications are identified in writing to the Applicant by the Recruiting Unit. The Applicant may consider reapplying to SPS when those qualifications are met.
2. **File Deferred** – SPS's consideration of the Applicant's file has been deferred for specific reasons. Those reasons are provided in writing to the Applicant by the Recruiting Unit. The deferral period will be established by the Recruiting Unit based on their assessment of time required for the Applicant to be competitive within the process.
3. **File Permanently Closed** - Disclosure has revealed information which precludes employment with SPS.

Appendix C – SECURITY CLEARANCE EMPLOYEE APPLICANTS

1. SPS has identified positions which are covered by this Policy that require either Enhanced Security Clearance or Top Security Clearance.
2. The requirement to undergo the level of Security Clearance will be included in the job posting.
3. Departmental Security will only request an Employee complete the SCP when they are a preferred/valid candidate at the appropriate step in the selection process. The SCP is not a selection tool.
4. Departmental Security will determine the length of time for which a completed Security Clearance remains valid from the date it is issued. However, if in the reasoned judgment of the SO, based on information received prior to the expiration of the Security Clearance, a more current Security Clearance is required, the Employee must comply. Failure to comply will result in the Employee being deemed ineligible for the job posting.
5. Employees required to complete an SCP will find the forms on the Intranet. Employees may decline to participate in or complete the process and will be deemed ineligible for the position at that time.
6. Any costs associated with the SCP will be paid by SPS.
7. Questions about SCP should be referred to Departmental Security.
8. If the SCP identifies any concern, the Employee will be advised there is a concern and while it does not automatically disqualify them from the job opportunity, further review is required. Departmental Security will determine suitability and whether the interests of SPS would be prejudiced as a result of the appointment.
9. Departmental Security will assess the information obtained in the SCP and notify hiring staff of the Employee's eligibility for the new position. Hiring staff are not provided with specific details of the Security Clearance but may be required to provide clarity on job requirements and the potential for accommodation.
10. Departmental Security may also notify the Employee's current Supervisor if Departmental Security deems it necessary to determine the relevance of Security Clearance information to the Employee's current position and/or to determine appropriate workplace accommodation. Supervisors will not be provided with specific details of the Security Clearance but may be required to provide clarity on job requirements and the potential for workplace accommodation.

Appendix D – SECURITY CLEARANCE RATIONALE

All Applicants for employment at SPS are subject to Security Clearance. SCP components are determined by the Chief Constable (or Designate) and include:

1. Financial credit check [Rationale: verify Applicant disclosure; assess financial competency and potential impairment to perform policing duties; identify potential risk for compromise, coercion, and blackmail, and bringing disrepute to the SPS];
2. Motor Vehicle Driver Abstract [Rationale: verify Applicant disclosure, assess capacity for safe driving of police vehicle within Policy and regulations];
3. Education and qualifying credentials [Rationale: verify Applicant disclosure and the knowledge, skills and abilities being offered to the position; assess capacity to learn and potential to successfully complete the "Police Studies Program"];
4. Neighbourhood Inquiries [Rationale: assess suitability to perform policing duties, including handling of a weapon, and level of interpersonal skills and capacity to work with At Risk Individuals; assess capacity to meet professional conduct requirements (on and off duty) within the B.C. *Police Act* and potential to successfully complete the recruit training program];
5. Previous/current employment enquiries [Rationale: verify Applicant information and assess knowledge, skills and abilities for the position; assess suitability for performing police duties, including professional ethics, handling of a weapon, and level of interpersonal skills and capacity to work with At Risk Individuals; assess capacity to meet professional conduct requirements (on and off duty) within the B.C. *Police Act* and potential to successfully complete the recruit training program];
6. Police record checks [Rationale: verify Applicant information; reduce vulnerability to compromise, coercion, blackmail; adherence to the "McNeil" discipline records protocol; assess capacity to perform policing duties, including working with At Risk Individuals]; and
7. Submission of fingerprints [Rationale: confirm identity and fulfill security clearance requirement for police officers].

Polygraph

The administration of SPS polygraph examinations and the evaluation of results will be conducted by persons qualified in these procedures and as authorized by the Deputy Chief Constable Support Services.

Note: Not all SCP components may apply to civilian employment (e.g. Motor Vehicle Driver's Abstract for a civilian role with no driving requirements).



Policy Name:	SERIOUS FINANCIAL COMPLAINTS POLICY		
Last Updated:	September 29, 2020		Policy #:
Issued By:	Human Resources and Compensation Committee	Approved By:	Surrey Police Board
Review Frequency:	As required		

The definitions in this Policy are as set out in Appendix A to this Policy.

1.0 PURPOSE

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 any financial conduct that is not consistent with SPS policies without fear of retaliation or penalty.

2.0 SCOPE

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*.

3.0 RESPONSIBILITIES

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

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

The Police Board has adopted this Policy to ensure that:

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

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.

4.0 POLICY STANDARDS

4.1 Reporting of Complaints

4.1.1 A Complainant is required to promptly report any complaints under this Policy to a Designated Officer.

4.1.2 A Complainant wishing to report a complaint should communicate the complaint in writing to a Designated Officer, who will treat all disclosures in confidence and will involve only those individuals who need to be involved in order to investigate such complaint.

4.1.3 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, 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"

4.2 Investigating Complaints and Reporting Results

4.2.1 The Designated Officer(s) will review and assess the seriousness 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).

4.2.2 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 apprised of the status of the investigation for purposes of ensuring compliance with regulatory requirements.

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

4.2.4 Persons assigned to investigate complaints will:

- (a) Treat each report of a complaint, as well as its investigation and disposition, on a confidential basis in accordance with the Policy;
- (b) Involve in the investigation only the people who need to be involved in order to properly carry out such investigation; and
- (c) Conduct each investigation in a timely manner.

4.3 Records Retention

4.3.1 Documentation Requirements

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:

- (a) the original report of the complaint;
- (b) the reference number assigned to the complaint;
- (c) a summary/log of the investigation;
- (d) copies of any reports issued in connection with the complaint;
- (e) a log of any communications with the Complainant; and
- (f) a summary of the disposition of the complaint.

4.3.2 Retention Requirements

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.

5.0 ADMINISTRATION

5.1 Confidentiality

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.

5.2 Retaliation

Retaliation or other action taken against any Complainant who, in good faith, reports a complaint will be 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*.

5.3 Expectations

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.

5.4 Policy Review Schedule

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.

5.5 Communication of the Complaints Process

A copy of this Policy will be posted on SPS's intranet and SPS's 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.

5.6 Enquiries

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

Appendix A - DEFINITIONS

Complainant: An Employee, Volunteer, or Contractor who has brought forward or filed a complaint under this Policy.

Contractor: 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.

Employee: Any Employee of SPS, including students, whether unionized or exempt. Employees may be sworn members or civilian staff.

Designated Officer(s): Those persons designated by the Board to receive and process complaints under this Policy.

Supervisor: A team leader, manager, sergeant, inspector, , 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: A person serving SPS who is not an Employee, as defined in this Policy, and includes those individuals serving on any board(s), commission(s) or committee(s) established by SPS.

Workplace: 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, the following are examples of complaints which should be reported pursuant to this Policy:

- Use of SPS funds or property for any illegal, improper, or unethical purpose (for example, 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 SPS's 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's financial records (for example, 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's 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's financial records, financial reports, or audit reports;
- Deviation from full and fair reporting of SPS's financial condition, results of operations, or cash flows;
- Any effort 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
- Any action that contravenes SPS policies, applicable government laws, rules, or regulations.

Appendix C - CONTACT INFORMATION FOR THE DESIGNATED OFFICERS

TBD Name Title	TBD Name Title
Contact Information	Contact Information

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



Policy Name:	SOCIAL MEDIA POLICY		
Last Updated:	October 22, 2020		Policy #:
Issued By:	Human Resources and Compensation Committee	Approved By:	Surrey Police Board
Review Frequency:	As required		

The definitions of various terms used in this Policy are as set out in Appendix A to this Policy.

1.0 PURPOSE

Surrey Police Service (“SPS”) has developed this Social Media Policy to guide SPS Employees, Volunteers and Contractors in their participation on social media. Employees may use social media for official SPS business, related professional purposes, and/or for personal use as described below.

Whether working or on personal time, and whether utilizing SPS Property or not, the comments that Employees make on social media can influence how the public views SPS. Employees must ensure that all social media communications are respectful, professional, and consistent with their responsibilities as Employees.

2.0 SCOPE

This Policy applies to SPS Employees, Volunteers and Contractors with access to SPS Premises and systems. It applies to official, professional, or personal usage of social media and is consistent with the *BC Police Act*, *BC Provincial Policing Standards*, *BC Human Rights Code*, federal and provincial privacy legislation, and other SPS policies. SPS operational policies supplement this Policy.

Supervisors are responsible for ensuring awareness and administration of this Policy.

3.0 POLICY STANDARDS

3.1 Social Media Usage Expectations: When using social media, those to whom this Policy applies must ensure that:

- They do not speak on behalf of SPS, or give the appearance of speaking on its behalf, unless they are authorized to do so;
- If they are communicating about SPS but are not authorized to speak on behalf of SPS, they should disclose their relationship with SPS and indicate that opinions expressed are personal opinions and not opinions of SPS;
- Confidential information is maintained in strict confidence at all times in accordance with all of SPS’s Policies, the requirements of the *Freedom of Information and Protection of Privacy Act* and other laws; and

They treat with respect other Employees, the public, , Volunteers, Contractors and others who do business with or interact with SPS, and they understand that any behaviour (including comments made on social media) that is threatening, intimidating, harassing, disrespectful or violent will not be tolerated.

Employee conduct on social media (business, professional or personal) must be consistent with the standards outlined in SPS's Policies (operational and administrative), the *BC Police Act*, the *Provincial Policing Standards*, the *BC Human Rights Code*, and other federal and provincial laws and regulations that may apply. An Employee, Volunteer, or Contractor with questions or concerns regarding this Policy should contact their Supervisor.

3.2 Official Use: Social media is an important communication tool that SPS uses to engage with the public, partners, businesses, and other stakeholders. Refer to SPS Operational Policies and Practices for further information on the official use of social media.

When using social media to represent SPS in an official capacity or an implied official capacity, Employees, Volunteers, or Contractors, may not:

- Transmit any materials in violation of local, provincial, or federal laws;
- Use vulgar, disrespectful, or inappropriate language;
- Duplicate, store, transmit or post threatening, abusive, discriminatory, or obscene material;
- Duplicate, store or transmit intellectual property they do not own;
- Lobby for political purposes;
- Suggest or support illegal activity;
- Post material that is likely to compromise the safety and security of the public or public systems; or
- Advertise or solicit on behalf of individuals, businesses, or not-for-profit organizations.

3.3 Professional Use: SPS recognizes that social media can help Employees, Volunteers, and Contractors to collaborate, share information, and support discussions within professional groups. Employees must keep their personal and professional social media accounts separate. Employees, Volunteers, and Contractors are expected to conduct themselves as they would in any work situation, and in compliance with this Policy.

3.4 Personal Use: SPS recognizes the importance of social media communication and the role it plays in the personal lives of Employees, Volunteers and Contractors. They are required to use good judgement to positively engage in social media. Employees, Volunteers, and Contractors using social media for personal purposes must:

- Follow SPS policies at all times, including those respecting privacy, confidentiality of information, and technology;
- If they are connected in any way to the SPS in a social media environment, ensure that they clearly state that all opinions are their own, and do not reflect the opinions of SPS;
- Avoid making public comments or posting content that is defamatory, derogatory, or offensive;
- Not post content or comments that undermine the employment relationship, and/or damage the reputation of or otherwise negatively impact SPS, the Surrey Police Board, Employee, or the City of Surrey;

- Not post support for other people's content or comments that undermine the employment relationship and/or damage the reputation of or otherwise negatively impact SPS, the Surrey Police Board, Employees, or the City of Surrey (e.g. through retweeting);
- Not use SPS's logo or trademark for personal use unless specifically authorized; and
- Not take or post any images or video of Employees, Volunteers, SPS Premises, or SPS activities, without express consent.

4.0 ADMINISTRATION

4.1 Expectations

Any Employee found to have violated 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.

4.2 Policy Review

The Social Media Policy will be periodically reviewed, and amended as required by the Executive Team, for approval by the Surrey Police Board. Such amendments will be communicated to Employees, Volunteers and Contractors.

Appendix A – DEFINITIONS

Content: Any information published online. Content can include text, photos, documents, videos, audio, or links.

Contractor: Individuals who provide services or supplies to the SPS on a contractual basis.

Employee: Any Employee of SPS, including students, whether unionized or exempt. Employees may be sworn members or civilian staff.

Executive Team: The Chief Constable and the Deputy Chief Constables.

Post(ed): When content is published online. It can be in the form of a public post or private message.

Social Media: Websites and online applications that allow people and organizations to create, share, and exchange content or to participate in social networking.

Social Network: A dedicated website or other application that enables users to communicate with each other by posting information, comments, messages, images, etc. Facebook, Twitter, and LinkedIn are examples of a social network.

SPS Premises: Includes, but is not limited to, any property permanently or temporarily coming under the jurisdiction of SPS, including land, building, job sites, facilities, parking lots, equipment, vehicles, whether owned, leased or used by SPS and wherever located. The work site of a seconded Employee is considered an extension of their SPS workplace, and therefore SPS Premises.

SPS Property: All assets of the SPS, whether temporary, permanent, owned, leased or otherwise acquired, including real, personal or intellectual property, vehicles, chattels, materials, equipment and supplies.

SPS Websites: Official SPS websites and micro-sites.

Supervisor: A team leader, manager, sergeant, inspector, Deputy Chief Constable, Chief Constable, and other persons acting in a supervisory capacity who is accountable for a particular area or shift on behalf of SPS.

Websites: A place on the World Wide Web that contains information about a person, place or thing and usually consists of many Web pages joined by hyperlinks.

Workplace: 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.

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