

## **MUNICIPALITY OF THE DISTRICT OF CLARE**

### **POLICE ADVISORY BOARD – TERMS OF REFERENCE**

#### **POLICE ADVISORY BOARD MANDATE**

The primary function of the Police Advisory Board (the “Board”) is to provide advice to Council in relation to the enforcement of law, the maintenance of law and order and the prevention of crime in the Municipality of the District of Clare.

The Board works in collaboration with the local RCMP detachment to:

- Determine priorities and objectives respecting police services in the community;
- Ensure programs and strategies are established to implement these priorities and objectives;
- Ensure that police services are delivered in a manner consistent with community values, needs, and expectations;
- Act as a conduit between the community and the police department
- Review with the Chief Officer information provided by the Chief Officer respecting complaints and internal discipline.

However, the Board shall not exercise jurisdiction relating to complaints, discipline, personnel conduct or the internal management of the Royal Canadian Mounted Police.

#### **AUTHORITY**

The Board derives its authority from the Police Act, Chapter 31 of the Acts of 2004, an Act respecting Policing in Nova Scotia.

#### **COMMITTEE COMPOSITION**

A municipality receiving policing services in whole or in part from the Royal Canadian Mounted Police or the Provincial Police shall establish a police advisory board.

In accordance with the Police Act, the Municipality of the District of Clare shall establish a seven-member advisory board consisting of:

- Three members of Council appointed by a motion of Council;
- Three members appointed by a motion of Council, who are neither members of Council nor employees of the Municipality; and
- One member appointed by the Minister of Justice and Attorney General

- The members at large will be appointed by Council for a two-year term, with the possibility of renewal for a second two-year term.
- The member appointed by the Minister of Justice and Attorney General shall serve for a period of three years.
- A Chair and Vice-Chair of the Board shall be chosen by the members of the Board at the first meeting in each year.
- All members of the Board shall serve without pay.
- A member of the Board may be dismissed by:
  - The Minister, if the Minister appointed the member; or
  - A motion of Council, if the Council appointed the member
- Where a member of the Board resigns or is unable to carry out their duties by reason of illness, absence, or any other reason, the person or the body that made the initial appointment may appoint some other person to act as or be a member of the advisory in the place or stead of the absent member.

## STANDARD OF CARE AND RELIANCE ON EXPERTS

In the discharge of their duties under the Committee’s mandate, each member of the Committee shall be obliged to exercise all the care and diligence that a Councillor would be expected to exercise in comparable circumstances where they are dealing with the affairs of the Municipality.

In the discharge of their duties, the members of the Committee may rely in good faith upon the report and findings of any expert engaged by the Committee to report upon the matter under consideration.

## OPERATING PROCEDURES

The Committee shall conduct itself in accordance with the following operating procedures:

### 1. Meetings

- The Board will hold a meeting at least every three months
- The Chief Officer and the Chief Administrative Officer of the Municipality must receive notice of the meetings of the Board and are entitled to attend such meetings but not to vote.

### 2. Quorum for Decision Making

- A quorum consists of the majority of the voting members of the Board.
- Each Committee member is entitled to one vote and decisions shall be by majority vote of those present.

**3. Reporting**

- A copy of the minutes of each meeting shall be provided to each member of the Board in a timely fashion.
- The Board shall report to Council as often as necessary but at least annually. Reporting shall normally be made through the Board Chair.

**4. Training**

- Board members shall undergo any training that may be provided or required by the Minister or by regulation.

**5. Advice or Direction**

- On behalf of the Board, the Board Chair or the Chair's delegate may, in accordance with an agreement made pursuant to the clause 36(1)(b) of the Police Act, give advice in writing to the Chief Officer, but not to other members of the police department and, for greater certainty, no other member of the Board shall give advice or direction to a member of the police department.

**6. No Action Lies**

- No action or other proceeding for damages shall be instituted against a member of an advisory board for any act done in good faith in the execution or intended execution of the member's duty or for any alleged neglect or default in the execution in good faith of that duty.

Chief Administrative Officer's Annotation

Date of Passage:

I certify that this Terms of Reference was adopted by Council as indicated above.

\_\_\_\_\_  
Warden

\_\_\_\_\_  
Date

\_\_\_\_\_  
Chief Administrative Officer

\_\_\_\_\_  
Date

