
HALDIMAND COUNTY

Report CAO-04-2023 Policing Contract Update

For Consideration by Council in Committee on October 31, 2023



OBJECTIVE:

To provide an update on the Haldimand County policing contract with the Ontario Provincial Police (O.P.P.).

RECOMMENDATIONS:

1. THAT Report CAO-04-2023 Policing Contract Update be received;
2. AND THAT Haldimand County extend the current agreement with the Ministry of the Solicitor General for the provision of police services by the Ontario Provincial Police for two (2) years, ending December 31, 2025;
3. AND THAT a by-law be presented for enactment to authorize the Mayor and Clerk to execute the Agreement for the provision of police services by the O.P.P.

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Approved: Cathy Case, Chief Administrative Officer

EXECUTIVE SUMMARY:

The current policing contract between Haldimand County and the Ontario Provincial Police (O.P.P.) is set to expire on December 31, 2023. Given the [Community Safety and Policing Act, 2019 \(CSPA, 2019\)](#) has yet to take full effect, the O.P.P. Policing Bureau has provided the opportunity to extend the current contract for one (1) or two (2) years.

BACKGROUND:

The [Police Services Act \(PSA\), 1990](#) sets out the roles and responsibilities of municipalities and the Ontario Provincial Police (O.P.P.) with respect to the provision of policing services in Ontario and outlines the adequate and effective services that every police service shall meet.

Section 4 of the PSA details the required core services and infrastructure and Ontario Reg. 3/99, Adequacy and Effectiveness of Police Services, sets out the specific service requirements of the core police services. Municipalities are responsible for providing policing services and can choose to do so in a number of ways:

- Establish an independent police service;
- Enter into an agreement with municipal council(s) to constitute a joint board or amalgamate police services; or,
- Contract services from either a contiguous police service or from the O.P.P. (Sec. 10)
- Receive police services from the O.P.P. as detailed in section 5.1 of the PSA – Non Contract

Currently statutory policing services in Haldimand County are provided via a [5 year contract](#), extended for one year in 2022 by an amending agreement through report [CAO-03-2022](#). This arrangement is known as a Section 10 Contract in which there is an agreement between the municipality and the O.P.P. to provide local policing services. Under a Section 10 arrangement there is:

- A Police Services Board who has a limited role in monitoring policing activity but no operational responsibility;
- Opportunity to receive support funding for policing (i.e. RIDE programs);
- Some opportunity for specific enforcement of agreed to municipal by-laws;
- Other enhancements at a cost.

On March 26, 2019, Ontario passed the [Comprehensive Ontario Police Services Act, 2019 \(Bill 68\)](#) and established the [Community Safety and Policing Act, 2019 \(CSPA, 2019\)](#) which will replace the Police Services Act (PSA), 1990 once it is in full force. When this occurs, Section 10 agreements will no longer exist under the new Act and municipalities will be required to transition to the new O.P.P. Detachment Board framework. The intent is to have an O.P.P. Detachment Board that acts as a vehicle to provide civilian governance by ensuring communities within the prescribed detachment board area receive policing services from the O.P.P. to have an opportunity to represent local perspectives, needs and priorities. The new detachment area will encompass Haldimand County and Mississaugas of the Credit First Nation (MCFN). The O.P.P. Detachment Board will replace the current Police Services Board and the composition is expected to be made up of community representatives from both Haldimand and MCFN as well as provincial and community appointees.

Municipalities will continue to be responsible for the costs of operating O.P.P. Detachment Boards which historically have been around \$23,000 per year for Haldimand County. It is unknown how the cost of the new board composition will be split among communities within the detachment area.

2023 O.P.P. contract costs are currently budgeted at \$8.2 million.

ANALYSIS:

The County has been contacted by the O.P.P., Municipal Policing Bureau (MPB) offering to extend the current agreement for 1 or 2 years by way of an amending agreement to the current contract. The agreement will indicate that the contract would conclude on either the expiry date, or the date when the CSPA comes into force.

Given the uncertainty with respect to the timing of when the CSPA will be in full effect it is suggested that the current arrangement be extended for two years.

FINANCIAL/LEGAL IMPLICATIONS:

Currently O.P.P. costs incurred annually by Haldimand County are just over \$8 million. The statutory costing formula includes 'base' per property cost that is standard across the Province as well as 'dynamic' costs associated with calls for service and as such the actual cost varies annually.

It is unconfirmed how the new costing formula will be established under the new legislation but it is anticipated that it could shift from a per property calculation to a per officer calculation. Staff will update Council when confirmed information is available.

STAKEHOLDER IMPACTS:

Not applicable.

REPORT IMPACTS:

Agreement: Yes

By-law: Yes

Budget Amendment: No

Policy: No

REFERENCES:

1. [Police Services Act \(PSA\), 1990](#)
2. [Comprehensive Ontario Police Services Act, 2019 \(Bill 68\)](#)
3. [Community Safety and Policing Act, 2019 \(CSPA, 2019\)](#)
4. [2018 - 2022 Contract for policing services with the Minister of Community Safety and Correctional Services](#)
5. [CAO-03-2022 O.P.P. Contract Update](#)

ATTACHMENTS:

None.