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# HALDIMAND COUNTY

## Report CLE-17-2024 Haldimand O.P.P. Detachment Board Terms of Reference

For Consideration by Council in Committee on December 10, 2024

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### OBJECTIVE:

To seek approval of the Terms of Reference for the Haldimand O.P.P. Detachment Board.

### RECOMMENDATIONS:

1. THAT Report CLE-17-2024 Haldimand O.P.P. Detachment Board Terms of Reference be received;
2. AND THAT the Terms of Reference, as attached to Report CLE-17-2024, be referred to the O.P.P. Detachment Board for further review and to seek input from Mississaugas of the Credit First Nation on shared costs regarding professional development.

**Prepared and respectfully submitted by:** Chad Curtis, Municipal Clerk

**Approved:** Cathy Case, Chief Administrative Officer

### EXECUTIVE SUMMARY:

The adoption of the Terms of Reference for the Haldimand O.P.P. Detachment Board (Board) will establish a working relationship between the Board and the communities represented: Haldimand County and Mississaugas of the Credit First Nation (MCFN). The implementation of the proposed Terms of Reference (TOR) will outline general guidelines and provide clear direction for the operation of the Board and their reporting responsibility to Haldimand and MCFN Councils.

### BACKGROUND:

The *Community Safety & Policing Act, 2019* (CSPA) came into effect on April 1, 2024, replacing the *Police Services Act, 1990*. The new legislation changed the Police Services Board governance structure for communities policed by the Ontario Provincial Police (O.P.P.) to Detachment Boards. The new structure is based on the overall detachment area, rather than individual boards for each municipality. The Haldimand O.P.P. Detachment consists of Haldimand County and Mississaugas of the Credit First Nation communities.

The Board conducted its first meeting on October 24, 2024 and adopted the following resolution:

1. THAT the Haldimand O.P.P. Detachment Board Terms of Reference be received as amended;
2. AND THAT this document be circulated to Haldimand County and Mississaugas of the Credit First Nation Councils for approval.

The Terms of Reference (Attachment 1) are general in nature and are intended to outline the working relationship between the communities represented and the Board. Specific policies and procedures are to be determined by the Board.

## **ANALYSIS:**

The key components of the Terms of Reference are as follows:

- To outline the roles and responsibilities and reporting requirements, as established by the CSPA and associated Regulations;
- To outline Board composition, as established by Regulation (Note: the appointment of Council and Community representatives is the responsibility of each respective Council);
- To outline terms of office, as established by Regulation;
- To establish staff support;
- To establish processes related to attendance of members, resignations, and vacancies;
- To outline how remuneration is to be established:
  - Council and Community Appointees – determined by and paid by their respective Council;
  - Provincial Appointee – determined in accordance with O. Reg. 135/24 of the CSPA; and
- To outline applicable legislation, regulations, procedures which must be adhered to (Note: the Board will be expected to adopt its own Procedure By-law (Rules of Procedure), which must adhere to all legislative and regulatory requirements);

It is important to note that any changes to the TOR will require approval by each respective Council.

## **FINANCIAL/LEGAL IMPLICATIONS:**

There are no financial implications directly related to the TOR; however, the Board is legislated to prepare an annual budget that will be presented to each respective Council for consideration. There is a likelihood that the Board's appointed Administrator, who is a Haldimand County employee, will require additional duties (roles and responsibilities) than with the prior board, ultimately impacting staff resources of Haldimand County. Staff will monitor the impact on County resources and report back to Council if necessary.

The draft terms of reference indicate that remuneration of Board members shall be covered by the respective Councils. However, the remuneration for the provincial appointee has historically been covered by Haldimand County. The province does not cover provincial appointee remuneration on any boards in the province.

Similarly, the professional development costs for Board members of the former board, were paid for by Haldimand County. Now that the new Detachment Board is in place and covers areas outside of the municipality of Haldimand County, Haldimand may wish to consider requesting MCFN to cover the professional development costs of its appointed members and having that built in to the Terms of Reference.

Other shared costs, not included in the Terms of Reference, are: board insurance, Board Administrator's salary and benefits and board meeting expenses. The new legislation, although moving away from municipal boundaries and expanding to detachment area boundaries, does not contemplate cost sharing formulas. If cost sharing were to be conducted based on a population formula, it would be expected that the MCFN share of costs would be almost negligible, considering the population of MCFN is approximately 1.5% of the total population of the detachment area and therefore, cost sharing expenses other than professional development and remuneration would not be administratively or financially prudent at this time.

## **STAKEHOLDER IMPACTS:**

The Terms of Reference (Attachment 1) has been circulated to MCFN Council for approval.

## **REPORT IMPACTS:**

Agreement: No

By-law: No

Budget Amendment: No

Policy: No

## **REFERENCES:**

1. [\*Community Safety and Policing Act, 2019.\*](#)

## **ATTACHMENTS:**

1. Draft Terms of Reference.