



KINGSTON POLICE SERVICE BOARD

Disclosure of Misconduct Against the Chief of Police or the Deputy Chief of Police (GP-018)

Adopted: Aug. 27/26

Reviewed:

Revised:

Expires: Indefinite

Rescinds:

Legislation: Community Safety and Policing Act, 2019.

1. Policy Statement

The Kingston Police Service Board (the Board) recognizes the essential need for handling complaints against senior leaders of the Kingston Police Service with fairness and consistency. The Board is committed to ensuring that a comprehensive, confidential, and respectful process is in place to address allegations of misconduct involving the Chief of Police or Deputy Chief of Police. This policy details the procedures for members or former members of the service who wish to report alleged misconduct by these senior officials. It is crucial to emphasize that any form of retaliation for making such disclosures or seeking advice about the process will not be tolerated and may result in disciplinary action.

2. Board Policy

It is the policy of this Board that:

- a) A member or former member of the Service may make a disclosure of alleged misconduct by the Chief of Police or a Deputy Chief of Police. The identity of persons involved in the disclosure will be protected unless to do so would be contrary to the interests of fairness.

- b) The member or former member shall report allegations of misconduct against the Chief of Police or a Deputy Chief of Police to the Board.
- c) The complaint shall be in writing, addressed to the Board Chair, and submitted to the Board office. The complaint should include as much detail as possible, including dates, witness names, and any relevant supporting documents.
- d) The Board Chair shall review the complaint and consider whether the Board must address the matter urgently. The Chair shall ensure that legal counsel is consulted in determining how to address the alleged misconduct, including whether the interests of fairness require the disclosure of the identity of those involved in the complaint.
- e) Alternatively, the member or former member may disclose misconduct to the Inspector General if:
 - i. The member or former member has reason to believe that it would not be appropriate to disclose the misconduct in accordance with this policy; or
 - ii. The member or former member has already disclosed the misconduct in accordance with this policy and has concerns that the matter is not being dealt with appropriately.
- f) The Board Chair, Board members and Board employees shall take all necessary steps to protect the identity of persons involved in the complaint process. If it is necessary to disclose the identity of any individual involved in the process to ensure fairness, the disclosure will only be made after consultation with the individuals whose identities would be disclosed and only to the extent necessary to achieve fairness.
- g) Any correspondence, including electronic correspondence, concerning the alleged misconduct shall be clearly labelled “confidential”.
- h) No person shall take a reprisal against a member because he or she has:
 - i. Sought advice about making a disclosure about misconduct in accordance with this Policy or under Part XI of the Community Safety and Policing Act;
 - ii. Made a disclosure about misconduct in accordance with this Policy or under Part XI of the Community Safety and Policing Act;
 - iii. Co-operated in an investigation or other process related to a disclosure of misconduct made in accordance with this Policy or under Part XI of the Community Safety and Policing Act; or

- iv. Sought enforcement of this Policy or Part XI of the Community Safety and Policing Act.
- i) For the purpose of this Policy, a reprisal is any measure taken against a member of a police service that adversely affects his or her employment or appointment and includes, but is not limited to:
 - i. Terminating or threatening to terminate the person's employment or appointment;
 - ii. Disciplining or suspending or threatening to discipline or suspend the person;
 - iii. Imposing or threatening to impose a penalty related to the employment or appointment of the person; or
 - iv. Intimidating or coercing the person in relation to his or her employment or appointment.

"original signed by Chair"
Chair

"original signed by Board Administrator"
Board Administrator