



## **Annapolis County Joint Police Advisory Board**

### **Terms of Reference**

#### **BACKGROUND & AUTHORITY**

- 1.1 Pursuant to the Police Act, SNS 2004, c 31, as amended, (hereinafter referred to as the "Act"), municipal units receiving policing services in whole or in part from the Royal Canadian Mounted Police, (hereinafter referred to as the "RCMP"), must establish a police advisory board.
- 1.2 The Municipality of the County of Annapolis, and the Town of Middleton receive policing services from the Annapolis District RCMP by way of a cost-sharing arrangement.
- 1.3 Accordingly, the Municipality of the County of Annapolis, and the Town of Middleton have established a joint police advisory board, pursuant to section 57 of the Act, (hereinafter referred to as the "Board").
- 1.4 This document governs the Board.

#### **RESPONSIBILITIES**

- 2.1 The function of the Board is to provide advice to the Councils of the Municipality of the County of Annapolis, and the Town of Middleton in relation to the enforcement of law, the maintenance of law and order, and the prevention of crime in their respective municipal units.
- 2.2 The Board shall not exercise jurisdiction relating to complaints, discipline, personnel conduct or the internal management of the RCMP.
- 2.3 Without limiting the generality of Section 2.1 hereof, the Board shall, subject to the policing agreement:
  - a) determine, in consultation with the District Commander of the RCMP Annapolis District (hereinafter referred to as the "District Commander"), or the District Commander's designate, priorities, objectives and goals respecting police services in the Municipality of the County of Annapolis, and the Town of Middleton;
  - b) ensure the District Commander establishes programs and strategies to implement the priorities, objectives and goals respecting police services;
  - c) ensure that community needs and values are reflected in policing

- priorities, objectives, goals, programs and strategies;
- d) ensure that police services are delivered in a manner consistent with community values, needs and expectations;
  - e) act as a conduit between the community and the police department;
  - f) recommend policies, administrative and organizational direction for the effective management of the police department; and
  - g) review with the District Commander or the District Commander's designate information provided by the District Commander respecting complaints and internal discipline.

### **BOARD COMPOSITION**

3.1 The Board shall consist of:

- a) Two (2) Councillors from the Municipality of the County of Annapolis, appointed by resolution of that Council;
- b) Two (2) persons residing in the Municipality of the County of Annapolis, appointed by resolution of that Council, who are neither Councillors nor employees of the Municipality of the County of Annapolis;
- c) Two (2) Councillors from the Town of Middleton, appointed by resolution of that Council;
- d) Two (2) persons residing in the Town of Middleton, appointed by resolution of that Council, who are neither Councillors nor employees of the Town of Middleton; and
- e) One (1) person appointed by the Minister of Justice.

3.2 Each member of the Board shall have one (1) vote.

### **TERM**

- 4.1 The term of the member of the Board appointed by the Minister of Justice shall be for such term as determined by the Minister of Justice.
- 4.2 The term of each other member of the Board shall be two (2) years.
- 4.3 Each member is eligible for re-appointed to a maximum of two (2) consecutive terms.

### **CHAIR AND VICE CHAIR**

- 5.1 At the first meeting of the Board in each year, the members of the Board shall select a Chair and a Vice-Chair by resolution of the Board.
- 5.2 No person shall serve as Chair or Vice-Chair of the Board for more than two (2) consecutive years.
- 5.3 The role of Chair of the Board includes the following responsibilities:
  - a) to preside over the Board and to manage, organize, set agendas for and attend meetings, ensuring that all policies developed by the Board are appropriately implemented;
  - b) to ensure that Board members are informed of matters within the Board's jurisdiction;
  - c) to act as the sole spokesperson for the Board; and
- 5.4 The Vice-Chair shall perform the role of Chair during an absence by the Chair.

### **OATH OF OFFICE**

- 6.1 Before assuming their duties as a member of the Board, each member must take an oath of office or affirmation in the form prescribed by the regulations of the Act.

### **CODE OF CONDUCT**

- 7.1 Each member of the Board must abide by the following Code of Conduct:
  - a) uphold the letter and spirit of the code of conduct set out in this Section and discharge their duties in a manner that will inspire public confidence in the abilities and integrity of the Board;
  - b) unless they have a reasonable excuse, attend every Board meeting;
  - c) not interfere with the police department's operational decisions and responsibilities or with the day-to-day operation of the police department, including the recruitment and promotion of officers;
  - d) keep confidential any information disclosed or discussed at a Board meeting;
  - e) not claim to speak on behalf of the Board unless authorized by the Chair of the Board to do so;
  - f) if publicly disagreeing with a decision of the Board, make it clear that they are expressing a personal opinion;
  - g) discharge their duties loyally, faithfully, impartially and according to the Act, any other act and any regulation, rule or by-law;

- h) discharge their duties in a manner that respects the dignity of individuals and is in accordance with the Human Rights Act and the Charter of Rights and Freedoms;
  - i) not use their position inappropriately to advance their interests or the interests of any person or organization with whom or with which they are associated;
  - j) immediately resign from the Board if applying for employment with a police department, including employment on contract or on fee for service;
  - k) refrain from engaging in professional or personal conduct that could discredit or compromise the integrity of the Board or the police department; and
  - l) if their conduct or performance is the subject of investigation or inquiry, temporarily withdraw from all Board activities and duties as a member of the Board until the completion of the investigation or inquiry.
- 7.2 The Chair of the Board must provide each Board member with:
- a) a copy of the Code of Conduct upon his/her appointment to the Board. Each member of the Board must review the Code of Conduct and provide the Chair with a signed copy of the Code of Conduct, to be maintained on file; and
  - b) a copy of the Act and its regulations upon his/her appointment to the Board.
- 7.3 If the Chair or the majority of the Board determines that a Board member has breached the Code of Conduct, the Board must record that determination in its minutes.
- 7.4 On determining that a Board member has breached the Code of Conduct, the Board may take one or more of the following actions:
- a) issue a reprimand to the Board member;
  - b) order a period of suspension for the Board member;
  - c) recommend to the Minister of Justice or the appropriate Council that the Board member be dismissed under subsection 57(7) of the Act.

## **TRAINING**

- 8.1 A Board member shall undergo any training that may be provided for members of the Board, required by the Minister of Justice, or required by regulation.

## **MEETINGS**

### ***Timing of Meetings***

- 9.1 The Board must hold a meeting at least every three (3) months. The Chair may convene additional meetings as necessary.
- 9.2 At each meeting of the Board, the Board shall designate the date and time of the next Board meeting.
- 9.3 Meetings of the Board will be scheduled for two (2) hours in length.

### ***Location of Meetings***

- 9.4 Each participating municipal unit shall be responsible for hosting a meeting of the Board on a rotating basis. Meetings of the Board may also be held at other locations as determined in advance by the Board.

### ***Quorum***

- 9.5 A majority of the members of the Board constitutes a quorum.

### ***Notice***

- 9.6 The Chair must circulate to all Board members, notice of an upcoming meeting of the Board at least two (2) weeks in advance of a Board meeting.
- 9.7 The following persons must be notified of all meetings of the Board, and are entitled to attend all meetings of the Board but not to vote:
  - a) The District Commander (or an officer acting as the District Commander);
  - b) The Chief Administrative Officer of the Municipality of the County of Annapolis, or his/her designate;
  - c) The Chief Administrative Officer of the Town of Middleton, or his/her designate.

### ***Agenda***

- 9.8 The Chair shall prepare an agenda for each meeting of the Board and shall circulate the agenda to all Board members no later than one (1) week prior to the meeting of the Board.

9.9 Agenda items for a meeting of the Board must be provided to the Chair no later than two (2) weeks prior to the meeting of the Board.

### **Minutes**

9.10 The Board must keep full minutes of every meeting of the Board.

9.11 The Board shall select a person to take and prepare minutes at each meeting of the Board, and that person need not be a member of the Board.

### **Public and Private Meetings**

9.12 Meetings of the Board are open to the public, unless authorized by legislation to meeting in closed session and the Board agrees to such.

### **FILLING VACANCIES**

10.1 Where a member of the Board is unable to carry out the duties as a member of the Board by reason of illness, absence or any other reason, the Council or the body that made the initial appointment may appoint some other person to act as or be a member of the Board in the place or stead of the absent member.

### ***Appointment by Municipality of the County of Annapolis***

10.2 Where the Council of the Municipality of the County of Annapolis must appoint a member (who is not a Councillor) to the Board, the Council of the Municipality of the County of Annapolis must:

a) advertise the vacancy;

b) solicit applications for the vacancy;

c) require each applicant to go through a screening process, including an interview conducted by a panel established by the Council of the Municipality of the County of Annapolis;

d) consider each applicant's education and work experience; and

e) notify each applicant of the outcome of the selection process.

### ***Appointment by Town of Middleton***

10.3 Where the Council of the Town of Middleton must appoint a member (who is not a Councillor) to the Board, the Council of the Town of Middleton must:

a) advertise the vacancy; and

- b) solicit applications for the vacancy;
- c) require each applicant to go through a screening process, including an interview conducted by a panel established by the Council of the Town of Middleton;
- d) consider each applicant's education and work experience; and
- e) notify each applicant of the outcome of the selection process.

### **Qualifications**

10.4 To be a candidate for appointment as a member of the Board (who is not a Councillor and who is not appointed by the Minister of Justice), a person must:

- a) demonstrate all of the following qualifications to the satisfaction of the respective Council:
  - i. residence in the respective municipality/town or considerable interest in serving on the Board;
  - ii. considerable knowledge of community issues and an understanding of policing values and governance;
  - iii. a good character; and
  - iv. willingness to make the commitment of time and effort required to carry out responsibilities of the Board; and
- b) consent to criminal and background checks.

10.5 A person must not be appointed as a member of the Board if criminal and background checks show that the person has been convicted of any criminal offence or has been or is the subject of a disciplinary proceeding in any jurisdiction that, in the opinion of the respective Council, would reasonably be expected to have a negative impact on their acting as a member of the Board or on the Board generally.

### **DISMISSAL OF A MEMBER**

11.1 A member of the Board may be dismissed by:

- a) The Minister of Justice, if the Minister of Justice appointed the member;
- b) Resolution of the Council of the Municipality of the County of

Annapolis, if that Council appointed the member; or

- c) Resolution of the Council of the Town of Middleton, if that Council appointed the member.

### **REPORT TO COUNCIL**

- 12.1 Following each Board meeting, a member (or members) of the Board must provide a report of the meeting to the Councils of the Municipality of the County of Annapolis, and the Town of Middleton.
- 12.2 Approved motions of the Board shall constitute recommendations of the Board to the Councils of the Municipality of the County of Annapolis, and the Town of Middleton.

### **CONFLICT OF INTEREST**

- 13.1 Board members shall declare possible conflicts of interest before agenda items are presented and leave the Board meeting or part of the meeting during which the matter is under consideration, including during any motion related to the matter.

### **ADVICE TO DISTRICT COMMANDER**

- 14.1 On behalf of the Board, the Chair of the Board or the Chair's delegate may, in accordance with an agreement made pursuant to clause 36(1)(b) of the Act, give advice in writing to the District Commander, 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.

### **APPROVAL**

- 15.1 This Terms of Reference must be approved by Council resolution of each participating municipal unit.
- 15.2 This Terms of Reference shall come into effect on the date when it has been approved by Council resolution of all participating municipal units.

### **AMENDMENTS AND REVIEW**

- 16.1 This Terms of Reference must be reviewed every four (4) years by the Board. This review may take place sooner as required.
- 16.2 Any amendment(s) to this Terms of Reference must be approved by Council resolution of each participating municipal unit.

16.3 Any amendment(s) to this Terms of Reference shall come into effect on the date the amendment(s) have been approved by Council resolution of all participating municipal units.

**Approved by Municipal Council on January 21, 2025**  
**SR2025-009**



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Chief Administrative Officer

*At Annapolis Royal Nova Scotia*

January 21, 2025

Date