



Hamilton Police Service Board Chief and Board Communication Policy P-033

Effective date: July 23, 2026
Reviewed:
Amended:

Applicable Legislation

Subsection 37 (1) of the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*, (“CSPA”) provides that a Board shall provide adequate and effective policing in the area for which it has policing responsibility as required by Section 10 of the CSPA;

Subsection 38 (2) of the CSPA provides that a Police Service Board may establish policies respecting matters related to the Police Service or the provision of policing.

Definitions

“Act” or “CSPA” means the *Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1*, and amendments thereto;

“Board” means the Hamilton Police Service Board;

“Board Member” means a Member of the Hamilton Police Service Board;

“Chair” means the Chair of the Board;

“Chief” means the Chief of the Hamilton Police Service;

“Executive Director” means the Executive Director hired by the Board;

“Member” means a member of the Hamilton Police Service;

“Service” means the Hamilton Police Service;

Policy Application

The Board recognizes the need to ensure accountability and support effective governance in carrying out its statutory and administrative responsibilities and acknowledges communication is essential to Board governance. The Board also appreciates the need to advance its work and that of the Hamilton Police Service in an efficient and timely manner. The Board relies on information from the Chief of Police to make informed decisions that are relevant, timely, clear, and compelling. The Board also supplements the information provided by the Chief of Police with independent advice when and where appropriate.

These are the guiding principles under which the Board and Chief of Police shall address effective communication for the following:

- a. Standard communication channels;
- b. Matters of operational significance;
- c. Matters relating to critical points;
- d. Board Member communication and information sharing; and
- e. Board Member contact with Members of the Police Service.

Section 1: Standard Communication Channels

All information reported and advice provided to the Board from the Service shall be routed through the Board's Executive Director in written report format for placement on an upcoming Board or Committee agenda in accordance with the Board's Procedural By-law. This includes all general and/or educational information. The only exceptions are:

- a. Information or advice that is relevant to the specific delegated authority of the Chair, Executive Director, Committee Chair, Chief of Police or Board Solicitor;
- b. Information or advice that is a matter of operational significance; and
- c. Matters relating to critical points.

Section 2: Matters of Operational Significance

A matter of operational significance includes, but is not limited to:

- a. Incidents and calls for service that result in serious police enforcement action or investigations into occurrences, which are shared with the Board for situational awareness in advance of any media coverage, where practicable;
- b. Incidents where the SIU has invoked their mandate in response to a death or life threatening injuries;
- c. Any incidents involving, directly or indirectly, police officers or civilian and senior Service members, Board members, or public figures that are likely to draw significant media attention; and
- d. Any incident that warrants a special media conference involving the Chief of Police.

The timely and accurate receipt of such information positions the Board Chair to respond to the public, the Inspectorate of Policing, and/or media inquiries or demands, and helps inform the Board's assessment of the matter of operational significance, as well as any Board decisions that flow from that assessment.

2.1 Notification Requirements for Matters of Operational Significance

- a. When a matter of operational significance arises, the Chief or their designate, shall notify the Board Chair and Executive Director of the pertinent information by electronic notification at the earliest possible time and provide updates as available and necessary, where practical.
- b. The information shall be in the form of a Confidential Briefing Note, that includes the subject matter/issue, current status, background information, strategic considerations, strategic communications, and action required.
- c. Upon receipt of notification of a matter of operational significance from the Chief or designate, the Board Chair or Executive Director shall inform the other Board Members of the incident and any updates received.

- d. For clarification purposes, any and all information that does not constitute a matter of operational significance or is not a matter specifically for the Board Chair or Executive Director, shall be provided to the Board Chair and/or Executive Director for review and to determine the appropriate action. This includes notifications related to situations involving the Police Service's response to certain calls for service, and the monitoring of emerging issues.

2.1 Inquiries from the Media

- a. Any media requests received that are related to the Board's mandate, policies, or decisions, shall be forwarded to the Board's Executive Director. The Board's Executive Director shall immediately notify the Chair of the request, including any media requests directly received at the Board Office.
- b. Unless otherwise specified, the Chair is the official spokesperson for matters within jurisdiction of the Board. Should the Chair be unavailable, the Vice-Chair shall be the spokesperson. In response to an inquiry regarding Board governance, policy or administration, the Executive Director may act as a spokesperson on behalf of the Board.
- c. In the event individual Board members are contacted directly by members of the media, they shall adhere to their responsibilities in the Code of Conduct for Police Service Board Members and Board policies and redirect the request to the Executive Director as appropriate.
- d. The Board spokesperson shall only comment on matters within the jurisdiction and mandate of the Board, and shall avoid speaking on matters within the legislated authority of the Chief of Police. Similarly, the Chief of Police shall refrain from commenting or speculating, officially or otherwise, on matters within the Board's domain. Prior to responding to media requests for interviews or comments, the Board's spokesperson may consult, as appropriate, with the Chief or their designate to ensure the appropriate coordination.
- e. Most media inquiries received regarding the Hamilton Police Service are operational in nature and properly within the domain of the Chief and/or

designated Service Member. However, where operational matters may spark significant public interest or debate, the Chief shall inform the Board Chair and Executive Director before a public statement is made. The purpose of informing the Chair and Executive Director is as a courtesy, to ensure the Board Members are aware of major occurrences.

- f. When the Chair or the Board are of the opinion that a response from the Board is required, the Board spokesperson and the Chief of Police shall consult, as needed, to ensure the proper coordination, timing, and dissemination of information to address the issue. Prior to the release of any response from the Board, the Chair or spokesperson shall provide the Board with a copy of the media release and any applicable background information

Section 3: Matters Relating to Critical Points

Critical Points: A matter of strategic significance that is time-sensitive and which rapidly elevates the Board's operational, financial, reputational, or other enterprise risk, and therefore, calls for the Board's immediate attention and/or preparedness to take action. These include but are not limited to:

- a. Large scale operations or events for which advance planning and approval by the Service's Command is required;
- b. Events or operations that are likely to have a material impact on the Service's relationship with, and service to, marginalized and vulnerable communities;
- c. Events or operations that raise significant questions of public policy; or
- d. Credible external or internal complaints, including complaints regarding workplace discrimination or harassment, against individual officers and the Service, and findings by other tribunals related to discrimination, where such complaints or findings raise significant systemic issues.

For matters that meet the definition of 'Critical Points', the Board and Chief shall follow Board policy P-029 Critical Points.

Section 4: Board Members Communication and Information-Sharing

Members of a Police Service Board shall not purport to speak on behalf of the Board unless authorized by the Board to do so.

Board Members receive information from the Chief of Police through a variety of mechanisms, including through formal reports at Board meetings; however, a substantial amount of communication occurs between individual Board Members and the Chief or other members of the Service through various informal methods, including impromptu meetings or discussions, ad hoc verbal briefings at Board meetings, telephone calls, or emails.

It is critical that any material information obtained by one Board Member that, in their judgment, is pertinent to the Board's consideration of matters before it, or likely to come before it, or that is related to a prior Board decision, or that is of public interest, is shared with the entire Board at the next available opportunity, so that the entire Board can discharge its governance and oversight responsibilities based on the same information.

It is therefore, the policy of the Hamilton Police Service Board that:

- a. A Board Member will share, at the earliest opportunity, material information they receive through informal communication with the Chief or other members of the Command, that, in their judgment, is pertinent to the Board's consideration of matters before it, or likely to come before it, or that is related to a prior Board decision, or that is of public interest;
- b. Such communication and information-sharing will be in the form of a formal Board report or briefing at the Board meeting following the receipt of such information;
- c. Where the information received is, in the Board Member's judgment, related to an item of an urgent nature and should be considered before the date of the next regularly scheduled Board meeting, the Board Member in receipt of the information will consult with the Board Chair and/or Executive Director to determine whether a Special Board meeting should be called or the information can be provided to the full Board by some other means; and

- d. When a Board Member becomes aware that, in exercising their judgment, a Board Member did not communicate information that ought to have been provided to the full Board, the Board Chair and/or Executive Director will determine what the appropriate course of action should be, pursuant to Ontario Regulation 408/2023, Code of Conduct for Police Service Board Members.

5. Board Member Contact with Members of the Police Service

The Code of Conduct for Police Service Board Members (O. Reg. 408/23 s.4) states “A member of a police service board shall comply with the Act and the regulations made under it.” CSPA, 2019, Section 40 (1), (2), (3), and (4), states:

“The police service board may give directions to the chief of police.” 40 (2) “For greater certainty, the police service board shall not direct members of the police service other than the chief of police, unless that direction is specifically authorized under Part XII (Discipline and Termination).” 40 (3) “No individual member of a police service board shall direct the chief of police or, for greater certainty, any other member of the police service.” 40 (4) “The police service board shall not direct the chief of police with respect to specific investigations, the conduct of specific operations, the discipline of specific police officers, the day-to-day operation of the police service or other prescribed matters.”

In keeping with legislation, it is therefore the policy of the Board that Members of the Hamilton Police Service Board shall:

- a. Seek general information through the Executive Director as it relates to either an issue before the Board or one to be considered at an upcoming Board meeting;
- b. Seek information concerning specific investigations or occurrences only from the Executive Director within the context of a Board meeting; and
- c. Avoid any suggestion of direction to the Chief of Police or any member of the police service as it relates to a specific investigation or a specific operational issue.

Reporting

The Chief of Police, Chair, and/or the Executive Director shall report to the Board on an exception basis. For further clarity, this applies to circumstances where a breach of this policy has resulted in an ‘exceptional’ circumstance, which may be detrimental to the police service and/or may result in significant issues of potential liability to the Board and/or the Service.