

Appendix “A”

With respect to the Board’s response under “Claims (All Coverages)” on the above Insurance Application:

1. The Board has received confirmation from Intact, the Board’s pre April 1, 2024 insurer as a local board of the Town of Orangeville, of a \$18,817 payment relating to a 2018 alleged false arrest and mental anguish by police claim. The claim has been closed since 2020. The details provided by Intact are contained in Appendix “B” attached to the Application.
2. At the time of this claim, the Board was constituted as a “police services board” under s.31 of the Police Services Act (“PSA”). As such, although the Board was not directly involved in the events alleged in the claim against the local Orangeville police service, under the PSA the Board was the employer of such police service charged with oversight, but not direct operational responsibility. This was the structure of all s.31 boards in Ontario under the PSA.
3. The current Board is a very different entity than it was in 2018 based on the following:
 - a. Effective October 1, 2020, the Board transitioned from a local police services board operating under PSA s.31 to an OPP police services board operating under PSA s.10. This transition occurred in conjunction with a decision by the Town of Orangeville Council to disband the local Orangeville Police Service and replace it with the OPP. As a s.10 board, the Board ceased, effective October 1, 2020, to be the employer of its new police service, but retained oversight responsibilities as set out in the PSA.
 - b. Effective April 1, 2024, the PSA was replaced by the *Community Safety and Policing Act, 2019* and related regulations (“CSPA”). Under the CSPA there are two categories of policing boards. The term “police services board” is no longer used. In its place, the CSPA defines “police service board” to include municipal and first nations boards with their own local police services (previous PSA s.31 services) and “OPP detachment board” to include municipal and first nations boards whose policing needs are supplied by the OPP (previous PSA s.10 services).
 - c. This change in board definitions was accompanied by conforming amendments to a number of other provincial statutes/regulations. In particular, the definitions of “local board” under the Municipal Act, the Municipal Conflict of Interest Act and the Municipal Elections Act/Municipal Affairs Act were revised to replace the PSA term “police services board” with the CSPA term “police service board” which, by definition, excluded OPP detachment boards in a number of contexts, including for purposes of local board coverage under municipal insurance policies. The government’s policy reason for this exclusion is not entirely clear.
 - d. Also effective April 1, 2024 Ontario’s OPP detachment boards were consolidated, and in most cases reconstituted, under O. Reg. 135/24. This resulted in Dufferin County’s pre-April 1, 2024 PSA s.10 boards being reduced in number from 8 to 4.

Under O. Reg. 135/24 the composition of the Board was increased from 5 to 6 members as follows:

- i. 2 appointed by Orangeville Council from members of Council;
 - ii. 3 (up from 1) appointed by Council from members of the community who are neither members of Council nor employees of the municipality; and
 - iii. 1 (down from 2) provincial appointee appointed by the Minister.
 - e. The Board's oversight compliance responsibilities under the CSPA are substantially different from its previous responsibilities under the PSA at the time of the claim. Most notably, effective October 1, 2020 and continuing through to April 1, 2024 and beyond, the Board is not the employer of the police service it oversees.
4. In the result, the Board as presently constituted, has no relevant claims history, but discloses the Intact search results for completeness.