



Orangeville OPP Detachment Board Policy

Equal Opportunity, Discrimination and Workplace Harassment

Policy No: D3(a)

Effective Date: March 17, 2014

First Revision Date: April 1, 2024

Current Revision Date: September 27, 2024

Rescinds all other Policies and Procedures relating to this subject.

Whenever reference is made to “Detachment Commander” (“DC”), the term is intended to include the Ontario Provincial Police (“OPP”) more generally to the extent the actual responsibility/authority relating to the establishment of policies, procedures and processes lies at more senior levels within OPP management or as otherwise may be required under the *Community Safety and Policing Act, 2019* and regulations (collectively the “CPSA”).

1. Policy Statement and Purpose

- 1.1. The Board recognizes that its members and staff have the right to work in an environment that provides equal opportunity and is free from discrimination, workplace violence, abuse, neglect and harassment of any kind whether physical, emotional, verbal or psychological which the Board will not condone in any form.

2. Statutory Authority or References

- 2.1. CSPA, the Ontario Human Rights Code (the “Code”), the Ontario Occupational Health & Safety Act and the guideline attached as Appendix “A”

3. Scope

- 3.1. This Policy will apply to Board Members and the Executive Assistant in the conduct of their duties, as well as invited visitors and the public in attendance at Board meetings.

4. Definitions

- 4.1. As defined herein and in Appendix “A”.

5. Policy Guidelines

- 5.1. Equal Opportunity is consistent with the principles of the CSPA, including those contained in Part I’s declaration of principles - *“the need for sensitivity to the pluralistic, multicultural and*

multiracial character of Ontario's society", and "the need to ensure police services are representative of the communities they serve."

- 5.2. Under the Code employers are required to provide accommodation, unless to provide accommodation would cause undue hardship to the employer, considering the costs, outside sources of funding, if any, and health and safety requirements, if any.
- 5.3. CSPA s.88 addresses the accommodation of needs of disabled members of police services in accordance with the Code.
- 5.4. Under the Code, employers, people acting for employers and co-workers are prohibited from harassing an employee on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age, record of offences, marital status, same sex partnership status, family status or handicap.
- 5.5. Sexual remarks or physical contact are considered sexual harassment and are prohibited where they are known or ought to be known to be unwelcomed. Furthermore, the Code specifically prohibits a sexual advance or solicitation by a person who is in a position to grant or deny a benefit to another where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcomed.
- 5.6. It is the policy of the Board that the above be used as guidelines by the Board with respect to its members and staff.¹

6. Reporting Procedures, Protocol Investigation and Discipline

- 6.1. The Chair of the Board is responsible for policy implementation and is the media representative authorized to respond to all media enquiries in accordance with Board Policy D3(f) Media Relations and Public Transparency.
- 6.2. With respect to Board members and the Executive Assistant, breaches of this policy shall be considered breaches of the Board's Code of Conduct Policy 3(c) and shall be dealt with accordingly.
- 6.3. With respect to all others within the scope of this policy, breaches of the policy will be dealt with by resolution of the Board.

7. Posting

- 7.1. This policy shall be posted on the Board website

8. Acknowledgment

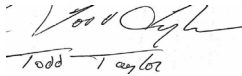
- 8.1. Members of the Board and the Executive Assistant shall be provided with a copy of this policy and are required to acknowledge receipt according to the acknowledgment provided below.

¹ Note: A prior version of this policy was previously adopted by the Board as a Police Services Act (PSA) s.31 board where its employees included the members of the municipal police service. As a PSA s.10 board (effective October 1, 2020) and subsequently an OPP detachment board (effective April 1, 2024), this is no longer the case – the Board's employees are limited to Board staff (i.e., Executive Assistant).

9. Review and Revision History

Revision Date	Description of Changes
September 19, 2023	Updated as part of Board's governance reform project
April 1, 2024	Updated to reflect new CSPA
September 27, 2024	Updated to reflect Board insurance requirements

Approved and ratified by the Board effective September 27, 2024.



Todd Taylor

Todd Taylor – Chair



Ian McSweeney – Vice-Chair

I acknowledge that I have received and read the abuse policy and/or have had it explained to me. I understand that it is my responsibility to abide by all the rules contained in this policy and to report any incidents of abuse as set forth in this policy.

Date _____

Name of Board Member/Executive Assistant _____

Signature of Board Member/Executive Assistant _____

Signature of Board Chair _____

APPENDIX "A"
Policies & Procedures: Creating Abuse Policies in Ontario



Policies & Procedures: Creating Abuse Policies in Ontario

An entity can be held vicariously liable for the inappropriate and intentional actions of its employees, volunteers, visitors and independent contractors. In order to protect itself, the entity should implement a written and documented abuse policy. The policy should be drafted in consultation with the entity's legal counsel and Board of Directors.

The purpose of the policy is:

- a. To maintain an environment that is free from harassment or abuse
- b. To identify the behaviours that are unacceptable
- c. To establish a mechanism for receiving complaints
- d. To establish a procedure to deal with complaints
- e. A general framework for drafting an abuse policy is as follows:

1. Policy Statement

The entity should begin by formulating a policy statement with respect to its tolerance of abuse. An example of a policy statement is:

The organization will not tolerate any form of physical, sexual, emotional, verbal, or psychological abuse, nor any form of neglect or harassment.

2. Definitions

The forms of abuse referred to in the policy statement must be defined so that all individuals bound by the policy have a clear understanding of the behaviours that will not be tolerated. The following are examples of definitions:

- **Physical Abuse** is defined as but not limited to the use of intentional force that can result in physical harm or injury to an individual. It can take the form of slapping, hitting, punching, shaking, pulling, throwing, kicking, biting, choking, strangling or the abusive use of restraints.
- **Sexual Abuse** is defined as but not limited to any unwanted touching, fondling, observations for sexual gratification, any penetration or attempted penetration with a penis, digital or object of the vagina or anus, verbal or written propositions or innuendos, exhibitionism or exploitation for profit including pornography.
- **Emotional Abuse** is defined as but not limited to a chronic attack on an individual's self-esteem. It can take the form of name calling, threatening, ridiculing, berating, intimidating, isolating, hazing, habitual scapegoat, blaming.

- **Verbal Abuse** is defined as but not limited to humiliating remarks, name calling, swearing at, taunting, teasing, continual put downs.
- **Psychological Abuse** is defined as but not limited to communication of an abusive nature, sarcasm, exploitive behaviour, intimidation, manipulation, and insensitivity to race, sexual preference or family dynamics.
- **Neglect** is defined as but not limited to any behaviour that leads to a failure to provide services which are necessary such as withdrawing basic necessities as forms of punishment, failing to assess and respond to changes in health status and refusing or withdrawing physical or emotional support.
- **Harassment** is defined as but not limited to any unwanted physical or verbal conduct that offends or humiliates, including gender-based harassment. It can be a single incident or several incidents over time. It includes threats, intimidation, display of racism, sexism, unnecessary physical contact, suggestive remarks or gestures, offensive pictures or jokes. Harassment will be considered to have taken place if a reasonable person ought to have known that the behaviour was unwelcome.

3. Governing Legislation

The policy should reference the applicable legislation that gives grounds to the entity's abuse policy. Examples of applicable legislation are:

- *Child and Family Services Act*, RSO 1990, c C.11
- *Child Care and Early Years Act*, 2014, SO 2014, c 11, Sch 1
- Human Rights Code, RSO 1990, c H.19
- Criminal Code, RSC 1985, c C-46
- *Retirement Homes Act*, 2010, SO 2010, c11
- *Regulated Health Professions Act*, 1991, SO 1991, c 18
- *Ministry of Health and Long-Term Care Act*, RSO 1990, c M.26
- The entity must refer to its governing legislation.

4. Who is Covered by this Policy

The policy must reference the individuals who are covered by the policy. This will include all employees, volunteers, visitors, parents, independent contractors, etc.

5. Abuse Reporting Procedures

The policy should reference the process for reporting suspected abuse incidents. The policy should provide more than one avenue for reporting abuse (i.e. to any senior manager). The policy can reference the procedure outlined in the governing legislation.

6. Reporting Protocol

The policy should establish the process the entity will follow when an abuse allegation is brought forward. Governing legislation should be referenced with respect to the reporting protocol that must be followed.

7. Investigative & Disciplinary Procedures

The policy should outline the investigative procedure. Within this procedure, the policy should address the following:

- The role of the alleged assailant within the organization. Will the individual be suspended with pay/without pay; moved to another position within the organization, etc?
 - Action required by individuals within the organization
 - Resolution of the Complaint – counselling, disciplinary action, dismissal
 - Appeal Process
 - False Allegations
 - Disciplinary Action that will be taken
 - Documentation procedures, which must be made available for any civil or criminal proceedings
8. All individuals bound by the policy must be given the opportunity to read the policy and ask any questions.
9. The policy should also reflect the potential personal financial liabilities of the owners, directors, officers and others.

10. The entity should require an acknowledgement that the policy has been read and is understood. This can take the form of a signature page. As an example:

I acknowledge that I have received and read the abuse policy and/or have had it explained to me. I understand that it is my responsibility to abide by all the rules contained in this policy and to report any incidents of abuse as set forth in this policy.

Date _____

Signature of Employee/Volunteer

Signature of Person Representing the Entity

11. The policy needs to identify the individual responsible for implementing the policy throughout the organization.
12. The organization should appoint a “media representative” to respond to all enquiries from any media (TV, radio, newspapers, etc.) and all staff should be instructed if approached by the media, to refer all such enquiries to the “media representative”.

Please see these resources for additional information on abuse in Ontario:

- Ministry of Social & Community Services
- Ministry of Children and Youth Services
- Child Protection Standards in Ontario
- Ontario Child Protection Tools Manual
- The Ontario Network for the Prevention of Elder Abuse

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