
Subject: Municipal Diversity Plan for Appointments to the Niagara Regional Police Service Board

Report to: Corporate Services Committee

Report date: Wednesday, March 5, 2025

Recommendations

1. That the Municipal Diversity Plan for Appointments to the Niagara Regional Police Service Board, attached as Appendix 1 to Report CLK 1-2025, **BE APPROVED** in accordance with Subsection 28(1) of the Community Safety and Policing Act, 2019.

Key Facts

- Effective April 1, 2024, the Police Services Act was repealed and replaced with the Community Safety and Policing Act, 2019 (CSPA), to modernize policing and enhance community safety.
- Section 28 of the CSPA requires municipalities to prepare and approve a Municipal Diversity Plan. The responsibility of the development and approval of this plan falls with Niagara Region as the relevant municipality that maintains a police service board.
- The Region's first Municipal Diversity Plan must be approved by Regional Council before April 1, 2025.
- Once adopted, the plan must be published on the internet along with reports on the implementation of the plan, in accordance with any regulations made by the Minister.
- The plan must be reviewed and if appropriate, revised at least once every four years.

Financial Considerations

Subsection 34(4) of the CSPA provides that the members of the Police Service Board appointed by the Lieutenant Governor in Council or the Minister, shall be remunerated in accordance with the regulations made by the Minister. Those Members of Council and the public member appointed to the Niagara Regional Police Service Board receive remuneration. This remuneration is funded through the Niagara Regional Police annual budget.

Analysis

A new requirement under Subsection 28(1) of the Community Safety and Policing Act (CSPA), 2019, requires every municipality that maintains a police service board to “prepare and, by resolution, approve a diversity plan to ensure that the members of the municipal board appointed by the council are representative of the diversity of the population in the municipality.” Under transition provisions in the legislation, Niagara Region must approve its first municipal diversity plan by April 1, 2025.

Once approved, Council must consider the diversity plan when it appoints members to the Niagara Regional Police Service Board. Subsection 33(1) of the CSPA, provides that in appointing or reappointing a member of a police service board, the appointing body must consider:

- a) The need to ensure that the police service board is representative of the area it serves, having regard for the diversity of the population in the area;
- b) The need for the police service board to have members with the prescribed competencies, if any; and
- c) Any applicable diversity plan.

In accordance with Subsection 31(3) of the CSPA, Council passed a resolution respecting the Board’s composition at its meeting held on April 25, 2024, confirming the composition of the Niagara Regional Police Service Board to be seven (7) members comprised as follows:

- a) The head of the municipal council or, if the head chooses not to be a member of the board, another member of the council appointed by resolution of the council;
- b) Two members of the council appointed by resolution of the council;
- c) One person appointed by resolution of the council, who is neither a member of the council nor an employee of the municipality; and
- d) Three persons appointed by the Lieutenant Governor in Council, as provided in Subsection 31(5) of the Community Safety and Policing Act.

In accordance with the Procedure By-law, prior to the inaugural meeting of Council, each person who has been elected to Council shall submit to the Clerk their preferences for the Standing and Advisory Committees of Council, including agencies, boards and commissions, upon which they wish to serve. At its meeting held the week following the inaugural meeting, Council determines the Members to be appointed to the Board. If a

vacancy arises during the term, a circulation of interest is done and Council appoints by way of resolution.

The public member appointee is recommended for appointment based on the recommendation of a selection panel that includes those Councillors that are appointed to the NRPSB and two additional Councillors appointed to the selection panel. The selection panel is responsible to review applications and score them in accordance with an applicant scoring matrix based on the list of competencies, skills and traits that is included in the Police Service Board Roles and Responsibilities Booklet. Based on the scoring process a slate of candidates is selected to be interviewed and a recommendation is made to Council on an appointee.

Recognizing the different ways in which Members of Council and the public member are appointed to the Board, staff developed a proposed Diversity Plan, in consultation with Diversity, Equity, Inclusion and Indigenous Relations staff (attached as Appendix 1), that incorporates various approaches meant to ensure that the members of the Board appointed by Council are representative of the diversity of the Region's population. Diversity is often attributed to ethnicity and race; however, it is important to note that diversity encompasses many dimensions, including ability, age, education, socio-economic status and much more. Diversity encompasses all people. To ensure compliance with statutory requirements, the plan would be provided to all decision-making bodies for consideration in any process to appoint or re-appoint a Councillor or public member to the NRPSB as may be applicable.

With respect to the appointment or reappointment of a Member of Council, the proposed plan includes measures aimed at ensuring that Members are aware of the statutory provisions related to diversity and representation. The plan seeks to encourage Councillors who are representative of the diversity of the Region's population to express interest in a position on the Board so that they may be considered for appointment in accordance with all other applicable considerations. These measures include:

- Providing the Diversity Plan for Appointments to the Niagara Regional Police Service Board to all Members of Council in orientation materials at the beginning of the term of office;
- Providing educational and resource materials respecting the impacts of bias, discrimination and oppression on diverse populations in Niagara, including information on the diverse demographics of Niagara based on Statistics Canada data, and how to make decisions considering diversity,

equity and inclusion to all Members of Council in orientation materials;
and

- Ensuring that any survey, memorandum or circulation of interest provided to Members regarding an appointment opportunity clearly set out the matters Council is required to consider in making an appointment or reappointment to the Board under Subsection 33(1) of CSPA.

For the appointment of the public member to the Board, the Region is committed to equitable and inclusive participation of the public on its boards and committees and to that end has focused strategies that align with the Region's Diversity, Equity and Inclusion Action Plan vision and mission. These strategies include ensuring that the Region's Boards and Committees, as much as possible, achieve a balance between a variety of technical expertise, professional and lived experience, knowledge and other representation.

The principles of equity and inclusion for all candidates will be adopted and implemented through a fair and transparent process that includes interview procedures using the same questions and same evaluation criteria for all candidates. The Diversity Plan includes that staff may undertake additional consultation with Diversity, Equity, Inclusion and Indigenous Relations staff as part of the appointment process.

Once Council approves the Diversity Plan, additional legislative provisions will apply to reviews of the plan and to publishing the plan and related reports as follows:

- Council must review the plan and, if appropriate, revise the plan at least once every four years in accordance with Subsection 28(3) of the CSPA; and
- The plan must be published on the internet in accordance with the regulations made by the Minister, if any, in accordance with Subsection 28(2). Currently no regulations have been made.
- Council must publish reports on the implementation of the plan on the internet in accordance with regulations made by the Minister, if any, in accordance with Subsection 28(4). Currently no regulations have been made.

Once approved, the plan will be proactively posted on the Region's website.

The Municipal Diversity Plan prescribes a process for appointments to the Region's police service board to attain members that are representative of the diversity of Niagara.

Alternatives Reviewed

In accordance with Subsection 28(1) of the Community Safety and Policing Act, 2019, Council is required to approve a diversity plan. As this is a legislative requirement, no alternatives were considered.

Relationship to Council Strategic Priorities

The implementation of this diversity plan aligns with Council's strategic priority – Equitable Region, specifically the objective to ensure that the Region is inclusive, welcoming and free of discrimination.

Other Pertinent Reports

None.

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Appendices

Appendix 1 Draft Diversity Plan for Appointments to the Niagara Regional Police Service Board

Diversity Plan for Appointments to the Niagara Regional Police Service Board

Approved by: Regional Council

Approval date: XXX, 2025

A. Background

Diversity is often attributed to ethnicity and race; however, it is important to note that diversity encompasses many dimensions, including ability, age, education and socio-economic status and much more. Diversity encompasses all people.

This Diversity Plan is meant to ensure that the members of the Niagara Regional Police Service Board appointed by Niagara Regional Council are representative of the diversity of the population in Niagara, in accordance with Subsection 28(1) of the *Community Safety and Policing Act, 2019*.

This plan shall be considered in any appointment or reappointment by Council of a member of the Niagara Regional Police Service Board. Specifically, Subsection 33(1) of the act states that, "In appointing or reappointing a member of a police service Board, the appointing person or body shall consider,

- (a) the need to ensure that the police service Board is representative of the area it serves, having regard for the diversity of the population in the area;
- (b) the need for the police service Board to have members with the prescribed competencies, if any; and
- (c) any applicable diversity plan."

B. Application

This Diversity Plan applies to all Council appointments and reappointments to the Niagara Regional Police Service Board. In accordance with composition requirements under Section 31 of the act, and based on Council's decision regarding the Board composition, Council appointments will include:

1. Two Members of Council appointed by resolution of Council;
2. The Regional Chair or if the Chair chooses not to be a member of the Board, or is ineligible to be a member of the Board, another Member of Council who is appointed by resolution of Council; and
3. One person appointed by resolution of Council, who is neither a Member of Council nor an employee of the municipality (the "public member").

This plan supplements any other policy and legislative requirements that may apply to a Niagara Regional Police Service Board appointment or reappointment.

Use of this Diversity Plan

To ensure compliance with statutory requirements, this Diversity Plan shall be provided to all decision-making bodies for consideration in any process to appoint or reappoint a Member of Council or public member to the Niagara Regional Police Service Board, as applicable. This includes but is not limited to the following, as applicable:

- All members of a selection panel established to consider applications for appointment to the Board; and
- All Members of Regional Council, which is the statutory appointing body that is required to consider this Diversity Plan in accordance with Subsection 33(1)(c) of the act, as set out in Section A.

The Regional Clerk or designated staff who administer the appointment process for a public member (undertaking, for example, matters such as outreach, recruitment, communications, initial application screening, providing support to decision-making bodies, and writing relevant reports) must also consider the requirements of this plan in any applicable activities.

Additional requirements are provided in Section D of this plan.

C. Legislative requirements relating to diversity and representation on Police Service Boards

This Diversity Plan is required under Subsection 28(1) of the act, which provides that every municipality that maintains a municipal police service Board “shall prepare and, by resolution, approve a diversity plan to ensure that the members of the municipal Board appointed by the council are representative of the diversity of the population in the municipality.” Subsections 28(2) to 28(4) of the act provide requirements with respect to publishing, reviewing and reporting on the diversity plan, as noted in Section E of this plan.

The act includes other provisions regarding the need for a police service board to be representative of the area it serves, having regard for the diversity of the population in the area. These provisions include as follows:

- Section 1 states that policing shall be provided throughout Ontario in accordance with various principles, including, “The need to ensure that police services and police service Boards are representative of the communities they serve.”
- Subsection 29(1) provides that, “If the need to appoint a new member of a police service Board by resolution of a municipality is reasonably foreseeable, the municipality shall take reasonable steps to promote the availability of the

appointment, having regard to the need to ensure that police service boards are representative of the communities they serve.”

- Subsection 33(1) sets out specific matters an appointing body is required to consider in any appointment or reappointment, including representation and diversity, as noted in Section A of this plan.

D. Diversity Plan requirements

Appointment of Members of Council to the Niagara Regional Police Service Board

Processes to appoint a Member of Council to the Niagara Regional Police Service Board may include but not be limited to the following:

- Those who have been elected to Council receive a survey requesting their preferences for appointments to various bodies, including the Niagara Regional Police Service Board prior to the inaugural Council meeting. Regional Council considers those Members put forward for appointment at its meeting held the week following the inaugural Council meeting and by way of resolution, appoints the selected Members.
- A memorandum or circulation of interest used to identify potential appointees based on interest if a vacancy arises during the term of Council.

The following measures are meant to ensure that Members of Council are aware of the statutory requirements related to diversity and representation. They aim to encourage Members of Council representative of the diversity of the Region's population to express interest in a position on the Board so that they may be considered for an appointment in accordance with all other applicable considerations and requirements:

- This Diversity Plan will be provided to all Members of Council in orientation materials at the beginning of their term of office;
- Educational and resource materials respecting the impacts of bias, discrimination and oppression on diverse populations in Niagara, including information on the diverse demographics of Niagara based on Statistics Canada data, and how to make decisions considering diversity, equity and inclusion will be provided to all Members of Council in orientation materials; and
- Any survey, memorandum or circulation of interest provided to Members regarding an appointment opportunity clearly sets out the matters Council is required to consider in making an appointment or reappointment to the Board under Subsection 33(1) of the *Community Safety and Policing Act, 2019*.

Appointment of the Public Member to the Niagara Regional Police Service Board

The public member is recommended for appointment to the Board after a selection process has taken place. The process includes a review of the applications submitted to a selection panel that is comprised of the Members of Council appointed to the Board and two additional Members of Council appointed by Council to the selection panel. The selection panel is responsible to review applications and score them in accordance with an applicant scoring matrix based on the list of competencies, skills and traits that is included in the Police Service Board Roles and Responsibilities Booklet and to make a recommendation to Council.

Considerations described below would ensure that the public member of the Niagara Regional Police Service Board appointed by Council is representative of the diversity of the population in the Region.

- To encourage participation, the Region will undertake proactive communications and focused recruitment strategies that align with the vision and mission of the Diversity, Equity, and Inclusion Action Plan. This proactive approach is adopted with the purpose of reflecting Niagara's diverse demography inclusive of Indigenous peoples, members of Black and other racialized communities, persons with disabilities, women, gender diverse people, members of the 2SLGBTQQIA+ communities, and people from rural and urban locations.
- The Region is committed to equitable and inclusive participation of the public on its Boards and committees and to that end has focused strategies that align with the Region's Diversity, Equity and Inclusion Action Plan vision and mission. These strategies include ensuring that the Region's Boards and Committees, as much as possible, achieve a balance between a variety of technical expertise, professional and lived experience, knowledge and other representation.
- The principles of equity and inclusion for all candidates shall be adopted and implemented by offering clear application deadlines, an inclusive campaign strategy, and selection process with built-in bias awareness, and interviewing procedures using the same questions and same evaluation criteria for all candidates, while integrating inclusive practices to accommodate diverse communication needs and styles.
- The recruitment and selection process for the public member will include advertisements for interested applicants placed by the Office of the Regional Clerk, on the Region's website and social media channels and shared with the local area municipalities. In addition, an effort will be made to tailor the recruitment process specifically, but not exclusively, to reach community organizations that support diverse members from Indigenous, Black and other racialized communities. The recruitment process may also be targeted

to groups that might have qualifications relevant to the Board, such as professionals in the areas of human resources, finance or governance.

Other considerations

As part of the appointment process for the public member of the Niagara Regional Police Service Board, staff administering the process will also consider whether additional measures may be implemented to assist in ensuring that the members appointed by Council are representative of the diversity of the population in the Region, such as:

- Improving outreach and messaging to diverse groups that represent the population and community partners that work with diverse community members, noting requirements under Subsection 29(1) of the *Community Safety and Policing Act, 2019*, relating to promotion of the availability of reasonably foreseeable appointments, as set out in Section C.
- Improving content and plain language of recruitment communications to make the recruitment process more approachable and accessible to more residents with a variety of lived experiences.
- Improving application forms and application data through measures such as optional self-identification questions in the application form to allow applicants to disclose aspects of their identity that could include gender, Indigeneity, race, disability, and sexual orientation. This information may be made available to selection panel members to increase the number of appointees from diverse population groups.
- Providing education and resources for the selection panel to understand the impacts of bias, discrimination and oppression on diverse populations in Niagara. This will include information on the diverse demographics of Niagara based on Statistics Canada data, and how to make decisions considering diversity, equity and inclusion.

Staff may also undertake additional consultation with staff in the areas of Diversity, Equity, Inclusion and Indigenous Relations, Community Services, and Partnerships and Communication as part of the appointment process.

E. Publication, review and reports

Subsections 28(2) to 28(4) of the act require the following with respect to this Diversity Plan:

- The plan shall be published on the Internet in accordance with the regulations made by the Minister, if any.
- The Region shall review and, if appropriate, revise the plan at least once every four years.

- The Region shall publish reports on the implementation of the plan on the Internet in accordance with the regulations made by the Minister, if any.

This Diversity Plan will be proactively posted to the Region's website, subject to any specific requirements provided by any regulations. The plan will be reviewed in accordance with the act and any reports on the implementation of the plan will be published online in accordance with any regulations.