

This is an Extract from the draft Minutes of the Virtual Special Public Meeting of the Toronto Police Services Board that was held on January 13, 2021

P2021-0113-3.4 Toronto Police Services Board 2021 Operating Budget Request

The Board was in receipt of a report dated January 6, 2021 from Ryan Teschner, Executive Director & Chief of Staff.

Recommendations:

It is recommended that the Toronto Police Services Board (Board):

- (1) Approve the Board's 2021 net operating budget request of \$1,930,400, which is a 0% increase over the 2020 approved budget; and,
- (2) Forward this report to the City's Budget Committee for consideration and to the City's Deputy City Manager and Chief Financial Officer for information.

The following motion was moved and a recorded vote was held.

Motion

- (1) Approve the Board's 2021 net operating budget request of \$1,930,400, which is a 0% increase over the 2020 approved budget, with the exception of any proposed budget allocation for items involving Rogers Communications Inc.; (*Approved*)**

Result: Approved	
Yes: 7	Jim Hart (Chair), Frances Nunziata (Vice-Chair), Mayor John Tory, Councillor Michael Ford, Marie Moliner, Ainsworth Morgan and Lisa Kostakis
No: 0	
Abstain:0	

- (2) Approve the Board's 2021 net operating budget request with respect to all items involving Rogers Communications Inc.; and, (*Approved*)**

Result: Approved	
Yes: 6	Jim Hart (Chair), Frances Nunziata

	(Vice-Chair), Councillor Michael Ford, Marie Moliner, Ainsworth Morgan and Lisa Kostakis
No: 0	
Abstain:1	Mayor John Tory

**(3) Forward this report to the City’s Budget Committee for consideration and to the City’s Chief Financial Officer and Treasurer, for information.
(Approved)**

Result: Approved	
Yes: 7	Jim Hart (Chair), Frances Nunziata (Vice-Chair), Mayor John Tory, Councillor Michael Ford, Marie Moliner, Ainsworth Morgan and Lisa Kostakis
No: 0	
Abstain:0	

The Board received the presentations and the deputations, approved the reports and moved the motions.

Moved by: F. Nunziata
 Seconded by: L. Kostakis



Toronto Police Services Board Report

January 5, 2020

To: Chair and Members
Toronto Police Services Board

From: Ryan Teschner
Executive Director and Chief of Staff

Subject: Toronto Police Services Board 2021 Operating Budget Request

Recommendations:

It is recommended that the Toronto Police Services Board (Board):

- (1) approve the Board's 2021 net operating budget request of \$1,930,400, which is a 0% increase over the 2020 approved budget; and,
- (2) forward this report to the City's Budget Committee for consideration and to the City's Deputy City Manager and Chief Financial Officer for information.

Financial Implications:

This Toronto Police Services Board 2021 operating budget request is a net amount of \$1,930,400, which represents an increase of 0% over the 2020 budget.

Proposing a 2021 net operating budget that amounts to a 0% increase over 2020 recognizes:

- the need for all City agencies, boards and commissions to do their part to assist the City of Toronto in managing the unparalleled financial impact of the COVID-19 pandemic, while

- maintaining the required resources to support the Board in discharging its important statutory governance and oversight obligations during a time of considerable and ongoing police reform.

A summary of the net operating budget request is as follows:

(\$000)	2020 Budget	2021 Request	Change	2022 Outlook	Change
Salaries & Benefits	1,330.3	1,330.3	0.0	1,356.3	26.0
Net Non-Salary Expenditures	600.1	600.1	0.0	600.1	0.0
Total Net Request	1,930.4	1,930.4	0.0	1,956.4	26.0

Background / Purpose:

This report proposes a 2021 operating budget that will ensure the Board is able to discharge its statutory police governance and oversight responsibilities in the context of a robust police reform agenda.

Discussion:

The Toronto Police Services Board is the seven member civilian body that governs and oversees the Toronto Police Service. The Board is dedicated to ensuring that Toronto's police services are delivered in partnership with our communities, to keep the city the best and safest place to be.

Ontario's *Police Services Act* requires the Board to, among other things: generally determine the objectives and priorities for police services in the municipality; set policies for the effective management of the police force; recruit and appoint the Chief of Police and Deputy Chiefs of Police; direct the Chief of Police and monitor their performance; and, determine the budget for the police service.

The Board's legislative responsibilities

Among its core legislative responsibilities under the *Police Services Act*, the Board is responsible for ensuring the provision of adequate and effective police services in Toronto. As the employer of all members of the Toronto Police Service, the Board is

responsible for negotiating all labour contracts and collective agreements, the hiring and termination of all members, and monitoring the Chief's administration of the complaints and disciplinary system.

With the support of a small team of expert staff, the Board works closely with the Chief of Police to set the strategic vision for the Service, and provide evidence-based governance through policies and other legally binding direction. Importantly, the Board also creates opportunities for members of the public, government bodies and stakeholder groups to engage and provide their perspectives and input concerning today's policing issues.

Robust governance through meaningful public engagement

Ontario's municipal policing model places robust and independent civilian governance at its core. It is a responsibility taken very seriously by the Board, particularly as recent issues this past unprecedented year have led to the development of a long-term police reform agenda. It is also a responsibility that has led to more significant, varied and proactive police governance and oversight work, as the Board and Board Office have continued to modernize and implement best practice with respect to their roles.

The year 2020 was, in many ways, unparalleled in the focus placed on policing reform. Recognizing this, the Board's small professional staff team worked to deliberately create forums and avenues for the Board to better engage with members of the public, with the goal of making the Board's decision and policy-making processes more accessible and interactive. In a year that saw all of us in community safety and law enforcement – globally, nationally, and locally – reflecting on the role of police in a modern society and the importance of public legitimacy through meaningful engagement, the Board paid close attention to the recommendations and suggestions brought forward by residents, community organizations and public interest groups across the city.

Based on research conducted by the Board's staff, informed by what the Board heard from the public, and in consultation with the Board's Anti-Racism and Mental Health and Addictions Advisory Panels, the Board set a strategic police reform roadmap for the Service that will continue to improve community safety delivery, while evolving to meet the complex needs of a large city.

Ongoing, responsive work in police reform and other priority areas

The Board and Service continue to harness public engagement and make significant progress in implementing this reform roadmap, as well as other initiatives premised on bringing community into the implementation of the Board's police governance work. Some of the key accomplishments in 2020 include:

- The approval of 81 recommendations that establish a roadmap for comprehensive policing reform in Toronto, and include building new community safety response models, various initiatives to address systemic racism and

concrete steps to improve trust with our communities (an up-to-date dashboard that tracks implementation of the various recommendations can be found at <https://www.tpsb.ca/consultations-and-publications/police-reform-implementation-dashboard>) ;

- The creation of a platform for citizens to openly express their views on policing matters, through four virtual public town halls held in July 2020;
- Continuing to make the Board's meetings publicly-accessible through first-ever fully virtual Board meetings that adhere to pandemic guidelines and restrictions on public gatherings;
- Increased budget transparency and public engagement, including the posting of a 2020 enhanced line-by-line budget, which can be found at <https://www.torontopolice.on.ca/budget/>, and enhanced transparency to future budget requests and information;
- Development of a new Memorandum of Understanding, and accompanying work plan, to engage the Auditor General to perform independent audits of the Service to improve service delivery;
- An expansion of the Service's Mobile Crisis Intervention Program from within the existing police budget to ensure specially-trained teams of police officers and mental health nurses are available throughout the City and during as many hours of the day as possible;
- Working closely with the City of Toronto as it develops an Alternative Community Safety Response Model, including mobile mental health and addictions crisis intervention;
- The approval of a new, comprehensive Board Policy on Body-Worn Cameras – the first of its kind in Canada and developed in close consultation with the Information and Privacy Commissioner of Ontario – creating a robust and modern governance framework for the use of this technology;
- Confirmed permanency of and expanded mandates for the Board's two advisory panels, the Board's Anti-Racism Advisory Panel (ARAP) and the Mental Health and Addictions Advisory Panel (MHAAP), and a recruitment initiative for new members of ARAP (which is currently underway);
- Ongoing work on the Chief of Police selection process, including incorporating unprecedented community consultation and engagement as part of this process;
- Continued governance and oversight for the implementation of *The Way Forward*, the Police and Community Engagement Review (PACER) and all related initiatives; and,

- Continuation of the Board's two innovative partnerships: Collective Impact, and the implementation of a Memorandum of Understanding with Midaynta Community Services (Mending a Crack in the Sky). The following updates highlight the work that has been accomplished in the context of these partnerships in 2020, while also addressing the unique circumstances of the pandemic:
 - *Collective Impact*: The group completed training with the Ontario Justice Education Network and the Service's Neighbourhood Community Officers that was focused on better understanding legal rights and responsibilities during police interactions. The group also assisted in providing input into a 'Know Your Rights' campaign, which will be released shortly by the Service. They are currently working closely with Environics to develop and lead consultations for youth within the Board's Chief Selection process
 - *Mending a Crack in the Sky (MCIS)*: MCIS continues to develop sustained links with Neighbourhood Community Officers located within the west end Divisions (22, 12, 23) and the Service's Community Partnerships & Engagement Unit. The focus of this work has been to foster mutual understanding between the Service and the Somali Communities in Toronto. In addition, the Board Office has supported MCIS in various grant application processes, while also facilitating ongoing engagement between the Somali Mothers who lead MCIS and the City of Toronto with a view to building further capacity for MCIS to fulfil its mandate.

As the pandemic continues into 2021, the Board and its professional staff will continue to be nimble, engaging, and accessible to the public to ensure that the many priorities, initiatives, and projects that are currently being implemented or that are forecasted to be addressed in 2021 will be closely monitored and completed.

Salary and benefit accounts

The Board Office's approved staffing complement is 7.5 staff, which comprises: an Executive Director and Chief of Staff; Senior Advisor, Policy and Communications; Senior Advisor, Strategic Analysis and Governance; Advisor, Strategic Policy & Stakeholder Relations; Board Administrator; Executive Assistant to the Chair; Executive Assistant to the Executive Director; and Part Time Administrative Assistant. Together, these staff members provide all of the governance support, policy development work, labour relations support, budget development and support, public engagement, research, communications, government relations and administrative support the Board requires to fulfil its legislative governance and civilian oversight functions. The work performed by the professional staff is essential to the Board's ability to provide adequate and effective police services to the communities we serve. Although the scope and approach to the Board's work – premised on a modernized understanding of the police governance function – has led to more proactive and strategic work, and a more significant volume of work, the Board's staffing complement remains the same.

The budget request in the Board's salary and benefit accounts, totalling \$1,330,300, includes salary/benefits for its approved staff complement and for the Council-established Board Member remuneration.

In August 2019, the Board negotiated a new collective agreement with the Senior Officers' Organization (S.O.O.) and, at its meeting of October 22, 2019, approved a recommendation to ratify it and extend the same monetary settlement to Excluded staff, which includes the members of the Board Office Staff (Min. No P205/19 refers). In light of the tremendous financial pressures facing the City of Toronto as a result of the pandemic, the Board decided to adopt Council's direction and forgo the 2021 cost of living increase previously extended to Board Staff, which amounts to \$18,100.

Non-salary expenditures

While this requested budget will allow for the continued implementation of police reform and other strategic initiatives, there is no request for any new funding for these initiatives or programs. All work associated with these initiatives will be supported from within the existing budget. A portion of the non-salary accounts has been allotted to training and development for the Board Office. The Board Office Staff are critical to delivering professional, best-in-class services to support the Board's various functions. The Board Office must be able to function as a fully independent policy, quality assurance, audit, communications, stakeholder engagement and government relations entity. Staff are better equipped to perform these key functions through accessing specific and topical professional development training programs and learning opportunities to keep their skills relevant.

The majority of the non-salary costs are for arbitrations/grievances. It is not possible to predict or control the number of grievances filed or referred to arbitration, as filings are at the discretion of bargaining units. In order to deal with this uncertainty, the 2021 budget includes a \$424,800 contribution to a Legal Reserve for the costs of independent legal advice – an amount that is unchanged from the 2020 budget. Fluctuations in legal spending will be dealt with by increasing or decreasing the budgeted reserve contribution in future years' operating budgets so that the Board has funds available in the Reserve for these variable expenditures.

Specific funds will not be available in the event that the Board requires legal advice other than that which is available from the City of Toronto Legal department, or from the Board's contracted labour relations law firm. Similarly, no funds will be available should the Board require any additional external consulting advice or professional services.

Expenditures within the proposed legal services accounts are difficult to predict as they are often incurred in response to an action or event. Recent settlement statistics related to labour disputes and grievances do indicate that fewer matters proceed to a hearing; the matters that do proceed to hearings are increasingly complex.

The remaining portion of the proposed non-salary budget is for the running of the day-to-day operations of the Board Office, and includes funding for limited professional

associations with the Ontario Association of Police Services Board and the Canadian Association of Police Governance.

Priority Actions for 2021, legislative changes and budget impact

In 2021, the Board and Board Office Staff will continue to work on the priorities, initiatives, and projects which the Board is committed to delivering on. Among them are the following:

- The *Board's Police Reform work*, culminating in 81 wide-ranging recommendations that are in varying stages of implementation. This work requires strong collaboration and engagement with the Chief of Police and Service, as well as the Board's advisory panels, the City of Toronto and the public. This work will also require ongoing monitoring of effective Board Policy implementation, including with respect to the Board's recent Race-Based Data Collection Policy, its Body-Worn Camera Policy, and the recommendations arising from the Coroner's Inquest into the Death of Andrew Loku;
- Executing a robust *Chief of Police Selection Process*, which will include extensive input and consultation with communities, community-based organizations, youth, and key stakeholders during the pandemic (where traditional methods of engagement are not available);
- Addressing findings from a *variety of reviews and inquiries*, including from the Board-initiated Independent Civilian Review into Missing Person Investigations, the independent Workplace Well-being, Harassment & Discrimination Review being carried out by Deloitte, and the Ontario Human Rights Commission Inquiry into Racial Profiling and Systemic Discrimination;
- *Proactive, evidence-based policy development* that leads to the creation of leading police governance policies in Canada;
- Continued *virtual Board meetings, and other virtual opportunities for the Board to engage directly with the public* (i.e. virtual public policy consultations, social media, Board website etc.) as well as regular engagement with key policing stakeholders; and,
- Providing *ongoing input into the development of provincial regulations* that will be implemented as part of new policing legislation, including regulations pertaining to the role of police services boards and civilian governance.

In March 2019, the *Comprehensive Ontario Police Services Act, 2019*, which replaces the *Police Services Act, 2018* and repeals multiple pieces of policing legislation,

received Royal Assent. At this time, the specific timeline as to when this legislation will come into force is not confirmed, and the content of key regulations is still in various stages of development, and the Board Office is actively engaged in the regulatory development process being led by the Ministry of the Solicitor General. Until the specific legislative changes are known, it is not possible to anticipate the potential budget impact these changes might have. The Board will assess the impact of any changes ultimately made by the Provincial government, and the Board's 2022 budget request will address any financial pressures that may arise from these changes.

Conclusion:

The budget proposed in this report is founded on the Board's continued commitment to meet its legislative mandate in a modern, robust and exemplary manner that is effective, meaningful, responsive to the public, and is fiscally responsible.

Respectfully submitted,



Ryan Teschner
Executive Director and Chief of Staff