

Policy Title: PUBLIC COMPLAINTS PROCESS	Policy #: PO-6-1
Authority Approval: Mayor and Council	Resolution #: 011-2019-01-14
	Effective Date: January 14, 2019
Distribution:	
<input checked="" type="checkbox"/> Master	<input type="checkbox"/> Fire Department
<input checked="" type="checkbox"/> Administration	<input type="checkbox"/> Library
<input checked="" type="checkbox"/> Council	<input type="checkbox"/> Public Works
<input type="checkbox"/> FCSS	<input type="checkbox"/> Recreation

Purpose: To outline the public complaints process for the Town of Beaverlodge's Enforcement Services Department.

Complaints:

1. Complaints against a Peace Officer shall follow the format as found in the Alberta Solicitor General's Department Suggested Model for Handling Public Complaints and Administration of Discipline for peace Officers (see below).
2. Internal or personnel complaints of a non-enforcement nature shall follow the procedures and format as found in the Town of Beaverlodge's HR Policy Manual.
3. Reports of all public complaints shall be forwarded as required by each piece of legislation or policy.

Complaints Process of Peace Officers:

- a. A written complaint is received by the Chief Administrative Officer.
- b. The Town of Beaverlodge must, within 30 days, and in writing acknowledge receipt of the complaint to the complainant.
- c. The Town of Beaverlodge will notify the Peace Officer involved of the complaint if appropriate.

- d. On a monthly basis, the Town of Beaverlodge must submit details of complaints made to the Public Security Division.
- e. The Town of Beaverlodge will investigate the allegations of the complaint by interviewing the complainant, any witnesses, the Peace Officer(s) involved, if they so consent, and any other person who may have knowledge relevant to the occurrence.
- f. The Town of Beaverlodge will review any relevant documents in existence pertaining to the occurrence including, but not limited to:
 - Occurrence reports;
 - Dispatch logs;
 - Peace Officer notebooks(s);
 - Court reports;
 - Legal documents;
 - In car video recordings;
 - AVL GPS recordings;
 - Witness statements, audio, video and photographs.
- g. The Town of Beaverlodge will exercise Section 15(2)(b) of the Alberta Peace Officer Act if this is applicable or appropriate given the overall nature of the complaint.

- h. The Town of Beaverlodge will notify the complainant, the Peace Officer involved, if appropriate, and the Director as to the status of the investigation at least once every 45 days.
- i. Upon conclusion of the investigation, the Town of Beaverlodge must notify the complainant, the Peace Officer involved, the Chief Administrative Officer using wording found in Section 22 of the POMR, which reads as follows:
 - “the complaint is unfounded”. This means that on the basis of a thorough investigation, no reasonable belief exists that the complaint has merit or basis.
 - “the complaint is unsubstantiated”. This means that on the basis of a thorough investigation, there is insufficient evidence to determine the facts of the complaint and that it may or may not have occurred.
 - “the complaint is found to have merit in whole or in part”. This means that on the basis of a thorough investigation that:
 - “in whole”, a reasonable belief exists that the Peace Officer has engaged in misconduct in regards to the entirety of the complaint, or;
 - “in part”, a reasonable belief exists that the Peace Officer has engaged in misconduct in regards to a portion(s)

- of the complaint, but not in its entirety.
- “the complaint is frivolous, vexatious or made in bad faith”. This disposition will be used when the Town of Beaverlodge chooses not to investigate a complaint as per Section 15(2) of the Act which allows no investigation to occur when the complaint is deemed frivolous, vexatious, or made in bad faith.
 - j. In the event a complaint is found to have merit, in whole or in part, the Town of Beaverlodge must state what disciplinary action has been taken and it must be in accordance with the Town of Beaverlodge HR Policy.
 - k. The conclusion letter issued to the complainant must contain the following closing paragraph which communicates to the complainant that appeals of the decision reached by the Town of Beaverlodge must be addressed to the Chief Administrative as required in Section 15 of the Act.
 - **“Please be advised that you have the right to appeal these finding to the Directory of Law Enforcement for the Province of Alberta pursuant to Section 15(4) of the Peace Officer Act. An appeal must be in writing and initiated within 30 days of receipt of this decision and any decisions reached by the Director of Law Enforcement on appeal is final.”**

- Correspondence to the Director must be sent to:
Director of Law Enforcement
10th Floor, 10365 – 97 Street
Edmonton, AB
T5J 3W7

Confidentiality:

The use and interpretation of all Town policies and schedules will comply with all aspects of the Freedom of Information and Protection of Privacy Act (FOIP). Any breaches of the Freedom of Information and Protection of Privacy Act (FOIP) will be subject to disciplinary action.

Records Management Requirements:

All documentation will be filed in accordance with the Records Management Policy and to comply with the Municipal Government Act (MGA), Freedom of Information & Protection of Privacy Act (FOIP) and any other applicable legislation, regulation, or act.

	
Gary Rycroft, Mayor	Karen Gariepy, Chief Administrative Officer