



NIAGARA REGIONAL POLICE SERVICE

GENERAL ORDER – 155.02

DISTRIBUTION: ALL MEMBERS	SUBJECT: RELATED MEMBERS - CONFLICT OF INTEREST	
REPLACES: GO-155.01	EFFECTIVE DATE: June 20, 2008	RE-EVALUATION DATE: September 2010
RELATED STANDARDS :	EXPIRATION DATE: INDEFINITE	
SPECIAL INSTRUCTIONS: NEW FORMAT and TITLE CHANGE	ORIGINATOR: SUPERINTENDENT IN CHARGE OF EXECUTIVE SERVICES	

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1.0 POLICY

1.1 It is the policy of the Niagara Regional Police Service to eliminate any actual or potential conflict of interest in the workplace, which may arise from a relationship between members, recognizing that the provision of policing services in the Regional Municipality of Niagara must be equitable, ethical and objective.

1.2 The Niagara Regional Police Service recognizes the need to support and assist Members in balancing work and family responsibilities.

1.3 This policy does not restrict a Member's right to compete for a promotion or job posting.

2.0 DEFINITIONS

In this general order, unless the context indicates otherwise:

2.1 **Conflict of Interest means...** any of the circumstances outlined in Section 3 below.

2.2 **Immediate Family Member means...** a child (including adopted and stepchild), Spouse, parent (including stepparent), grandparent (including step-grandparent), legal guardian, son/daughter-in-law, brother/sister (including half brother/sister and step brother/sister), brother/sister-in-law, mother/father-in-law, nephew, niece, aunt, and uncle.

2.3 **Member means...** a member of a Police Service as defined in Section 2 of the *Police Services Act* and accordingly includes both police officers and civilian employees of the Police Service, and further includes Auxiliary Members of the Police Service.

2.4 **Personal Relationship means...** a relationship between members including members of the same sex, which is more than platonic in nature, and which includes romantic or sexual involvement.

2.5 **Short terms means...** a period of time not exceeding four (4) weeks.

2.6 **Spouse means...** members who are married to one another, or who live together in a common-law relationship, including a same sex relationship.

3.0 PROCEDURES

CONFLICT OF INTEREST

3.1 For legal and human nature reasons familial and personal relationships may contribute to the real or perceived inability of members to remain objective when faced with crisis.

3.2 A conflict of interest shall be deemed to arise in any of the following circumstances:

- (a) immediate family members of different ranks, or members of different ranks involved in a personal relationship occupy positions on a permanent basis in the same unit or command, and there are not at least two supervisory levels separating the members;
- (b) immediate family members or members involved in a personal relationship work in the same District and report to the same supervisor;
- (c) immediate family members or members involved in a personal relationship, participate in any part of a selection panel in which the related immediate family member or member involved in a personal relationship is, or is likely to become, a candidate in the process;
- (d) immediate family members or members involved in a personal relationship, participate in any stage of a promotional process, including but not limited to the development of questions for promotional examinations or interviews, and sitting on interview panels, in which the related immediate family member or member involved in a personal relationship is, or is likely to become, a candidate;
- (e) immediate family members or members involved in a personal relationship, participate in any decision making process involving legal agreements, including but not limited to consultants, contracts or purchase agreements in which the related immediate family member is a participant in any way, or in which the Member has a personal relationship with any employee or representative of the firm, business or corporation which is a party to the said legal agreement;
- (f) immediate family members or members involved in a personal relationship, participate in any managerial decision regarding the related immediate family members or members involved in a personal relationship, including but not limited to discipline, career development or educational issues;
- (g) immediate family Members or members involved in a Personal Relationship, participate in any investigation that includes an investigation into the activities or conduct of the related Immediate family members or members involved in a personal relationship.

3.3 Immediate family members or members involved in a personal relationship shall be permitted to occupy an acting position which contravenes the supervisory restrictions set out in Section 3.1(a) on a Short Term basis.

MEMBER RESPONSIBILITIES

3.4 No member shall work or participate in any workplace situation, which causes a conflict of interest to arise.

3.5 Any member who becomes aware that a conflict of interest has arisen, or is likely to arise, shall report the circumstances of the conflict of interest forthwith in writing to his/her Unit Commander.

3.6 Once a member reports the conflict of interest pursuant to 3.5 above, Management shall be responsible to resolve the conflict of interest, and until it is resolved, the members involved shall be deemed not to be in contravention of 3.4 above.

RESOLUTION PROCESS

3.7 The Unit Commander, the Superintendent of Executive Services and the Deputy Chief of Police, shall resolve conflicts of interest in accordance with the criteria and processes set out in this General Order.

3.8 In resolving a conflict of interest, the Unit Commander, the Superintendent of Executive Services or the Deputy Chief of Police, as the case may be, shall:

- (a) consult with the immediate family members or members involved in the personal relationship in advance of resolution, including consultation as to which member is to be transferred;
- (b) consider the exigencies of the Service;
- (c) consider the special skills or training of the immediate family members or members involved in the personal relationship;
- (d) consider disruption to the personal lives caused by a transfer of immediate family members or members involved in the personal relationship, and accordingly, in the event of a grievance brought as a result of a transfer made pursuant to this General Order, the Service will cooperate with the Association in arranging an early arbitration date; and,
- (e) in the case of a spousal conflict of interest, consider any request to transfer to the same or a different shift cycle.

3.9 Consideration of the above factors relating to members by the Unit Commander, the Superintendent of Executive Services or the Deputy Chief of Police, as the case may be, shall in all cases be subject to the exigencies of the Service.

3.10 The Unit Commander, upon becoming aware of an actual or potential Conflict of Interest, shall resolve the issue as soon as possible within the Unit, and failing resolution, shall refer the matter to the Superintendent of Executive Services for resolution.

3.11 The Superintendent of Executive Services, upon referral by the Unit Commander, shall resolve the issue as soon as possible, and failing resolution, shall refer the matter to the Deputy Chief of Police for final resolution.

3.12 The Deputy Chief of Police, upon referral by the Superintendent of Executive Services, shall order a final resolution of the conflict of interest.

3.13 Subject to the exigencies of the Service, a conflict of interest shall, in the majority of cases, be resolved by way of transfer.

GENERAL

3.14 It may be desirable, and in a member's best interests that those immediate family members or members involved in personal relationships should work in separate locations.

3.15 When immediate family members or members involved in a personal relationship, request to work in the same work location, they must be aware that:

- (a) there is a possibility that intervention by immediate family members or members involved in personal relationships may occur during dangerous circumstances;
- (b) supervisory discipline may occur;
- (c) the potential to work opposite shifts is increased dependent upon the district or unit requirements and scheduling;
- (d) vacation scheduling may not accommodate time off together; and,
- (e) working in separate districts may afford management and the member greater flexibility in providing compatible schedules or shifts.

4.0

REVOCATION

4.1 General Order – 155.01, entitled Conflict of Interest, dated 03.09.15, is hereby revoked.

By Order,

Wendy Southall,
Chief of Police