 The Corporation of The City of Dryden	STAFF REPORT	For Administration Use Only: Meeting Date: Council May 15, 2017 Open [X] Closed [] Approved for Agenda: [CAO] Report No. AD-2017-31
Date Submitted:	May 11th, 2017	
Title:	OPP Costing Process	
Prepared by:	Ernie Remillard, CPA, CGA (CAO)	
Department:	Administration	

Recommendation:

THAT Council provides direction in regards to pursuing a Business Case or costing on the potential for the Ontario Provincial Police (OPP) supplying police services to the Community.

Background:

Council has requested that the CAO determine and research the process necessary in order to request a policing quote from the OPP.

Discussion:

The OPP have provided a lot of information, most of which can be found on their website, as to how a Municipality goes about the costing process.

As detailed on the OPP website it is a twelve step process:

<http://opp.ca/index.php?id=115&entryid=56e71d6e8f94ac5c3f31071b>

Due to the significant backlog currently within the costing process, it could take anywhere from 12-18 months for the Municipality to receive their business case. From receipt of the business case, Council has six months to make a decision on whether to remain with their current Police Service or amalgamate to an OPP model.

There are now 323 of the roughly 440 Municipalities in Ontario policed by the OPP. There are 10 Municipalities that are ahead of us in the process as it stands today to provide a business case. When a group determines they want to head in this direction, a Letter requesting pricing and confirmed by motion of Council must be sent to the Ministry of Community Safety & Correctional Services.

If Council were to accept any business case from the OPP, the Municipality would have to enter into an agreement with the Ministry of Community Safety and Correctional Services for a three year period to provide policing services.

There is extensive workload in preparing a costing of this magnitude and numerous stakeholders involved in the entire process. In saying that, any assistance the Municipality and Police Service can provide during the process will only help expedite.

Council should be made aware of the minimum requirements, for best practise, for this process is to:

- Create a steering committee (of local stakeholders) responsible to oversee the process, e.g. Chief Administrative Officer (CAO), municipal representative, Police Services Board Chair, Police Service Chief or designate, Police Services Association representation.
- Establish a primary contact between the OPP and the municipality to facilitate:
 - the collection of data and information,
 - arrange for the OPP to conduct a site visit of the local municipal police service facility as early in the process as possible; and,
 - coordinate meetings and be a conduit for information flow between the municipality and the OPP.
- Experience has shown the CAO/Treasurer positions to be a good point of contact for the committee and the direct liaison with the OPP contract analyst.

This service is such an integral part of our overall service offering and our community that I also feel it's extremely important that Council consider contracting an objective external consultant. This would help assist the committee during the process if Council decides to go down this road. We must have a thorough understanding of ALL of the service impacts, and their costs if a switch is ever considered as we may currently receive these from the DPS. Of course, this would be formulated and analyzed throughout the costing process.

I cannot stress enough how important it would be to ensure this committee speaks to as many communities as possible, not just in our region, but across the Province to determine why they did not go ahead with the OPP model or why they did. This due diligence period must be extensive and exhaustive to ensure all angles are covered and Council has complete and accurate information to make an informed decision.

I am looking for direction from Council on bringing forward the motion to the Special Meeting planned for the 23rd of May at 7PM, or would Council like to defer to a later date based on the delegations providing information this evening?

Attachments: OPP Costing Process



Ernie Remillard, CPA, CGA
CAO, City of Dryden



MUNICIPAL POLICING BUREAU

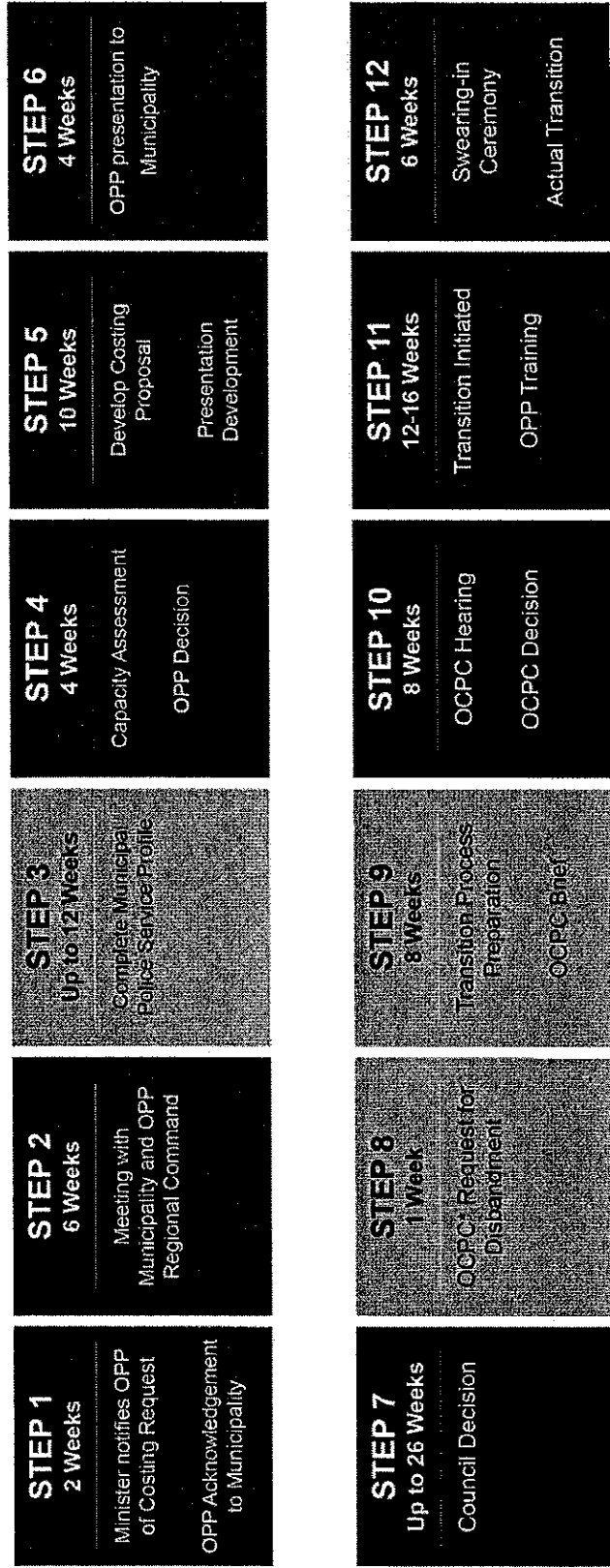
**ONTARIO PROVINCIAL POLICE
MUNICIPAL POLICING BUREAU**

**INFORMATION MANUAL FOR
COSTING PROCESS**

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Ontario Provincial Police (OPP) Amalgamation Process 2016



The estimated time to complete a municipal amalgamation is approximately 15-26 months after the OPP starts the Costing Proposal. Municipalities also have the opportunity to speed up the process by providing accurate, complete and timely responses.

Preface - Municipal Policing Bureau

“Forging strong and effective partnerships with our communities”

The Ontario Provincial Police (OPP) has provided municipal policing services to Ontario’s municipalities under contract since the 1940s. The Municipal Policing Bureau (MPB) continues to support municipal policing in the province of Ontario by providing client focused costing proposals, pursuant to the *Police Services Act (PSA)*, to requesting municipalities as the OPP moves into its 2nd century of policing excellence, proudly serving the people and communities of Ontario.

The Municipal Policing Bureau provides the following services:

- Develop, in cooperation with detachments, regions and General Headquarters (GHQ) stakeholders, client-focused policing proposals for municipalities and private consortiums who have requested a costing for OPP contract policing services, on the approval and direction of the Ministry of Community Safety and Correctional Services (MCSCS), and pursuant to the *PSA*.
- Provide support to regional and detachment commanders to facilitate maintenance of existing Section 10 *PSA* contracts through regular liaison with municipal authorities, provision of guidance and advice, policy direction and training in regards to contract requirements.
- Serve as the centre for excellence regarding OPP municipal policing and responding to requests for information from municipalities, civilian governance authorities (e.g. Ontario Association of Police Services Boards), ministries, regions and detachments with regards to issues related to both the provision of contract and non-contract OPP municipal policing services.
- In concert with detachment, region and GHQ stakeholders, develop and invoice 911 Central Emergency Reporting Bureau services, specialized and support services contracts supporting municipal police services, and develop reciprocal Framework Agreements in support of adequate and effective policing across Ontario.
- Administer all financial matters associated with OPP municipal policing arrangements, including obtaining Treasury Board/Management Board of Cabinet approval for contracting new municipal policing service agreements and recovering the cost of providing municipal policing services.

General Information

OPP Municipal Policing - General

Introduction:

- The OPP currently provides municipal policing services to 323 municipalities, on a cost-recovery basis.
- The number of municipalities policed by the OPP continues to increase and now stands at over 130 Section 10 *PSA* contracts, while more than 180 municipalities receive Section 5.1 *PSA* OPP non-contract policing services.

Service Overview:

- The OPP operates out of 77 host detachments and 86 satellite offices, 5 regional headquarters, 1 divisional headquarters and a general headquarters.
- The OPP is responsible to provide; police services to parts of Ontario that do not have municipal police services, traffic safety on provincial roadways, waterways and trails, policing over 969,000 square kilometres of land and over 94,000 square kilometres of water. It also maintains investigative services to assist municipal police services.
- The OPP works closely with the Ministry of Community Safety and Correctional Services (MCSCS) and stakeholders in the policing community to improve efficiency and effectiveness and to help shape the future of policing in Ontario.
- The OPP provides many programs and services to municipalities. For a comprehensive overview of some of the services offered by the OPP, please refer to the separate document "OPP Policing Services Profile."

OPP Integrated Detachment Service Delivery Model:

The OPP uses an integrated service delivery model at detachments whereby municipal policing services are provided to contract and non-contract municipalities, while provincial policing commitments are also being met, e.g. policing provincial highways, unorganized areas etc.

The integrated detachment model incorporates a policing service contract for a municipality, integrated with OPP policing responsibilities for other municipalities within the detachment boundary, and provincial responsibilities under one administration. This provides the OPP with enhanced flexibility to meet a variety of operational demands.

Officers in detachments are not assigned specifically as a municipal or provincial officer. The OPP uses a time and activity electronic tracking system referred to as the Daily Activity Reporting (DAR) system, to capture staff data. The system tracks detailed records which include time, work locations, and activities.

Cost Recovery:

- The OPP is obligated to recover the cost of providing municipal policing services under the *PSA*.
- Following two years of municipal engagement, the implementation of a revised cost-recovery methodology came into effect on January 1, 2015 for municipalities policed by the OPP as of December 31, 2014. The revised methodology is referred to as the OPP Billing Model.
- The OPP currently has two basic cost-recovery methodologies for municipalities:
 - the OPP Billing Model; and
 - interim recovery methodology applied to initial “transition” contract with municipalities amalgamating policing services after January 1, 2015.
- The OPP assesses municipal costs based on a calendar year.
- Municipalities are billed on a monthly basis based on a billing summary that is issued in the fall of the prior year.
- Municipal policing costs are estimated for each calendar year and a reconciliation process is applied to some of the costs, (i.e. salaries) following the completion of the year to more fairly reflect the costs incurred. A prior year’s reconciliation adjustment is included in the billing summary prepared each year.

Moratorium on Policing Proposals:

- While the OPP Billing Model was under development, the MCSCS instituted a moratorium on the provision of new OPP contract proposals to municipalities not currently policed by the OPP.
- The Minister of the MCSCS lifted the moratorium on costings for the provision of OPP municipal policing services on November 1, 2015.
- The OPP does not actively seek costings and only responds to municipal requests directed and approved by the MCSCS.

Municipal Policing Options:

The methods of providing municipal police services are set out in section 5. (1) of the *PSA* as follows:

- 5.(1) A municipality’s responsibility to provide police services shall be discharged in one of the following ways:
1. The council may establish a police force, the members of which shall be appointed by the board under clause 31 (1) (a).
 2. The council may enter into an agreement under section 33 with one or more other councils to constitute a joint board and the joint board may appoint the members of a police force under clause 31 (1) (a).
 3. The council may enter into an agreement under section 6 with one or more other councils to amalgamate their police forces.
 4. The council may enter into an agreement under section 6.1 with the council of another municipality to have its police services provided by the board of the other

municipality, on the conditions set out in the agreement, if the municipality that is to receive the police services is contiguous to the municipality that is to provide the police services or is contiguous to any other municipality that receives police services from the same municipality.

5. The council may enter into an agreement under section 10, alone or jointly with one or more other councils, to have police services provided by the Ontario Provincial Police.
6. With the Commission's approval, the council may adopt a different method of providing police services.

Under section 10 *PSA*, the MCSCS may enter into an agreement with the council of a municipality, or jointly with the councils of two or more municipalities, for the provision of police services by the OPP for the municipality or municipalities.

As per Section 5.1 (1) *PSA*, if a municipality does not provide police services by one of the ways set out in section 5, the OPP shall provide police services to the municipality.

Adequate and Effective Policing Services

The *PSA* governs policing in Ontario and the key provisions deal with the following areas:

- Policing responsibilities;
- Core functions;
- Service delivery;
- Civilian governance;
- Financing; and
- Police oversight.

Police services in municipalities:

Under Section 4(1) of the *PSA* every municipality to which this section applies shall provide adequate and effective police services in accordance with its needs.

Adequate and effective police services must include at a minimum all of the following police services:

- Crime prevention;
- Law enforcement;
- Assistance to victims of crime;
- Public order maintenance; and
- Emergency response.

In providing adequate and effective police services, a municipality shall be responsible for providing all the infrastructure and administration necessary for providing such services including; vehicles, boats, equipment, communication devices, buildings and

supplies. Section 4 of the *PSA* further defines which municipalities it applies to. Municipalities are therefore responsible for the funding of police services in order to meet their responsibility.

Police Adequacy and Effectiveness Standards Regulation under the *PSA*

Explanation:

- The Police Adequacy and Effectiveness Standards Regulation (Adequacy Standards) helps ensure the effective delivery of policing services. It was filed as O.Reg. 3/99 on January 8, 1999.
- The regulation was part of the government's overall strategy to provide Police Services Boards (PSB) and police services, the structure and tools they needed to ensure adequacy and effectiveness. All police services were to be in compliance by January 1, 2001.
- Additionally, the regulation required all PSBs to develop a plan, setting out the steps needed to be taken by the board and the police service in order to meet the requirements of the regulation.
- The Adequacy Standards regulation content is high level. It provides flexibility in implementation, including; service delivery i.e. contracting with another police service or organization, or providing crime prevention initiatives on a regional or cooperative basis.
- The primary focus of the Adequacy Standards regulation is on what police services do, and not how they should do it. Overall, it is designed to ensure that all Ontarians receive core police services.

Infrastructure and Administration:

- In providing adequate and effective police services, a municipality, through a Section 10 contract or by default a Section 5.1 (1) *PSA* relationship with the OPP, is responsible for providing all the infrastructure and administration necessary for providing such services including; vehicles, boats, equipment, communication devices, buildings and supplies.
- One of the objectives in developing the Adequacy Standards was to highlight the importance of police business planning and local accountability.
- As such, the regulation requires that every PSB have policies and procedures in place regarding a number of functions/services.
- The regulation stipulates that every police service must prepare a business plan at least every three years to address:
 - The objectives, core business and functions of the police service;
 - Quantitative and qualitative performance objectives and indicators relating to the provision of: community-based crime prevention initiatives, community patrol and criminal investigative services, community satisfaction with police services, emergency calls for service, violent crime, property crime, youth crime and clearance rates, victim assistance and road safety;
 - Information and technology;

- Resource planning; and
 - Police facilities.
- If a municipality contracts services under Section 10 of the *PSA*, the OPP becomes the service provider and ultimately overall authority is delegated to the OPP Commissioner.
 - Annually, the OPP detachment commander is required to prepare a report for the board relating to the activities of the police service during the previous fiscal year.
 - The OPP's business plan ensures compliance with Adequacy Standards. Detachments seek input from their local PSB and communities to ensure local priorities are captured in detachment commitments.
 - The OPP is required to have a skills development and learning plan; establish procedures for the investigation of complaints; and implement a quality assurance process relating to the delivery of adequate and effective police services, as well as compliance with the *PSA* and its regulations.

Crime Prevention:

- The regulation requires that every police service provide community-based crime prevention initiatives in accordance with local needs.
- The regulation also requires that every police service establish procedures and processes on community-based problem-oriented policing and crime prevention initiatives.

Law Enforcement:

- The regulation requires that every police service have in place processes to address:
 - 24 hour policing;
 - Community patrol;
 - Communications and dispatch;
 - Supervision;
 - Traffic management, enforcement and road safety;
 - Criminal investigators;
 - Criminal investigation management plan;
 - Procedures on criminal investigation;
 - Criminal intelligence;
 - Sharing of crime, call and public order analysis with board and community;
 - Waterways policing for municipalities designated under paragraph 2 of subsection 19 (1) *PSA*;
 - Court security for municipalities designated under section 137 (1) *PSA*;
 - Other law enforcement related procedures; and
 - Investigative supports.

Victim Assistance:

- The regulation requires that every police service have procedures on providing assistance to victims that:
 - Reflect the principles of the Victims' Bill of Rights, 1995; and
 - Set out the roles and responsibilities of members for providing assistance to victims.

Public Order Maintenance:

- Every police service is required to have access to the services of a public order unit able to be deployed in a reasonable time.
- A public order unit must consist of a unit supervisor and, at minimum, four squads of seven officers including the squad leader.
- In addition, every police service must have procedures addressing the circumstances in which a public order unit may be deployed.
- The regulation further requires that every police service have procedures on police action at labour disputes.

Emergency Response Services:

- The regulation requires that every police service shall include the following emergency response services:
 - Tactical unit;
 - Hostage rescue team;
 - Major incident commander;
 - Crisis negotiator;
 - Police explosive forced entry technician; and
 - Explosive disposal technician.
- A minimum of 12 full-time tactical officers, including the tactical supervisor (have to be in a tactical unit or hostage rescue team).
- With regard to explosive disposal, a police service may also enter into an agreement with the Canadian Armed Forces or another organization to have these services delivered.
- The emergency response services must be able to be deployed in a reasonable time.

Summary

- The OPP provides an array of services from all levels within the organization, corporately, regionally and at detachment level to ensure compliance with Adequacy Standards and OPP/Ministry policies, and to establish a culture of continuous improvement within the OPP.

Comparison of S. 10 PSA vs. S. 5.1 PSA

This chart illustrates some the differences between OPP Section 10 and Section 5.1 PSA policing arrangements:

COMPARATOR	S. 10 PSA – CONTRACT	S. 5.1 – NON CONTRACT
1. Civilian Governance Model	Police Services Board – mandatory pursuant to 10(2) PSA	Community Policing Advisory Committee – discretionary 5.1(4) PSA
2. Objectives and priorities for delivery of police services within the Municipality	Determined by Board after consultation with the detachment commander – 10(9) (b) PSA	Advisory role for CPAC for objectives and priorities for police services in municipality – 5.1(6) PSA
3. Policy for the effective management of the police force	Local policy established by Board after consultation with the detachment commander – 10(9) (c) PSA	No defined role in PSA
4. Selection of the detachment commander	Participate in the selection of the detachment commander – 10(9) (a) PSA	OPP attempts to involve s. 5.1 PSA integrated detachment municipalities in the selection – no legislated requirement
5. Evaluation of the detachment commander	Monitor performance of detachment commander – 10(9) (d) PSA	No defined role in PSA
6. Maintenance of a complaints system	Review the detachment commander's administration of the complaint system and receive regular reports – 10(9) (f) PSA	No defined role in PSA
7. Appoint the members of the force	All hiring cost are covered under the agreement with the OPP, members are selected using the criteria of 43 (1) PSA	All hiring cost are covered, members are selected using the criteria of 43 (1) PSA
8. Monitor secondary activities of the police force members	The detachment commander provides regular reports to board on decisions made on secondary activities – 10(9) (e) PSA	No defined role in PSA
9. Ministry Support Funding (excluding support for Court Security Prisoner Transportation)	Eligible for some programs such as RIDE grants	Ineligible
10. Revenue from sale of found / recovered property and Fees recouped from sale of reports, security checks	Provided to municipality	Provided to municipality
11. By-law enforcement	By-law enforcement as specified in a contract – 10(6) PSA	19(2) PSA – OPP have no responsibility regarding municipal by-laws
12. Enhanced FTEs	Available upon request for an additional cost	Not available
13. Billing	Invoice dated the middle of the month of service, payment due in 30 days (e.g. Jan bill dated middle of Jan, due the middle of Feb).	Invoice dated the end of the following month of service, payment due in 30 days (e.g. Jan bill dated end of Feb, due end of Mar).

Civilian Governance Comparison S. 10 PSA vs. S. 31 PSA

This chart shows a comparison of the legislated control a Police Services Board has over OPP Section 10 PSA policing and a municipal police service:

COMPARATOR	OPP POLICE SERVICE	OTHER POLICE SERVICE
1. Civilian Governance Model	Police Services Board – Mandatory pursuant to 10(2) PSA	Police Services Board – Mandatory pursuant to 27 (1) PSA
2. Objectives and priorities for delivery of police services within the Municipality	Determined by Board after consultation with the detachment commander – 10(9) (b) PSA	Determined after consultation with the Chief of Police – 31 (1) (b) PSA
3. Policy for the effective management of the police force	Local policy established by Board after consultation with the detachment commander – 10(9) (c) PSA	Establish policies for the effective management of the police force – 31 (1) (c) PSA, usually in consultation with the Chief of Police
4. Selection of the detachment commander/Chief of Police	Participate in the selection of the detachment commander – 10(9) (a) PSA	Recruit and appoint the Chief of Police and Deputies – 31 (1) (d) PSA
5. Evaluation of the detachment commander/Chief of Police	Monitor performance of detachment commander – 10(9) (d) PSA	Direct and monitor the performance of the Chief of Police – 31 (1) (e) PSA
6. Maintenance of a complaints system	Review the detachment commander's administration of the complaint system and receive regular reports – 10(9) (f) PSA	Establish guidelines for dealing with complaints under Part V – 31 (1) (i) PSA. Review the Chief of Police's administration of the complaint system and receive regular reports – 31 (1) (j) PSA
7. Appoint the members of the force	All hiring cost are covered under the agreement with the OPP, members are selected using the criteria of 43 (1) PSA	Board appoints members upon the recommendation of the Chief of Police. The force must advertise, test and screen candidates using the criteria of 43 (1) PSA
8. Monitor secondary activities of the police force members	The detachment commander provides regular reports to board on decisions made on secondary activities – 10(9) (e) PSA	The Chief of Police is required to provide regular reports on disclosures and decisions made on secondary activities – 31 (1) (g) PSA
9. Indemnification of members for legal costs	All indemnification costs are covered under the agreement with the OPP, in compliance with 50 (5) & (6) PSA	The Board sets guidelines and funds legal costs under an agreement with the local police association, in compliance with 50 (2) & (3) PSA

Contract Policing Proposal Procedures

Procedures for Contracting Policing Services with the OPP

Initiating Process

Any municipality wishing to request a contract proposal for the provision of policing services by the OPP must submit a municipality resolution requesting a proposal for the cost of OPP policing to the MCSCS, for the attention of:

The Minister,
Ministry of Community Safety
and Correctional Services
18th Floor
25 Grosvenor Street
Toronto ON
M7A 1Y6

Copies of the request are to be forwarded to the following stakeholders:

- Police Services Board;
- Chief of Municipal Police Service; and
- Municipal Police Association.

Where municipalities would like to undertake an OPP contract proposal, they are required to pass a resolution of council stating their commitment to the costing proposal process. The resolution and request from council should be forwarded to the Minister of MCSCS for approval. The OPP will commence the process following the Minister's direction.

The development of the OPP contract proposal is a labour intensive process and a great deal of effort goes into the preparation of this document.

Please note that the OPP will continue the process, once initiated, so long as the municipality requesting the OPP costing has not provided a formal contract/costing proposal to any other municipality. Following the presentation of the OPP costing proposal document to town council, the requesting municipality may then embark upon any costing activity for external police services should they choose.

Further, under section 5 of the Police Services Act (PSA), the OPP cannot enter into a policing contract with a municipality that is in a contract relationship for policing services with another municipality.

Best Practices

Municipalities have the significant responsibility to provide adequate and effective police services for their community. This requirement is very important when examining their policing options as permitted under the *PSA*. The following are a few suggested tips to enhance efficiencies, streamline processes and ensure timelines are met during an OPP costing process:

- Create a committee responsible to oversee the process, e.g. Chief Administrative Officer (CAO), municipal representative, Police Services Board Chair, Police Service Chief or designate;
- Establish a primary contact between the OPP and the municipality to facilitate:
 - the collection of data and information,
 - arrange for the OPP to conduct a site visit of the local municipal police service facility as early in the process as possible,
 - coordinate meetings and be a conduit for information flow between the municipality and the OPP;
- Experience has shown the CAO/Treasurer to be a good point of contact for the committee and the direct liaison with the OPP contract analyst;
- It is recommended the committee and/or council participate in a guided tour of OPP GHQ and Central Region Communications Centre early in the process. This tour will assist in providing a clear vision of the services provided by the OPP along with centralized support units available to municipalities policed by the OPP;
- It is recommended the committee and/or council meet with the local OPP detachment commander and have a guided tour of the local OPP detachment. This will assist in creating a clearer understanding of the day-to-day operations at the local OPP detachment and provide further information on the OPP integrated service delivery model;
- It is recommended the committee contact other municipalities that have recently transitioned from a Municipal Police Service to the OPP, explore good practices implemented during the transition process and inquire on the municipality's satisfaction level with the policing services;
- It is recommended the point of contact for the committee liaise directly with the OPP contract analyst and set up a date for the OPP proposal presentation to council. The contract analyst will provide a detailed presentation outlining the services provided by the OPP and the associated costs. Note: It is recommended this be a presentation only. Council should take the information and review in detail. It is recommended council should then outline their questions or concerns to the committee point of contact who will forward the questions/concerns to the OPP contract analyst;
- The OPP contract analyst will address the list of questions or concerns provided from the committee point of contact in relation to the OPP proposal presentation at a subsequent council meeting; and
- The OPP contract analyst will work with the committee point of contact to schedule a final question and answer session if requested. Once again it is recommended that the questions are provided in writing in advance to ensure the required information is provided in detail.

OPP Contract Proposal Process

MPB has developed a compendium of steps that outline the progression of the OPP contract proposal. The steps provide an overview of the stages of the proposal process

from the initial request by the municipality, through to the amalgamation of the police service.

The total municipal police service amalgamation timeline may vary based upon:

- The number of contract proposal requests;
- The size/complexity of the municipality;
- The length of time taken by a municipality in responding to requests for data and information;
- Processes involving the Ontario Civilian Police Commission (OCPC); and/or
- OPP capacity limitations.

The Three-step Amalgamation Process:

- The three-step amalgamation process the OPP will be using for municipalities that request a contract proposal is composed of:
 - Step 1: Assessment
 - Step 2: Contract Proposal Development
 - Step 3: Amalgamation/Transition

Municipalities are responsible for, but not limited to, the following:

- **OPP Costing Request – Municipal Police Service Profile:** The municipality has three months maximum to complete and submit to the MPB. The profile consists of a number of questions. The responses to questions on municipal staffing, demographics, workload statistics etc., will be used for the development of the OPP costing proposal.
- **Facility Site Visit:** The municipality is to facilitate an OPP site visit of the local municipal police service facility at the onset of the process.
- **Municipality Decision to Accept OPP Costing:** After presentation of the OPP policing proposal, the municipality will have a maximum of six months for a decision to accept the OPP proposal and pass a municipal by-law;
- **Request for OCPC Disbandment Hearing:** The Municipality is required to inform the Minister of the MCSCS of the decision and send a request to the OCPC for a disbandment hearing; and
- **Completion of OCPC disbandment hearing brief:** This is a municipal responsibility, however the MPB will assist with the preparation of the brief.

Following receipt of the completed Municipal Police Service Profile, the OPP will conduct an internal capacity assessment to determine if supporting infrastructure can sustain the amalgamation of the additional municipal police service at that present time, or develop next steps should a unique circumstance dictate otherwise.

Step 1 – Assessment:

It is a municipal responsibility to provide the OPP the necessary information and data as requested, before next steps can take place in the process.

The existing municipal police service must be assessed to determine OPP capacity requirements associated to infrastructure, equipment, supervisory, administrative and support services, plus any special requirements such as court security and other unique needs.

The OPP will address contract proposal requests using a first-in, first-served process. As a result, the date of an official written request made to the Minister for an OPP costing establishes the initial positioning of a requesting municipality in queue when multiple municipal requests are being accommodated. There will be prescribed deadlines that municipalities must meet in order to avoid falling to the bottom of the queue. The deadlines include those detailed above on the previous page.

A Government Mobile Communication Branch/Bell Mobility Radio (GMCB/BMR) assessment will identify the current network capacity limitations for the OPP to amalgamate a new municipality.

Depending on the results of the OPP Capacity Assessment and GMCB/BMR network assessment, some municipalities may be informed of a delay due to organizational capacity limitations.

Step 2 – OPP Contract Proposal:

The following steps are included in developing an OPP costing proposal:

- Collection and analysis of workload data;
- Analysis of deployment issues;
- Community consultation and needs analysis; and
- The identification of required accommodations, resources and services to ensure adequacy standards.

A detailed proposal with one or more options will be presented to the municipality for consideration. Any proposal for the provision of OPP service will be based on fair-cost recovery. No contract can be entered into if, in the Minister's opinion, the municipality seeks the agreement for the purpose of defeating the collective bargaining provisions of the *PSA*.

An OPP proposal addresses policing services required to provide adequate and effective policing as set out in Adequacy Standards.

The municipality must make a decision to accept or reject the OPP proposal (including passing a by-law) within six months of the OPP proposal presentation date. If a decision has not been made after six months, the municipality's request will be placed at the bottom of the queue of any municipalities awaiting a contract proposal.

Contract Agreement:

Municipalities amalgamating with the OPP enter into an agreement with the MCSCS to receive OPP policing services. The initial contract agreement is for a defined number of contractual hours of service as represented by uniform Full Time Equivalent (FTE), plus

civilian FTEs. The initial contract based on hours of service reflects the integrated service delivery model, whereby service can be provided from any detachment uniform position.

- A stand-alone option will not be offered unless it is determined to be the most efficient and effective policing model for the OPP. A stand-alone detachment model would require dedicated management, supervisory, uniform support positions and civilian support positions.
- Municipalities will enter into an agreement with the MCSCS to receive OPP policing service for a three year term, plus any additional number of months/days required to bring the expiration date to December 31st. The initial contract is intended to be a transition contract after which time the municipality will have the option to receive policing services either under a Section 10 *PSA* contract or Section 5.1 *PSA* non-contract policing arrangement, and be costed accordingly under the OPP Billing Model.
- The applicable OPP detachment commander will be responsible for service levels and meeting the objectives and priorities of the municipality or PSB through meetings, statistical analysis and available public reporting tools and reports.
- The OPP commits to provide adequate and effective policing:
 - Ontario shall provide adequate and effective policing services in accordance with the needs of the municipality in compliance with the terms and conditions of the agreement.
 - The Commissioner shall ensure that the detachment commander responds appropriately to the Board's objectives and priorities for police services, developed after consultation with the detachment commander, pursuant to s. 10(9)(b) of the *PSA*.
 - Ontario shall cause the Commissioner to assign police officers and other persons to duties relating to the police services in and for the municipality so as to provide the municipality adequate and effective policing services.

Step 3 – Amalgamation/Transition:

Ensuring a successful transition to the OPP requires a multifaceted approach. The OPP transition team is comprised of representatives from a number of Bureaus to ensure provisions for business continuity are met throughout the transition from the current municipal police service provider to the OPP.

The transition phase includes a number of aspects that must be addressed including but not limited to:

- Ontario Civilian Police Commission Hearing (refer to www.ocpc.ca website for additional details);
- Executing matters pertaining to infrastructure, technology, operational equipment, records management;
- Hiring of uniform and non-uniform personnel;
- Orientation training;
- Ensuring police coverage of the municipality during the transition; and
- Swearing-in ceremony.

Once a municipality makes a decision to enter into an agreement with MCSCS for the provision of police services by the OPP, the OPP Career Development Bureau will provide guidance for matters relating to the hiring process of the uniform and civilian personnel of the amalgamating police service. More details are provided under the chapter "*Disbanding an Existing Municipal Police Service.*"

Financial Information and Costing Summary

Initial Transition Contract Proposal – Bridge Costing Summary

The contract proposal includes cost estimates that are based on the most current information available. The estimated annual police service costs for the municipality's initial contract with the OPP will be determined by applying the bridge costing methodology applicable to municipal amalgamations. Following the term of the municipality's initial transition contract, the costing methodology applied to the municipality will be based on the OPP Billing Model.

This bridge costing methodology assigns costs based on the full-time equivalent (FTE) complement proposed for the municipal contract. The FTEs proposed for the municipal contract are initially determined in the second stage of the three-step amalgamation process, however they are not finalized until they receive approval from the OCPC in the final stage of the process. FTEs are set by uniform ranks and civilian classifications. The annual municipal policing costs provided in the contract proposal include estimates of costs for salaries, benefits, support services and other direct operating expenses. Annual costs estimates specifically for court security, accommodation and cleaning will be included if they are applicable. One-time or initial costs, such as costs incurred to hire new staff or provide any additional equipment, will be determined and included in the contract proposal as applicable.

To assist with determining the municipal cost of policing, the OPP prepares a schedule of costs on a per-FTE basis for some staff, support services and other direct operating expenses. The schedule is referred to as the OPP Municipal Policing Cost-recovery Formula (Cost-Recovery Formula). The rates in the formula are reviewed annually and applied on a calendar year basis.

Estimated costs for salaries and benefits are based on rates provided in Ontario Provincial Police Association (OPPA) collective agreements, Ministry of Government and Consumer Services benefit rate schedules, and the Cost-Recovery Formula. Overtime costs may be estimated based on the Cost-Recovery Formula rates, the municipality's historical trends, or consultations with the detachment commander.

The costing summary included in the municipality's contract proposal represents the most current estimate of municipal costs available at the time. If the municipality enters into a contract with the OPP, the municipality will be billed monthly from the contract effective date on a formal billing summary prepared by the OPP. The billing summary will be based on rates applicable at that time and may vary from the costing summary included in the formal contract proposal, dependent on the timing of municipality's review and approval process. For example, a costing in a proposal prepared based on estimated rates during a period for which there is no formal collective agreement in place may be updated based on the terms of an approved collective agreement in effect at the start of the municipality's contract.

Municipal policing costs are subject to a reconciliation process each year to more fairly represent the costs incurred for the year, (i.e. salaries). The reconciliation will be

completed during the following year and the required adjustment for the final reconciled cost will be included in the next annual billing summary prepared. For example, the 2017 Annual Billing Statement will be reconciled during the calendar year of 2018; the reconciliation result will be included as a prior year adjustment on the 2019 Annual Billing Statement.

During the term of the initial municipal transition contract, the OPP is obligated to provide the municipality with a minimum level of hours of service by uniform officers. The minimum level of service is based on an officer availability rate which is currently set at 1,417 hours per uniform FTE. OPP uniform officer hours are tracked through a time and activity reporting system, the DAR system. If the minimum hours are not provided for a reconciled calendar year, the municipality will receive a discount on that particular year's final reconciled costs based on the percentage of the hours shortfall.

Please see example below:

Total hours assigned to municipality	51,631
Minimum hours (37 Uniform FTE)	52,429
Hours shortfall	(798)
Discount percentage applied to final costs	1.52%

Disbanding an Existing Municipal Police Service

Disbanding an Existing Municipal Police Service

It is the role of the OCPC to review and approve all requests for disbandment of municipal police services. If the municipality chooses to abolish an existing municipal police service and contract for OPP service, the municipality shall apply to the OCPC for consent in accordance with section 40 of the *PSA*.

The municipality shall supply the OCPC with sufficient information on which the OCPC may be satisfied that the abolition of the police service will not contravene the *PSA* and that severance conditions have been complied with. The MPB will, upon request, assist the municipality with the preparation of the required briefing materials compiled in the proposal to OCPC for a disbandment hearing pursuant to section 40 of the *PSA*.

As part of this review, the OCPC must be satisfied that all employees of the disbanded police service will be treated fairly and equitably. This includes ensuring an agreement is in place with regard to severance pay or the matter is referred to arbitration.

The OCPC will convene a public hearing in the community to receive representations and consider the request to abolish the municipal police service. Notice of the meeting will be given to the public, municipality, Police Services Board, Chief of Police, the local Police Association(s), MCSCS, the Commissioner of the OPP and other stakeholders.

The disbandment hearing is held before two or three commissioners appointed by the OCPC for the purpose of determining:

- The adequacy of the service contained in the proposal; and
- The fair and equitable treatment of the members of the municipal police service to be disbanded.

The OCPC shall communicate its findings and decision to the municipality, Police Services Board, the Chief of Police, the local Police Association(s), MCSCS, the Commissioner of the OPP, and other stakeholders.

If the OCPC approves the disbandment of the municipal police service, municipality shall advise the MCSCS of its intention to disband the municipal police service and enter into a contract for OPP policing.

Arranging Appropriate Funding Agreements

The MCSCS will consider the request of the municipality and the findings of the OCPC. If the MCSCS approves the request, the OPP will make application, through the Ministry to Treasury Board to establish the funding arrangement and staffing approvals necessary to enter into a contract for policing of the municipality by the OPP.

The OPP and MCSCS officials should make it clear in dealing with municipalities that, notwithstanding the provisions of an OPP costing and the subsequent acceptance of the OPP proposal/contract by a municipality, and notwithstanding that the OCPC has consented to the disbanding of the municipal police service, there is no commitment on the part of the Government until Treasury Board approval is obtained.

Upon notice of OCPC approval, the OPP will send the finalized policing agreement to the municipality for the appropriate signatures. Upon receipt of the signed agreement, the OPP forwards a submission (TB20) to MCSCS where it is finalized for furtherance to Treasury Board for final approval. Upon Treasury Board approval, the Minister of MCSCS signs the Agreement.

If the application is denied, the MCSCS may upon request, through its Public Safety Division, assist the municipality to investigate other options for meeting its policing obligations.

Process for the Hiring of Municipal Police Officers & Civilian Staff by OPP

OPP Career Development Bureau (CDB) is responsible for all matters that relate to the hiring process for both uniform and civilian personnel of a municipal police service that is amalgamating with the OPP.

In order to comply with the OCPC decision to provide policing services to a municipality, and to complete the pre-employment process in a timely manner, a moratorium on the hiring of additional personnel by the amalgamating police service after the OCPC decision has been made.

After the OCPC decision has been announced, CDB staff will attend information sessions to explain the amalgamation process to the uniform and civilian members of the municipal police service.

These information sessions will include detailed information related to the following:

- Completion of pre-employment forms;
- Background Investigation;
- Rank Level Determination (RLD);
 - To be eligible to seek appointment to the OPP at a rank other than constable, an officer must hold a confirmed rank above constable in the municipal police service and apply for an equivalent rank within the OPP through Rank Level Determination (RLD). Note: This is a rank equivalency, and is not intended as a promotional process.
- Offer of Employment;
 - The Commissioner of the OPP reserves the right to review suitability of any civilian or uniform municipal employee prior to an offer of employment being extended to the potential employee. (Uniform municipal officers must meet the requirements of Section 43.1 of the Police Services Act (PSA)).

- Orientation Training;
- Appointment;
 - Municipal police officers are required to take the Oath (or Affirmation) of Office and the Oath (or Affirmation) of Secrecy as required under O.Reg. 144/91 made under the PSA.
 - Municipal civilian employees are required to take the Oath (or Affirmation) of Office and Secrecy and the Oath (or Affirmation) of Allegiance pursuant to the Public Service Act
- Probationary Period; and
 - The Public Service of Ontario Act, Part III section 37(1), provides that all new employees are subject to a probationary period of not more than one year
- Salary, Benefits and Entitlements
 - The determination of employee entitlements, service dates, etc. is the sole responsibility of the Career Development Bureau.)

OPP Billing Model

OPP Billing Model Overview

On January 1, 2015 the MCSCS and the OPP implemented a new cost-recovery methodology for all municipalities receiving policing services from the OPP as of December 31, 2014. The methodology, referred to as the OPP Billing Model, is designed to reallocate the costs among municipalities in a fair and transparent manner. The OPP Billing Model is based on the fundamental principle that all police services require a base level of infrastructure, supervision, administration and sufficient front-line policing necessary to provide adequate proactive policing while ensuring the general safety and security of municipalities.

Municipalities amalgamating with the OPP after January 1, 2015 will be subject to the OPP Billing Model upon the expiration of their initial municipal policing transition contract with the OPP. At that time they will no longer have contract terms that reflect the bridge costing methodology stipulating FTEs and a defined level of contractual hours. A municipality will not have the option to enter into another transition contract with the bridge costing methodology beyond their original term.

Municipal FTE Calculation

Under the OPP Billing Model, the cost calculation starts with the determination of detachment staffing counts. The staffing counts include actual FTEs working in OPP detachments providing municipal policing services throughout the province. In the OPP Billing Model, a four-year rolling average of FTEs is used to reduce volatility. Contracted enhancement positions, cleaners/caretakers and positions providing court security and prisoner transportation are excluded from these staffing counts at this stage as their associated costs are not applicable to all municipalities. The calculated cost related to these services/positions is charged to applicable municipalities. The OPP fulfills both provincial and municipal obligations from all detachments as part of the integrated service delivery model. Municipalities are only responsible for the municipal portion of the total cost. The percentage of FTEs in each detachment fulfilling municipal responsibilities is calculated and applied to the staffing counts to determine the municipal FTEs.

The OPP Billing Model is focused on all municipal policing activities throughout the province and divides the majority of municipal OPP policing activities into two main categories:

- **Base Policing Services (Base):** All police services require a base level of infrastructure, supervision, administration and sufficient front-line policing necessary to provide adequate proactive policing, and ensure the general safety and security of municipalities. Under the OPP Billing Model, all municipalities should pay an equitable share of essential base policing services as all have an obligation to provide, and benefit from these services. Some examples of base policing services are: Legislated activities, proactive policing, training and administrative duties.

- **Calls for Service (CFS):** Calls for Service are requests for police that generally require the attendance of an officer. It is a variable charge based on the municipality's individual usage levels, therefore those with a greater number of calls for service will generally experience higher policing costs. Examples include Crime Calls (Assaults, B&E, Mischief, Drug Offences, etc.), Provincial Statutes (Mental Health Act, Landlord Tenant Disputes, Trespass to Property), Motor Vehicle Collisions (Property Damage, Personal Injury, Fatal).

The Base/CFS split percentage is applied to municipal FTEs at all uniform and civilian ranks except inspectors and Staff Sergeants. These two ranks are 100% base policing service. In addition to Base Policing Services and CFS, overtime, court security, prisoner transport, accommodations, cleaning, and enhancement positions (if applicable) are calculated for each individual municipality depending on usage.

Base Services

The cost to each municipality is determined by the number of properties in the municipality and the standard province-wide average cost per property. The number of municipal properties is based on Municipal Property Assessment Corporation (MPAC) data. The calculation of the standard province-wide base cost per property is detailed on Base Services and Calls for Service Cost Summary provided to municipalities.

Calls for Service

A municipality pays a proportionate share of the total cost of municipal calls for service costs calculated for the province. A municipality's proportionate share of the costs is based on weighted time standards applied to the historical calls for service. The municipality's total weighted time is calculated as a percentage of the total of all OPP policed municipalities.

Overtime

Municipalities are billed for overtime resulting from occurrences in their geographic area and a portion of overtime that is not linked specifically to a municipality, such as training. Municipalities are not charged for overtime identified as a provincial responsibility. The overtime activity for previous years is analyzed and averaged to forecast the next year's estimated costs. The costs incorporate the estimated salary rates and a discount to reflect overtime paid as time in lieu. The overtime costs incurred in servicing detachments for shift shortages is allocated on a per property basis based on straight time. These costs are reconciled to actual hours and salary rates.

Court Security

Municipalities with court security responsibilities in local courthouses are billed court security costs based on the cost of the staff in the servicing detachment required to provide designated court security activities. Estimated costs are based on previous years' security activity and security requirements specified by detachment staff. These costs are reconciled to actual hours and salary rates.

Prisoner Transportation

Prisoner Transport costs are allocated to municipalities on a per property basis. The total estimated cost of municipal detachment staff providing prisoner transport services across the province is calculated based on previous years' activities. The standard per property cost is calculated using the total of all OPP-policed municipal properties. These costs are reconciled to actual hours and salary rates.

Accommodation

The municipal portion of the cost of provincially-owned detachment facilities is allocated to municipalities on a per property basis. A standard province-wide rate has been set based on the total calculated municipal detachment costs and the property counts of municipalities requiring detachment facilities. The municipal detachment costs are based on the number of municipal officers and the per officer cost set in the Municipal Policing Cost-Recovery Formula.

Cleaning Services

Cleaning costs are allocated to municipalities on a per property basis. The cost of the municipal portion of detachment caretakers, garage attendants and cleaning service contracts is calculated and prorated based on the property counts of municipalities requiring these services.