



AC41

COMPLAINTS – CONDUCT, SERVICE OR POLICY

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Effective Date: 14 December 2011

Revised Date: 08 March 2018

Revised Date: 26 May 2023

POLICY

1. Complaints about the conduct of Delta Police Department (Department) 'municipal constables' and 'special municipal constables' or about Department services or policy, shall be dealt with in accordance with the *British Columbia Police Act* ("Act").

REASON FOR POLICY

2. To seek to ensure complaints are received and managed appropriately and effectively.

RELATED POLICIES

AC42 – Internal Discipline Rules

OE13 – *B.C. Police Act* – Reportable Incidents of Injuries or Death

OPCC – Receiving & Handling of Questions or Concerns from the Public

PROCEDURES

3. A member may address a query from a person, and must also assess whether the query alleges misconduct or qualifies as a 'question or concern'¹ and therefore needs to be referred to the Professional Standards Section ("PSS") or the Office of the Police Complaint Commissioner ("OPCC").

¹ A report brought forward by a citizen related to conduct by a member that does not reference an allegation of misconduct under Section 77 of the Act or result in a complaint being made under Section 78 of the Act, but which cause the citizen to be upset, worried, or disturbed.



4. Any member or police staff dealing with a person who has a complaint about member 'misconduct'², or wants to make a 'service or policy complaint'³, must direct the person to:
 - a) speak to the PSS or, outside of PSS office hours, to the Duty NCO; or
 - b) alternatively, contact the OPCC, by phone or through the website of that Office.

5. Any member informed of a complaint about member misconduct or a service or policy complaint shall:
 - a) in no manner seek to discourage a person from making the complaint directly to the NCO i/c PSS or the OPCC;
 - b) refer the person to the NCO i/c PSS or the OPCC, and assist the person if required; and
 - c) if receiving any information about the complaint, note the information and forward it to the NCO i/c PSS.

6. The NCO i/c PSS shall:
 - a) ensure that alleged misconduct is managed in accordance with the *Police Act*; and
 - b) if the complaint is determined to be a Service or Policy complaint, notify the Chief Constable, as soon as practicable, and the Chief Constable will refer the matter to the Police Board.

7. The Chief Constable will give consideration to exercising the *Police Act* authority to reassign, transfer, or suspend a member who is being

² Section 77 of the *Police Act* defines 'misconduct' as including:

- intimidating anyone who wants to make a complaint;
- conviction of various criminal and other statutory offences;
- neglect of duty, corrupt practice, abuse of authority, deceit, discourtesy, discreditable conduct, misuse of intoxicants, improper off-duty conduct, or improper use or care of firearms; or
- damage to police or others' property, or improper disclosure of information.

³ A complaint relating to the general direction, management or operation of the Department or the inadequacy or inappropriateness staffing, training, standing orders, policies, response ability, or internal procedures, all of which do not involve the conduct of a member.



investigated under the Act or as a result of an allegation of having committed a federal or provincial statutory offence.