Report on the Field Testing of the Best Practices of the Canadian Association of Police Boards

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1. Background

In August, 2005, the Canadian Association of Police Boards (CAPB) reviewed and approved a new set of governance standards, known as ***Best Practices – A Framework for Professional and Success in Police Board Governance .*** It was also decided at that time that four Boards would volunteer as test sites for these Practices. Those Boards are:

- Truro Board of Police Commissioners
- City of Kawartha Lakes Police Services Board
- Regina Board of Police Commissioners
- Vancouver Police Board

This report reviews the results of the field test phase. Its goal is to summarize the experience and what was learned from that and to report this back to the CAPB at its annual conference in August, 2006.

What is Field Testing?

Field trial: a test of the performance of some new product under the conditions in which it will be used. Source: wordnet.princeton.edu/perl/webwn .

The parameters of this project were that, in a relatively short period of time, a fairly representative group of Police Service Boards would assess the implementation of the Best Practices. However, very early in the project, an effort was made to clarify what was meant by this. The following characterizations of the field test were therefore established:

- *The overall purpose was to test both feasibility and the best means of implementation.*
- *Every effort would be made to use existing material rather than reinventing wheels.*
- *Careful consideration had to be given to the practical elements of implementation and to ensuring that what was implemented was real and measurable.*
- *Project participants could and should think about both the wording and substance of the Practices to ensure that they are realistic and able to be implemented – they were not accepted a sacred script.*
- *While Boards would assess if they could implement each Practice, they would not commit to their full implementation by August, 2006.*

2. Approach

In April, 2006, the CAPB contracted with Andrew Graham, School of Policy Studies, Queens University, (referred to as Advisor in this Report) to assist the four field test sites in developing their implementation plans for the Best Practices.

Based on some preliminary interviews, the following approach to the project was adopted.

> **It was realized early in the process that although this exercise was about implementing the Best Practices, the act of implementing would invariably reflect upon the adequacy of the Practices**

1. Build communications among the four test sites through initial discussions, conference call and face-to-face meetings as required

2. Advice test sites on an as-needed basis on how to develop the Practices application in their Board

3. Develop for use of test sites information and check-lists on both implementation and performance measurement indicators.

4. Working with the test sites, develop a transferable set of success criteria.

5. Through meetings (in person or electronic) with test site Boards, develop an evaluative perspective on their experience with implementation.

6. Document the experience of the four test sites in terms of implementation challenges and how they were managed.

> *The four field test sites worked very well as a virtual team and committed themselves to sharing as much information as possible. They were a real resource to each other, a key indicator for the future implementation across the country.*

7. Prepare information for the CAPB on the implementation experience and tools that could be shared with other Boards.

8. Prepare for the CAPB a review of the Practices based on the experience of the test sites to date.

9. Present results to date and recommendations for further actions to the annual conference, August, 2006.

The Practices are seen as a very good first step in establishing a framework for governance of Police Boards in Canada. They are cast as recommendations to Boards which must adapt them to their own circumstances. As a first step, they could lead, with the development of implementation experience into a full set of standards for effective governance. It is too early in the process to determine

either if this is a desirable outcome or if these Practices actually represent the basis of such standards. Certainly, the field test experience suggests that this issue will have to be tackled in terms of verification and audit of implementation.

Preliminary discussions with the test site Boards indicated that there were varying degrees of implementation already in place. Further, there would appear to be some sense of a need to develop a more robust interpretation of the Practices before trying to implement it. In some instances, the issue of what they meant exactly and how to measure them presented difficulties. This remained at the end of the field test for a number of areas. Finally, Boards were taking different approaches depending on their size and the skill set available to them.

Phase 1: Assessing the Situation

Each Board was asked to prepare a preliminary report on implementation. Charts were prepared based on each practice. These 'State of' reports were intended to begin a dialogue among the Boards and with the advisor. The purpose of this report was to bring out issues about definitions and it certainly did. It also brought out another issue that will continue to be a persistent issue in this report: measuring completion.

Phase 2: Developing Support: Based on this report, a conference call approach was used to reduce costs and speed up communications. Given the distances involved, this only made good sense. The results of this call and subsequent communications pointed the group to a number of steps that had to be taken:

> *It needs to be stressed here that this project of implementation, for all the test sites, remains a work in progress. Boards were not asked to attempt to complete the implementation of all Practices*

- Gathering practices across the country on a number of specific areas – this was done through a general call for information,
- Specific sharing of material among the four field test units,
- Gathering information on a research basis by the advisor
- Creation of some draft policies in the absence of their ready existence elsewhere.

Phase 3: Filling in the Blanks and Identifying Challenges

Based on the preliminary work, each site was then asked to take what steps it could to adopt the Practices to its environment. Very early, the issues of risk management and self-assessment tools were identified as problems for all the Boards. To that end, the advisor prepared some research background on these topics. He developed:
- Model self-assessment tools

- Examples of other self-assessment tools used by Police Boards and others based on his own research
- A draft policy on risk management
- A Handbook on risk management (draft) to assist Boards consider the implications of implementation of an integrated risk management policy.

Please Note: All of this material will be provided to the Executive Director, CAPB for distribution.

Test side Boards also work bilaterally and collectively, sharing information to meet their needs.

Phase 4: Final Report and Assessment

All Boards were asked to produce a final implementation report (in terms of the project and need to produce a report to the Conference). It needs to be stressed here that this report, for all the test sites, remains a work in progress. Boards were not asked to attempt to complete the implementation of all Practices within the timeframe of the field test.

Boards prepared a final written report. In one instance, the advisor was able to meet with one Board to explore all topics to that stage. This enabled him to also review the issues of small board implementation challenges in greater depth.

Finally, all Boards were informally asked for ideas about the Best Practices and the challenges they presented. It was realized early in the process that although this exercise was about implementing the Best Practices, the act of implementing would invariably reflect upon the adequacy of the Practices themselves.

3. Results

Based on the field test process, it is clear that some of the Best Practices can be readily implemented through policy statements well within the current scope of most Boards. Others, however, represent two kinds of challenge:

- Substantive policy issues for which there is little guidance at the moment, or
- Practices that are costly and time-consuming to implement, especially for smaller boards – the great divide.

Adopting the format of the final report document submitted by each test site, the following commentaries attempt to summarize the experience of the four test sites.

The Boards were asked the following questions:
1. Is this implemented by your Board?
2. If yes, how do you determine that it has been implemented, e.g. policy issued and reviewed on a periodic basis, manual prepared, training designed and taking place.
3. To what degree have you been able to evaluate the implementation?
4. If not implemented, what is your current plan to do so?
5. If there is no specific plan in place, what steps do you see taking to move you foreword?
6. How much time do you see it taking to reach implementation?
7. What resources do you need from your colleagues, the CAPB and the project manager (that's me) to help you along?
8. What resource issues do you foresee that may impede implementation?

In summary form, the following comments from Boards were:

	Best Practice	Comments
1	**The Right Stuff** The board shall determine the "composite skill set' it requires to maximize its potential. The skill set is comprised of the knowledge and skills each member brings to the table	Three Boards reported full implementation of a competency profile for the Board. In two of these instances, the appointing authority was made aware of the profile. In the other, they were being considered or being developed in the context of new provincial legislation.
2	**Maximizing Board Success** The Board shall determine what elements it requires with respect to tenure and rotation of members and provide that information to the appointing body(ies).	In all instances, policies were established and some effort made to begin evaluation. This Practice enabled considerable sharing among participants.
3	**Conditions of Appointment** The Board shall detail the "working conditions" that apply to membership (i.e. Anticipated workload and time commitment, conditions for eligibility, remuneration, expenses, etc.).	In all instances, the working conditions for the Board were documented. The Boards also incorporated the working conditions into a more comprehensive document based on the sample "Guidelines & Expression of Commitment for Police Services Board Applicants" provided by the Ottawa Police Services Board. Packages of information contained in these documents are also to be made available to prospective candidates or applicants for Board positions.

	Best Practice	Comments
4	**Governance Review** On a tri-annual basis, the board shall undertake a review of its governance process, measuring the state of its governance and whether the processes being used are adequate. The review can be formal or informal, and input may be sought from stakeholders (i.e. Chief of Police, funding body, appointment body and the police associations.)	Considerable difficulty was encountered in implementing this recommendation. Perhaps the comments from Regina best reflect the feelings among all participants: "The Board decided to not implement this recommendation at this time, but to consider it every three years in the year following a municipal election. The Boards believe governance review is a worthwhile and important practice but recognizes that it is also a major obligation that would be costly to implement. The Board noted that the two governance audit samples provided (*Edmonton Police Governance Audit* and *Governance Audit of the Ottawa Police Services Board*) were each conducted by the city audit department. With the absence of a municipal audit department in Regina, this task would be more difficult to complete. The Board is making improvements in the governance area through the review and implementation of the CAPB best practice recommendations but believes that a formal governance review should be done in the future and should be discussed as part of the strategic planning process. "
5	**Board Self-Assessment** The board shall undertake a formal self-assessment of its performance, looking at the performance of the board as a whole. As part of the assessment, the board may choose to assess board members on an individual basis.	Over the course of the project, a number of assessment tools were developed by the Advisor and shared with participants. In general, these were seen as useful and work was initiated to mold them to individual circumstances. However, in one Board, work in this area was halted due to member changeover.
6	**Orientation** The board, in conjunction with the Chief of Police, shall establish an orientation process and documentation for the purpose of educating newly appointed board members on the	This Practice can be reported as being in various stages of implementation. It was regarded as a highly desirable practice. In two instances, the work is complete. In the others, it is well under way.

	Best Practice	Comments
	processes/procedures that determine how the board does its business, conflict of interest provisions, policies, critical issues and key matters on the agenda.	
7	**Education & Training** The board shall enact an "education and training policy" that mandates ongoing education be made a priority and ensures funding is committed to give effect to the policy.	Practice implementation varied considerably for this item. In fact, two Boards reported active education and training programs and two did not. The divide was size and money. All Boards agreed that the CAPB Conference was an important training tool for members.
8	**The Key Relationship – Chief of Police** The board shall establish goals, objectives and responsibilities for the Chief of Police which are consistent with statutory and regulatory requirements, as well as being consistent with best practices as determined by the board. The board shall maintain a formal system to review the performance of the Chief of Police on an annual basis.	Systems of evaluation were in place and under continuous review in all test sites. The draft OAPSB document on Chief's Evaluation proved to be a very useful instrument for some Boards.
9	**Succession Planning** The board, in conjunction with the Chief of Police, shall establish policies and procedures to ensure succession planning is taking place for the Chief of Police and senior personnel.	The Peel Board policy on succession planning was shared. However, little progress was made in this area which was seen as being complex and involving the need to clarify what was mean by it – for the Chief or for the whole Service.
10	**Strategic Planning** The board, in conjunction with the Chief of Police, shall ensure that the police service has a formalized strategic-planning process, as well as ensuring the board has a defined role in the formulation and development of the strategic plan.	All Boards reported existing or planning strategic planning functions in place.
11	**Risk Management**. The board, in conjunction with the Chief of Police, shall undertake a risk assessment of internal and external risks to the police service.	No Board moved foreword to the formal implementation of this Practice. In fact, this proved to be one of the most difficult to bring to a conclusion. Draft policies and a short handbook were developed for Boards'

	Best Practice	Comments
		consideration. However, in the end, it was felt that this area was too rife with unknowns to move foreword quickly. On the other hand, it was the view of all Boards that they practiced risk analysis and management in partnership with the Chief, but at an informal level.
1 2	**Oversight:** The board shall create an audit policy, which in conjunction with direction from the Chief of Police, mandates financial and policy audits be undertaken.	The range of implementation varied from simple financial audits prepared by City finance or audit groups to internal finance committees. Further the emergence in larger cities of larger audit functions was seen as a strategic shift. This Practice appears to be size dependent. It also needs greater precision.
1 3	**Accountability to Shareholders** The board shall produce an annual report, either distinct or as a component of the police service, detailing its activities, with a focus on governance activities. The release of the annual report shall coincide with a public meeting, at which time the public shall have an opportunity to ask questions of both the board and the police.	Boards reported a variety of tools in place to address the need to account to shareholders. Most notably, an annual report was seen as important. Further, regular meetings with various community groups were reported.
1 4	**Accountability to Employees** The board shall meet on an annual basis with representatives of its police association(s) to facilitate constructive communication.	All tests sites viewed informal, two way communication with employees as highly desirable. They also wanted to ensure that these were not construed as by-passing the Chief's authority and responsibility to manage the personnel. .
1 5	**Procedural Policy/Bylaw** The board shall create a procedural policy or bylaw to govern its own conduct during the course of board meetings. The policy or bylaw shall formalize the agenda and minute taking process.	Either through Board action or based on by-laws governing all municipal boards, this is in place .

	Best Practice	Comments
1 6	**Board Policy(ies):** The board shall formalize the process for policy creation, review and amendment, and identify the necessary individual or resource for that purpose.	This is in various stages of development within the test sites.

4. Issues

Issues with the Practices

- **Competency profiles – is it worth it?** While three of the Boards had developed profiles, all were just recently approved. In practice, some of those involved expressed considerable skepticism regarding the efficacy of such an exercise. There is little confidence that such a profile will inform the appointment process. A further comment was made that Board appointments were seen a citizens first and functional specialists second.

  > *"Board turnover is one of the nasty issues we have to deal with constantly – there is no consistent practice in our own succession." – Project Participant*

  There was some concern that the appointment based on skill set alone would create Board members who would miss the big picture and become too involved in their area of interest, e.g. legal matters or finance. That being said, there was across-the-board agreement that certain specializations, taken in the context of a full Board team, were highly desirable.

- **Governance Reviews – a concern for costs and benefits:** No Board fully committed to an implementation strategy due to a concern for the costs of the exercise, the timeliness given pending Board turnover and a concern for the growing number of external audits.

- **Self-assessment– more than just an assessment tool:** As part of the development of support material, a number of assessment tools were shared among the test group. None proved to be fully satisfactory. There will have to be considerable more work in this area. Further, several concerns arose around the issues of the timeliness of such assessments, cost and utility. A concern that was present in the discussion of this Practice was not to over-do it by assessing too frequently or making it a costly exercise.

- **Education and Training – time and resources:** There was no agreement on what would constitute an appropriate level of training for Board members beyond a good orientation. A number of important factors were identified:

- The need to develop an understanding of how the Service worked,
- The important role of the Chief in brining members up to date,
- The positive role played by an Executive Director in providing continuing training.

- **Succession Planning:** This Practice is one that needs some further consideration. While it is generally acknowledged that there is a need for good succession planning within the Service, many questions remain:
    - Is succession planning the responsibility of the Chief or the Board?
    - Should the Board be doing specific succession planning for the Chief's position separately from what the Chief does for the Service?
    - What practices work and what do not?

- **Strategic Planning:** A number of times in the discussion, the question of who the strategic plan was for – the Board or the Service – arose. This is important as it does reflect who would be in the lead in such a process. As well, it called into debate the strategic direction role of the Board – was it fully independent of the Service or was it a process of iteration involving plans brought foreword by the Chief?

> *"For a lot of us, risk analysis is a big black hole not just in understanding it but also in figuring out how is responsible for what between the Board and the Service." – Project Participant*

- **Risk Management:** Boards reported reluctance to move on this Practice as the field is generally know well understood and little substantive practice exists for examples to be considered. One Board noted that the municipality was moving in this area. This has been the practice in a number of municipalities, most notably Winnipeg and Edmonton, with varied results and inconsistent application.

- **Oversight:** Definitions of oversight and the oversight roles of the Board varied among the team. Further, the Practice unclear about what oversight and by who is the desired outcome. Effective governance involves several types of oversight – ensuring that there is a robust internal audit function, unique oversight of finances, a capacity for external audit, and a risk-based analysis that establishes priorities for oversight needs. In addition, there was a great divide between smaller Boards and larger ones when it came to have resources and assistance readily available.

- **The Accountability Practices – to Stakeholders and Employees:** Concern was expressed about how to best evaluate this Practice. There is

a concern about what enough is and what is too much accountability for an oversight body such as the Board.

Issues of Implementation

- **Small Boards remain challenged:** Smaller boards, notably those without a full-time Executive Director are constrained in the degree to which they can fully implement a number of Best Practices. This does not mean they should not pursue them, but they cannot simply adopt complex models and hope to credibly state they are implemented. In molding the Practices and in setting out criteria for evaluation, this factor must be taken into account.
- **Evaluation and verification:** The issue of how to evaluate these Best Practices was essentially set aside for this short-term project. The questions that arose around dealt with what would be evaluated (a policy in place or its implementation), who would do the evaluation (the Board, the Chief or an external agent) and attestation (what would authoritatively say that the Practice was in place and working.

5. Recommendations for Moving Foreword

- **Establishment of web-based resource centre on governance best practice – creating virtual governance manual:** If this project did nothing else, it showed the power of sharing ideas and information. While there was a general understanding that local conditions may affect some of the practices, there was also an eagerness both to learn from each other and share what had already been completed. To the Advisory, this points to one of the greatest needs in the development of the Best Practices – a set of sample policies, practices, report, forms and evaluations that can be easily searched and used by other members. In certain areas, common approaches and the sharing of already existing material would be invaluable:

> *Size does matter – The degree of variation in the size of communities served by Boards across the country will present an ongoing challenge to find language and tests for Best Practices that fit all instances.*

  - Orientation material
  - Standard package of policies
  - Evaluation system for the Chief including setting of objectives, the methods of evaluation, forms and processes,
- **Specific Governance Instruments**: There is a need to develop specific governance assessment instruments that meet all Boards' needs. At this

point, most Boards see a review of how they are governed as an onerous burden. It can be, especially if it is longitudinal and in-depth. However, it need not be. Specific tools could be developed that permit Board's to assess their performance on a continuing basis, especially around issues such as efficacy of meetings, adequacy of information and communication among members. For more strategic purpose, more in-depth instruments and guidelines can be created. Alternatively, where such audit and evaluation resources exist, the use of external audit specialists, such as the City Auditor, makes more sense.

- **Assessment Tools:** The tools that were developed for this project and shared have proven to be a good basis for moving foreword. It is clear that they have to be molded to specific concerns of individual Boards. Further, the issue of the length and complexity will vary with the size of the Board. The CAPB could usefully review and adopt a number of model assessment tools for use by members.
- **Refine Succession Planning Practice/ Develop Tools:** Given the dramatic demographic shifts now underway in police services across Canada, there is a need for fulsome and complete succession planning. This should include all the Service personnel. Hence, effective succession planning is a partnership between the Chief with his/her responsibility for personnel, their training and development, the appropriate skill set and the creation of managerial capacity along with the Board for its concern for the overall effective management of the Service, the unique concern it has for an orderly succession for the Chief's position and securing the funding and support for all the elements of succession planning. Therefore, CAPB should develop a succession planning toolkit, possibly in partnership with CACP for use of both Chiefs and Boards. This would include:
    - An overview of succession planning
    - Criteria for an effective succession planning system
    - Succession planning policies
    - Samples of effective succession planning practice
- **Risk Management – a strategic priority for CAPB:** It is certainly noteworthy that CAPB has chosen the topic for its 2007 Conference the topic of risk management. This field is one that raises many concerns in the areas of board governance and public sector management in general. In anticipation of this conference, however, CAPB should consider developing standardized policies, a more complete guidebook than what could be produced in this project and more training tools for Board members.

> *Are we there yet? Having Best Practices is one thing. Having a process to evaluate them that stands up to public scrutiny is another? So too is having a set of standards by which to measure them.*

- **Oversight:** Considerably more work needs to be done to refine the scope of oversight

instruments that Boards might put in place to address the risks that the Police Service faces. Further, a range of such instruments must be recognized given the scope and complexity diversity of Boards.

- **Developing Instruments for Evaluation:** Throughout this project, it became clear that the end state of implementation would be some form of evaluative process. Such a process could be both onerous and complex or a simple restatement of a policy. However, time did not permit the development of ways to measure if the Practice was being carried out. In some instances, this would answer the question of "are we there yet?" In others, as Practices role out and become more public, it would inform external review groups such as municipal auditors of the exact meaning of the Practice and the way in which it should be assessed. Otherwise, those auditors or any other external interest group would have leeway to define them in their way.

- **Developing Processes for Evaluation -Creating a peer-review, validation process:** At this point, it would appear that the affirmation of the implementation of the Best Practices and their evaluation is a matter left to the Board itself. This is not an effective means of strengthening the governance credibility of a Board, especially in the public sector. This puts the Board in the position of evaluating itself. The creation of the Practices implies that, behind them, supporting them is a standard of behaviour that can be measured and attested by an external agent. In many situations such as these, that agent can by the regional or national association created to support the activities of the individual Boards. In others, it can be a legislative auditor appointed by a council or legislature. In other instance, it can external oversight bodies. Regardless of the path chosen, the credibility of the Best Practices rests with how they are evaluated. This remains a gap in this situation. CAPB should consider this issue both in terms of the recommendation above to develop measure but also to examine ways in which other such organizations that have launched a standards framework examine how to evaluate them. A powerful – and generally more useful than simple reports – is the peer team evaluation process. This would involve Board members from like Boards participating in evaluations of other Boards in relation to the Practices.

  > *"Having policies in place is not enough. Best Practices is like phase one of a larger process. They have to be a living thing that you continually adapt and evaluate." -Project Participant*

- **Gaps in the Practices:** This field test was also seen by participants as a way of seeing what else might be useful to include in the future. The following were identified as potential practice areas that needed to be defined:
  - **Code of Conduct/Ethics for Board members**

o   **Media relations, contact, designation of spokespersons**

6. Concluding Comments

The concept of a field test for the Practices was a sound one. It taught the participants a number of important lessons to be shared with other members of CAPB:

- Simply adopting a policy is not enough – some form of implementation and follow up is essential.
- The Practices themselves cannot be treated as all being equal – some have more challenges than others.
- There is a real need to develop Practices that can be applied in a variety of situations – large and small Boards are quite different in terms of their resources, internal dynamics and notions of accountability (formal versus informal).
- While implementation is an issue for several Practices, e.g. risk management and succession planning, in almost all Practices, the yet to be adequately addressed issue is evaluation and measurement of completion.
- CAPB has an important role to play in moving the Practices foreword by
    o   Ensuring that there is a means to review, change and add to the Practices as they evolve into more formal standards
    o   Building a resource – virtual or in manual form –to assist Boards in developing their Practices through sharing information across Boards, developing draft polices and training packages and research into various aspects of the Practices
    o   Building a body of measurements and practices to ensure that evaluation of completion of individual Practices can be undertaken with specific outcomes defined to give more precise meaning to each Practice.

From the perspective of the Advisor, Best Practices come very close to governance standards for Boards. They are a robust set of behaviours that, taken together, should position a Board to exercise its important duties of police service oversight very well. However, that being said, simply having a document of Best Practices alone is not enough. In fact, it is dangerous. Publishing Best Practices without actually working to implement them puts the CAPB and individual Boards in the vulnerable position of being accused of doing the easy part and not following through with implementation. The field test was an affirmation that CAPB wishes to move ahead, but in a studied fashion. This was a wise course of action. However, in terms of building the Practices and moving them foreword, CAPB should consider some of the recommended actions arising from the field study. These are outlined above in **Section 5. Recommendations for Moving Foreword.**

In addition to that, some thought might be given to how the CAPB would oversee the Practices themselves and the continuing process of rolling them out to all Boards. To that end, considerable should be given to creating a form of governance over the Practices. This could readily be created as a **Best Practices Review Committee** of members of the Executive and beyond. Many organizations that develop various forms of standards against which they or their constituent parts are measured have created and use such a process. It serves as an oversight mechanism for the organization. The Best Practices need to keep alive through a process of continuous review and assessment. This is the stewardship that is essential for the Practices to be credible over the long term.

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