

BEST PRACTICES: A Framework for Professionalism & Success

Canadian Association for Civilian Oversight of Law Enforcement
Annual Conference and Meeting
Montreal, Canada

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Project History:

- In the wake of Enron, Worldcom and Tyco, governance became the focus of legislators & regulators
- Corporate governance reform a hot topic in Canada/U.S./U.K.
- Past studies have demonstrated that governance principles apply cross sector
- CAPB undertook a research project to identify best practices in board governance

Project Mandate:

- Review developments in governance from all sectors (commissions, inquiries, legislation & public policy positions), focusing on Canada, the United States and England
- Interview key stakeholder groups (police boards, chiefs of police, police associations & government officials)
- Identify common elements and initiatives
- Develop “best practices” practical recommendations to enhance police board governance



What Has Changed?



Change!

- Board members themselves asked for recommendations that also cover the fundamentals of board governance



Change!

- Some of the defining recommendations of a post-Enron world have themselves come under fire

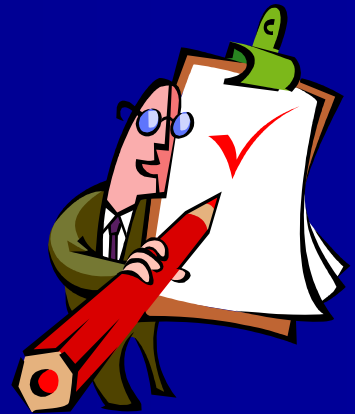


General Conclusions:

- Principle-based vs. rules-based
- Board fundamentals
- Relationships – robust, effective social systems

Recommendation #1: THE RIGHT STUFF

- Each board, at a minimum, determine the “*composite*” skills it requires to meet its responsibilities
- When a vacancy occurs, or is about to occur, the board should determine the skills and competency it requires to maintain its “*composite*” skill set



Recommendation #2: MAXIMIZING BOARD SUCCESS

- Board provide the appointing body(ies) key considerations that lead to board success (determine what elements it requires with respect to security and tenure of members)



Recommendation #3: CONDITIONS OF APPOINTMENT

- Board detail the “*working conditions*”, i.e.. anticipated workload, hours required to fulfill board mandate, conditions for eligibility, remuneration, expenses, etc.



Recommendation #4: GOVERNANCE REVIEW

- Board assess its governance state-of-health every 3 years
- Measure board (and individual members) to ensure current state of governance and that systems and model being used continue to meet needs



Recommendation #5: BOARD SELF-ASSESSMENT

- Board undergo a formal self-assessment of its performance at a minimum of every 3 years
- May include an assessment of the Chair and individual board members



Recommendation #6: ORIENTATION

- Upon appointment, new board members are “orientated” to new responsibilities, including provision of written material or information



Recommendation #7: EDUCATION AND TRAINING

- Continuous education and/or training for members be part of board mandate
- Board to report annually on the education and/or training received, both individual and in composite



Recommendation #8: THE KEY RELATIONSHIP – CHIEF OF POLICE

- Board and Chief of Police have clear understanding of their relationship
- Initial contract between board and Chief of Police should include board's expectations of chief, division of responsibilities and duties, and measurements the board will use to determine performance
- Board to formally evaluate the Chief of Police's performance annually



Recommendation #9: SUCCESSION PLANNING

- Board to ensure it has a succession plan in place for the Chief of Police
- Chief of Police to ensure succession plan in place for his/her senior personnel



Recommendation #10: STRATEGIC PLANNING

- Board, in conjunction with Chief of Police, ensure the police service has a formalized strategic planning process
- Board with Chief of Police to determine extent and level of board involvement in strategic planning process



Recommendation #11: RISK MANAGEMENT

- Board, in conjunction with Chief of Police, undertake a risk assessment of internal and external risks to the police service



Recommendation #12: OVERSIGHT

- Board establish an Audit policy and possibly an Audit Committee, with a mandate to direct and/or receive through the Chief of Police, financial and policy audits



Recommendation #13: ACCOUNTABILITY TO SHAREHOLDERS

- Board produce an annual report focused on its governance activities, to be provided to its appointing body(ies), funding body(ies), provincial regulator and the public
- Board hold one public meeting per annum as well as identifying whether there are any stakeholder groups it should meet with annually



Recommendation #14: ACCOUNTABILITY TO EMPLOYEES

- Recommended that the board meet with representatives of its police association annually



Recommendation #15: PRUDENCE IS PROCESS – PART I

- Board create a procedural policy or bylaw to govern its own conduct during meetings
- Board formalize in writing the format of agenda, minutes and how decisions are communicated to Chief of Police



Recommendation #16: PRUDENCE IS PROCESS – PART II

- Board to formalize in writing process for the creation, review and amendment of board policies
- Oversight component included in every board policy relating to the operation of the police service as well as any operational aspects of the board
- Formal process for review included in every policy

