

Inspector General Advisory Bulletin



Advisory Bulletin 2.1: Board and Committee Meetings

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What you need to know

Police service boards and OPP detachment boards conduct their business and make deliberations, considerations, and decisions in meetings. The *Community Safety and Policing Act* (CSPA) sets out requirements for meetings held by boards and their committees, and establishes a modern approach premised on public transparency of board business as the ‘rule,’ with requirements for a board to publicly explain when meetings are closed to the public.

“Meeting” Definition

The CSPA does not define “meeting” for determining when compliance with meeting requirements is necessary. Using subsection 238(1) of the *Municipal Act* for guidance, boards should consider a meeting to be any regular, special, or other gathering of a board or committee where:

- a quorum of members is present, and
- members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the board or committee.

Social or informal gatherings of board members would not be board meetings unless the two-part test described is met. Board members should be vigilant when a quorum is present at gatherings to avoid holding unintended meetings.

Meeting Notice – CSPA subsections 43(5)-(7)

Boards and committees must publish notice of meetings that are open to the public on the Internet. The notice must:

- be published at least seven days before the meeting, except in extraordinary circumstances (CSPA subsection 43(5)-(6)); and,
- include the proposed agenda and either the record of the most recent public meeting or information on how the public can access that record (CSPA subsection 43(7)).

Electronic meeting notices must include specific information about how to access the meeting.¹

Transparency and Open Meetings – CSPA subsection 43(3)

Meetings conducted by boards and their committees must be open to the public subject to decisions to close meetings or parts of meetings when permitted by subsection 44(2).

The purpose of the CSPA open meeting rule is to increase the open and transparent exercise of board authority and discharge of duties so as to enhance public confidence in the operation and integrity of boards, and by extension the policing they oversee.

Boards and committees should consider public access when deciding on meeting locations. Holding a “public” meeting within a secure police facility or at a non-published location may not always meet the test of “open to the public”². In addition, the use of electronic meetings presents additional challenges to ensure meetings are publicly open.

Closed Meetings – CSPA subsections 44(2)-(6)

Boards and committees may (not must) close meetings to the public if the subject matter being considered is:

- the security of the property of the board;
- personal matters about an identifiable individual, including members of the police service or any other employees of the board;
- information that section 8 of the *Municipal Freedom of Information and Protection of Privacy Act* would authorize a refusal to disclose if it were contained in a record (a “law enforcement” matter);
- a proposed or pending acquisition or disposition of land by the board;
- labour relations or employee negotiations;
- litigation or potential litigation affecting the board, including matters before administrative tribunals;
- advice that would be inadmissible in a court by reason of any privilege under the law of evidence, including communications necessary for that purpose;
- information explicitly supplied in confidence to the board by Canada, a province or territory or a Crown agency of any of them, a municipality or a First Nation;
- a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- a trade secret or scientific, technical, commercial or financial information that belongs to the board and has monetary value or potential monetary value;

¹ [Ombudsman Investigation Report – Municipality of West Elgin December 2024](#)

² [Ombudsman Investigation Report – Township of Woolwich June 2015](#)

- a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the board; or,
- an ongoing investigation respecting the board.

Boards should note the discretionary nature of decisions to exclude the public when considering the above subjects. When making these decisions, boards and committees should balance the principles of transparency and public interest against the potential harm of disclosure.

Meetings must be closed to the public by police service boards and their committees if the subject matter being considered is a request under the *Municipal Freedom of Information and Protection of Privacy Act* (CSPA subsection.44(3)).

Board and committee meetings may also be closed to the public if held for the purpose of educating or training members and the business or decision-making of the board is not materially advanced in the meeting (CSPA subsection.44(6)).

The CSPA open and closed meeting rules for boards and committees very closely follow, with some modifications, the rules for municipal councils, committees, and local boards under Ontario's *Municipal Act*. The Ontario Ombudsman has been examining open meeting matters under that Act since 2008 and has published guidance that the IoP believes will assist police service boards, OPP detachment boards and their committees when making decisions on the CSPA open and closed meeting rules and practices. The Ontario Ombudsman guidance document is available here: [Open Meetings - Guide for Municipalities | Ombudsman Ontario](#)

Agenda Considerations – CSPA subsection 44(1)

Before holding a meeting, boards and committees must consider whether to close the meeting or part of the meeting having regard to subsections 44(2)-(3) of the CSPA, referenced above, which list subjects that either permit or require the exclusion of the public.

Resolution Closing Meeting – CSPA subsection 44(1)

If a board or committee decides to exclude the public, they must state by resolution the fact the board is holding a closed meeting, and the general nature of the matter to be considered. In addition, if the public is excluded from a meeting held for educating or training board or committee members, the resolution must specifically state that the meeting is closed under subsection 44(6).

In addition to the CSPA requirement for educational and training meetings, the IoP recommends that closed meeting resolutions cite the specific CSPA authority for excluding the public in all instances. The IoP further recommends that resolutions have sufficient detail of the closed matter to assure the public that the power to close the meeting is being responsibly exercised. Finally, to support transparency, the required resolution must be made in a meeting or part of a meeting that is open to the public.

Board Delegation and Committees – CSPA subsections 42(1)-(4)

Boards may delegate any of their powers to a committee established by by-law of the board. The by-law may govern the name, powers, duties, and quorums of the committee. The by-law should also govern the composition of the committee and member appointment process.

Committees must be composed of at least two members of the board, except if the only delegated power is bargaining under Part XIII of the CSPA. A bargaining committee can be composed of one board member. Additional non-board members may be appointed to the committee as long as a majority of the committee is composed of members of the board.

Quorum – CSPA subsection 43(2)

Boards and committees must have a quorum present to hold a meeting to conduct business and make decisions. Quorum is a majority of the members of the board.

Vacancies on a board do not reduce meeting quorum requirements. For example, quorum for a five-member board with two vacancies remains at three members.

Board members are not counted towards quorum if they are prohibited from exercising the powers or performing the duties of their position because mandatory training has not been completed (CSPA subsections 35(2)-(5)).

Board members may become subject to Inspector General investigations into their conduct and directed to decline to exercise their powers or perform their duties as a member of the board pursuant to CSPA subsection 122(1). Board members who have received this direction are not counted towards quorum. If the board cannot constitute quorum as a result, the Inspector General may appoint additional members to act in their place for the duration of the investigation.

Quorum for committees is determined by boards through their by-law establishing the committee (CSPA subsection 42(2)).

Meeting Frequency – CSPA subsection 43(1)

Boards must hold at least four meetings each year. Holding meetings exceeding this minimum and the period between meetings are discretionary decisions for boards. These decisions should be based on the governance obligations and statutory responsibilities arising from the size and complexity of the governed police service or OPP detachment, and the needs of the area under the board's jurisdiction.

Record of Meeting – CSPA subsection 43(4)

Boards must record all resolutions, decisions, and other proceedings at all meetings, whether open to the public or not. The record must not include additional notes or comments by the recorder.

The IoP recommends boards, when establishing committees, include this recording requirement as a duty of the committee in the governing by-law.

What you need to do*Meeting Practice Examination and Potential Changes to Practice*

Boards should examine their meeting practices, particularly regarding holding closed meetings, in consideration of the transition from long-standing *Police Services Act* requirements to those newly established by the CSPA. Where needed, adjustments should be made to come into compliance.

Boards should have any changes in meeting practices reflected in their established rules and procedures (CSPA section 46).

The new requirement for a resolution to close meetings will require some boards to change their existing practice of holding two distinct consecutive meetings – open and closed – with the closed meeting entirely excluding the public. Through its monitoring function, the IoP has observed that boards who have successfully transitioned meeting practices to the new requirements have adopted one of two options, both of which are CSPA-compliant:

- Two distinct consecutive meetings: Open meeting is entirely public and ends with adjournment. The closed meeting starts with an open part for routine administrative matters (opening statements, declarations of interest) followed by a resolution compliant with CSPA subsection 44(1). The closed portion ends with a resolution to return to public. The closed meeting ends in public with adjournment.
- A single meeting that is partly open and partly closed: The open part is closed by resolution compliant with CSPA subsection 44(1). The closed portion ends by resolution to return to the open meeting. The meeting continues in public until adjournment.

Emergency and Special Meetings

A board may be required to hold an emergency or special meeting outside of its regularly scheduled meetings. IoP Advisors have the authority to enter board meetings for compliance monitoring, including those closed to the public, pursuant to CSPA subsection 115(7). Boards should **notify their assigned Police Services Advisor for all emergency and special meetings whether open to the public or closed so the IoP is**

aware and the Advisor can determine whether attendance is necessary in the circumstances.

What we will do

The IoP's Police Services Advisors support the Inspector General's statutory monitoring and advisory duties under the CSPA. Advisors are available to provide advice on board compliance with the CSPA meeting requirements, including suggested application of leading practices and referrals to boards that have established good practices.

Note: Advisory Bulletins are the IG's advice provided pursuant CSPA subsection 102(4) and are intended as a resource for the sector by offering the IG's general interpretation of various provisions of the CSPA. Advisory Bulletins are not legally binding, and they do not purport to address all possible factual scenarios or circumstances. As such, you may wish to consult with legal counsel to determine how this general guidance should be applied in your own local context and to navigate specific situations.