



6.16: OPP VEHICLES

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6.16.13: CONDUCT COMMITTEE

Introduction

The OPP must ensure accountability and consistency in the management of a collision/damage occurrence involving an OPP vehicle. To attain this goal the OPP will implement a thorough, objective review of each occurrence of collision/damage and initiate corrective action, where appropriate.

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Role

A Conduct Committee shall be established for each bureau/region and review each collision/damage occurrence that is classified a preventable collision and ensure the:

- investigation of the occurrence is complete and thorough;
- conclusions drawn by the investigating member are reasonable, supported by the evidence and any extenuating circumstances;
- appropriate action is taken with respect to the laying of a charge pursuant to a Federal or Provincial statute where it would be OPP responsibility to do so; (see note)
- decision regarding the corrective action for the employee involved is consistent with the Guideline for Performance Management in Preventable Collision/Damage; and
- need for training is considered.

Note: In situations where the Conduct Committee is reviewing an occurrence that was investigated outside of the area of responsibility of the Conduct Committee, the responsibility for taking the appropriate action with respect to the laying of a charge in relation to a Federal or Provincial statute rests with the police service of jurisdiction.

Need for Training

In assessing the need for training the Conduct Committee shall consider the:

- circumstances of the occurrence;
- employee's collision/damage occurrence history; and
- any other relevant circumstances.

Resources

The Provincial Fleet Safety Officer, Fleet Services and the Director, Provincial Police Academy (PPA) are available resources to assist the Committee in assessing the need for training.

Documentation

All relevant documentation related to a collision/damage occurrence shall be reviewed by the Conduct Committee, including:

- Form TP022—Vehicle Damage Report.
- Form LE042—Motor Vehicle Collision Report/non-OPP Non-Reportable Collision Report;
- the investigative report; and
- vehicle operator/witness statements.



Structure

Bureau A bureau Conduct Committee shall be comprised of:

- a commissioned officer or equivalent;
- a section/unit manager of staff sergeant rank or higher;
- the respective sergeant major; and
- any additional member(s) appointed at the discretion of the bureau commander.



Region A region Conduct Committee shall be comprised of:

- at least two members of region command staff, one of which shall be a commissioned officer;
- the respective sergeant major; and
- any additional member(s) appointed at the discretion of the regional commander.

Decision The decision of the Conduct Committee shall be recorded in area **D** of Form TP022—Vehicle Damage Report. The original Form TP022 and supporting documentation shall be forwarded to the Collision Claims Unit.

Member of Conduct Committee When the vehicle operator involved in a preventable collision/damage occurrence is a member of the Conduct Committee:

- a member of equal or higher rank may be assigned to sit in their place on the Conduct Committee; or
- the matter may be transferred to the GHQ Discipline Committee via the Commander, Professional Standards Bureau (PSB).

Provincial Commander When the vehicle operator involved in a preventable collision/damage occurrence is a bureau/regional commander, the respective Provincial Commander shall be notified. In such a case:

- a member of equal or higher rank may be assigned to sit in their place on the Conduct Committee; or
- the matter may be transferred to the GHQ Discipline Committee via the Commander, PSB.

6.16.14: PERFORMANCE MANAGEMENT IN PREVENTABLE COLLISION/DAMAGE

Introduction The purpose of performance management in relation to a preventable collision/damage occurrence is to promote safety and to ensure accountability. This is accomplished through an objective review of each occurrence and the initiation of appropriate corrective action. Corrective action, to have its greatest effect, should take place as soon as possible after the occurrence.

Criteria Corrective action shall be applied to each occurrence of preventable collision/damage.



Corrective Action—Member

First Incident After the first incident of [collision](#)/damage a Form 233-10—General Information shall be placed in the [member](#)'s personnel file. The Form 233-10—General Information shall document the [occurrence](#) and discussion held between the member and the bureau/[region/detachment](#) command staff.

Second Incident After the second incident of [collision](#)/damage, if within two years plus current from the date of the first incident a member shall receive:

- a written warning placed in the member's personnel file; or
- an informal discipline of 4-6 hours by a commissioned officer or equivalent.

Third Incident After the third incident of [collision](#)/damage, if within two years plus current of the first incident a member shall receive:

- informal discipline of 6-12 hours by a commissioned officer or equivalent; or
- the [occurrence](#) will be forwarded to the [PSB](#) recommending [Police Services Act](#) (PSA) charge.

Extenuating Circumstances

Extenuating circumstances such as the type of driving behaviour demonstrated, may indicate the need to advance to the second or third [collision](#)/damage level of corrective action for the involved [member](#) as a response in the first instance.

Detachment Commander Discretion

In the event of a second or third incident, input from the member's [detachment commander](#) may provide mitigating circumstances to justify a first level [collision](#)/damage response.

Civilian Employee

Discipline matters regarding a [civilian employee](#) shall be administered in consultation with Career Development Bureau (CDB).

Charges

In any instance where there is evidence to support a charge pursuant to a Federal or Provincial statute the charge shall be laid when it is the OPP's responsibility to do so.

Consultation

Evidence to support a charge should include, where necessary, consultation with the [Crown](#) or Provincial Prosecutor as to the likelihood of a successful prosecution.

Federal Statute

When a charge pursuant to a Federal statute is laid an internal complaint shall be forwarded to [PSB](#) for investigation.

Provincial Statute

When a charge under a Provincial statute is laid the respective sergeant major shall be consulted to determine if an internal complaint should be forwarded to [PSB](#).

Internal Complaint

Where an internal complaint has been initiated Police Orders, Chapter 6, [Professionalism in the OPP](#) shall be adhered to.

No Internal Complaint

If the decision is made to not initiate an internal complaint a notation shall be made on the Form TP022—Vehicle Damage Report or in an attachment, indicating the:



- date of the decision;
- person consulted from [PSB](#); and
- rationale for the decision.

