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Private and Confidential

Toronto Police Service and Toronto Police Services Board
40 College Street,
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Attention: Chief of Police James Ramer and Ryan Teschner

Subject: Workplace Well-Being, Harassment and Discrimination Review

Chief Ramer, Mr. Teschner,

Further to the Letter of Engagement dated September 25, 2019 between Deloitte LLP ("Deloitte") and The Toronto Police Services Board ("TPSB") attached is our report in respect of the Workplace Well-Being, Harassment and Discrimination Review conducted by Deloitte for the Toronto Police Service ("TPS").

Our findings are based on the scope and procedures undertaken as described in Section 3 of this report and are subject to the restrictions and limitations in scope as set out therein.

We appreciate the opportunity to work with TPS and TPSB on this important initiative.

Deloitte LLP



Workplace Well-Being, Harassment and Discrimination Review

Report prepared for The Toronto Police Services
Board and the Toronto Police Service

April 1, 2022

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1. Executive summary



1.1. Introduction

The Toronto Police Service (“TPS” or “the Service”) and the Toronto Police Services Board (“TPSB” or “the Board”) have embarked on a brave and public journey of self-reflection, with a view to enhancing the well-being of all Members and creating an environment that is free of harassment and discrimination. In doing so, deep-rooted aspects of the culture have been exposed, and a foundation has been laid for a commitment to real and meaningful change. This includes many change initiatives as part of an ongoing Human Resources transformation journey the Service began in 2016 to make the culture at TPS more inclusive, diverse, equitable and healthy (see Appendix E for additional information). Such “cultural change” is extremely complex to implement, particularly within an organization that relies on a hierarchal structure in leading thousands of Members in the protection of public safety.

Deloitte was retained by TPSB on September 25, 2019 to conduct a Workplace Well-Being, Harassment and Discrimination Review (the “review”) for TPS. During the course of Deloitte’s engagement, there were numerous significant events, including the appointment of a new chief, changes within TPS and Deloitte project leadership teams, the Covid-19 pandemic, as well as a significant decision by the Human Rights Tribunal of Ontario (“HRTO”) with respect to sexual harassment¹. These factors impacted the timing and scope of Deloitte’s engagement. Through this review, leadership has signaled its commitment to driving additional and necessary change within the organization. TPS and TPSB have a significant challenge ahead, but also a tremendous opportunity to effect positive change for all Members and the communities they serve.

¹ McWilliam v Toronto Police Services Board and Angelo Costa and TPA, 2020 HRTO 574.

We understand that TPS has implemented numerous measures throughout the past few years, both during and following Deloitte's engagement (see Appendix E for additional information), to enhance awareness of, and responses to, harassment and discrimination within the Service, including enhanced training content, revisions to the complaints and investigations process, continued development of Member support programs, and a more collaborative process with police services across Ontario to develop consistent policies and frameworks to address workplace harassment based on leading practice. These initiatives include projects and programs in response to the Toronto Police Services Board's Police Reform Recommendation 30 – Diversity in Human Resources^{2, 3}.

1.2. Objectives

The objective of Deloitte's engagement was to:

- Provide an organizational review of workplace well-being, harassment and discrimination; and
- Provide recommendations on short and long-term activities that the organization can put into place to support workplace well-being with respect to creating a harassment free environment.

1.3. Findings

Uniform and Civilian⁴ Members (collectively, "Members") that participated in this review ("participants" or "participating Members") expressed a clear perception that harassment and discrimination occur at TPS. Members we spoke with consistently described a culture that is tolerant of harassment and discrimination during stakeholder interviews, focus groups and in a confidential survey issued to 7,818 members in September 2020, which found that **60% of the 908 respondents had experienced or witnessed harassment or discrimination within TPS in the past 5 years**. Throughout the course of Deloitte's engagement, we identified several opportunities to improve TPS's framework for preventing and responding to harassment and discrimination.

In conducting this review, Deloitte identified several recurring themes, which are summarized below and described in more detail within Section 4 of this report. These themes were identified frequently by participating Members of all types and ranks, and corroborated through Deloitte's document review where applicable, highlighting the pervasive nature of these issues. While not every theme quantifies the number of individuals who conveyed a sentiment, experience or message, the frequency and consistency of these issues raised by participants warrants their discussion as general themes identified across the various procedures undertaken during this review.

1.3.1. Leadership conduct and diversity

Members who participated in this review expressed a perception that leadership⁵ throughout the organization have not been modelling TPS's Core Values, nor leading by example. Several Members shared stories about individuals in leadership positions engaging in harassment or discrimination or failing to prevent or call out such behaviour, which led them to believe that this behaviour is condoned by the organization.

Members who we spoke with⁶ also perceive that the organization is led predominantly by white males, and that this lack of diversity within leadership reinforces the status quo, creating a cycle of "more of the same", with leaders promoting

² Work and results to-date as reported and documented by TPS, including next steps relevant to the Toronto Police Services Board's Police Reform Recommendation 30 – Diversity in Human Resources (available at <https://tpsb.ca/consultations-and-publications/policing-reform-implementation>), is further described in Appendix D.

³ Deloitte has not undertaken any work to assess the implementation or effectiveness of any enhanced measures planned or adopted by TPS or TPSB, which was outside the scope of Deloitte's review.

⁴ Civilian Member refers to an individual who is employed by the Service but has not been sworn to serve and protect the lives of citizens. A Uniform Member refers to a Member of the Service who has been sworn to serve and protect the lives of citizens.

⁵ Leadership as used throughout this report refers to Uniform Members with a rank of Staff Sergeant or above, and Civilian Members with management level positions.

⁶ Please refer to the Section 3.0 of this report for detailed information on scope, including the number of participating Members.

new leaders that look, think and act like them. As of 2018, approximately 16% of Senior Officers, with a rank of Inspector and above, were racial minorities and 13% were female.

Participating Members also felt that front line leadership (e.g. up to and including Staff Sergeant), do not receive adequate training or support to address issues like harassment, bullying, intimidation or discrimination. As a result, Members felt that there is inadequate resolution of issues “within the unit”, and Members experiencing this conduct feel they are forced to either file a formal complaint or endure the behaviour.

1.3.2. Uniform/Civilian Member experience

Many of the Civilian Members that participated in this review perceive significant differences in the way they are treated relative to Uniform Members. This is driven in part by substantive differences in legislation governing the workplace harassment and/or discrimination investigation and disciplinary processes for Uniform Members, as defined within the *Ontario Police Services Act* (“the *Police Services Act*” or the “PSA”), and Civilian Members, as defined within provincial labour laws. Participating Civilian Members believe that the disciplinary regime for substantiated misconduct is significantly harsher for Civilian Members, who can be suspended without pay or terminated, whereas Uniform Members can be suspended (vs. terminated) or continue to work with pay. Members we spoke with believe that a lower burden of proof is applied for investigations of Civilian Members (on a balance of probabilities) vs. Uniform Members (clear and convincing evidence), creating a perception that that allegations of Civilian Member misconduct are more likely to be substantiated.

Many Civilian Members stated that they are treated like “2nd class citizens”, and shared stories of being harassed, bullied, intimidated and excluded from informal networks by their Uniform Member colleagues. About 65% of Civilian Members that completed the survey reported that they have experienced or witnessed harassment or discrimination within the past 5 years at TPS, compared to 58% of Uniform Members.

Several Civilian Members who we spoke with also believe that they are excluded from job opportunities and promotions and that they have less ability to move throughout the organization relative to Uniform Members. This perceived lack of mobility makes them feel vulnerable to retaliation if they report complaints of harassment or discrimination. Many Civilian Members highlighted that Civilian Members are often engaged in contract work and feel especially vulnerable due to a lack of job security.

1.3.3. Gender-based discrimination

Virtually all Members that we spoke with perceive a history of gender-based discrimination within the Service. The severity of the issues described ranged from gender-based stereotypes and inappropriate jokes to sexual assault. This was corroborated through a review of reports of investigation and cases heard by the HRTO, which highlighted instances of sexual harassment, and a general “toxic” working environment for female Members.

1.3.4. Stigma around mental health

Participating Members in this review believe that a stigma with respect to mental health exists within TPS. Deloitte identified consistent themes in reviewing a selection of cases heard by the HRTO, as well as deficiencies within supporting processes, such as accommodation processes and medical services. Members that we spoke with believe that coming forward with mental health concerns, or being perceived as a person experiencing mental health challenges, could result in harassment, discrimination, or exclusion from peer groups, or negatively impact career progression.

1.3.5. Complaints and investigations

Participating Members expressed a general lack of trust in the internal complaints and investigations process, citing biased investigations and a perceived lack of accountability. Deloitte’s review of the complaints and investigations process and a sample of reports of investigation identified the issues below.

Complaints and investigations process is unclear

Several participating Members stated that they would be hesitant to initiate a harassment or discrimination complaint because they did not understand what would happen after coming forward. Deloitte did not identify an official, readily available summary or visualization of the complaint intake and investigation process with respect to harassment or discrimination. Deloitte interviewed various stakeholders within TPS and received different information about the process for handling complaints and investigations. Deloitte also found that the documents summarizing complaint intake and investigation procedures provided limited guidance on how to approach different situations, and generally lacked clarity.

In addition, participating Members who had raised complaints stated that they received very little information (e.g., on next steps, what to expect) once they had come forward, and that the investigation process was too lengthy, particularly as many complainants remain in their units or platoons while the investigation is being carried out, potentially exposing complainants to continued misconduct or retaliation.

Quality of complaints and investigation process

The quality of the investigation of complaints of harassment and discrimination is variable. In reviewing 10 reports of investigation issued throughout 2015 to 2020, Deloitte observed that these reports were inconsistent (e.g. different levels of documentation), and in some cases, deviated from leading practices promoted by Human Resource professional organizations (e.g., Human Resources Professional Association), workplace investigation organizations (e.g., Association of Workplace Investigators) and private legal firms specializing in workplace investigations and employment law, with respect to the manner or order in which interviews were conducted.

Lack of confidentiality

Participating Members consistently stated they believe the complaints and investigation process lacks confidentiality. Of the survey respondents that had experienced or witnessed harassment or discrimination in the past 5 years and also reported a complaint, 56% somewhat disagreed or strongly disagreed that their complaint was kept confidential. One person who we spoke with described contacting the anonymous reporting line offered by TPS and being asked for their name and unit. In reviewing 10 reports of investigation issued throughout 2015 to 2020, Deloitte observed that 4 cases were transferred between units, thereby increasing the number of individuals that were privy to the information. In at least 2 of these cases, more than 10 witnesses were interviewed, resulting in a broad group of individuals becoming aware of the investigation. The need for confidentiality needs to be weighed with the need to conduct a proper investigation. While policies reflect an expectation that discussions (e.g., with witnesses) are kept confidential, there is a perceived lack of confidentiality in practice or, at a minimum, an opportunity to strengthen what steps are taken to ensure confidentiality as part of an investigation.

Fear of retaliation

A consistent theme reported during stakeholder interviews was a fear of reprisal, which Members attributed to a culture of protection. Participants stated that they had witnessed individuals who raised complaints being ostracized, labelled as “troublemakers”, moved to other units, or shut out of advancement opportunities. Deloitte noted that in 2 of the 10 reports of investigation reviewed, the alleged subject of harassment refused to make an official complaint (the complaint was raised by another individual), despite an ongoing investigation of which other Members were aware. While these reports of investigation did not identify a specific fear of retaliation driving a reluctance to make a complaint, it is consistent with the general theme expressed participating Members.

Lack of accountability

Participants perceived that the outcomes for Uniform Members for substantiated instances of harassment or discrimination were often too lenient, and inconsistent with the severity of the conduct. Several participants shared stories of Uniform Members losing “a few days’ pay” or being “slapped on the wrist” for substantiated misconduct, which has the effect of reducing trust in the complaints and investigations process.

1.4. The path forward

Building on the work completed to date, TPS and TPSB have a tremendous opportunity to capitalize on the momentum to rebuild trust within the organization in a way that impacts the overall and long-term workforce and cultural health of the Service, reflected across many facets of the organization, including Member engagement, recruitment, retention, promotion, and diversity of leadership. Deloitte has outlined a series of recommendations as follows, as further detailed in Section 5 and Appendices A and B of this report:

Short term (0-6 months)

- Acknowledge the findings of this review and set clear objectives and accountability for the recommendations identified herein;
- Refine existing HR programs and practices to ensure that skills of both Uniform and Civilian Members are considered and valued, that all Members have input in defining the qualities of leaders they will report to, and that performance evaluations incorporate relevant data that is currently being generated from existing programs (e.g. exit interviews and 360-degree feedback reviews);
- Update various policies, procedures and processes to ensure compliance with current legislation, provide more practical guidance and examples, and reflect any contemporaneous changes stemming from this review; and
- Continued enhancement of training materials and methods.

Medium term (6-18 months)

- Apply the Service's intelligence-driven aspirations to harassment and discrimination, by tracking all complaints and investigation data, analyzing such data for trends and insights, and by conducting a more in-depth review into the adequacy of Member support programs than was possible within the scope of this review;
- Engage Senior Officers and leaders in discussions on important topics within the Service, such as personal experiences with respect to harassment, discrimination, and mental health;
- Elevate Civilian Member profiles throughout the Service, recognizing the important contribution that Civilian Members make within the public safety process; and
- Increase transparency and independence in the Service's response to allegations of harassment and discrimination by developing a complaints and investigation model that utilizes external service providers.

Long-term (18+ months)

- Continued monitoring of progress, challenges and achievements with respect to implementation of recommendations.

2. Introduction and background



2.1. Introduction & Objectives

Deloitte LLP (“Deloitte”) was retained by TPSB on September 25, 2019 to conduct a Workplace Well-Being, Harassment and Discrimination Review (the “review”) for TPS. The objective of Deloitte’s engagement was to:

- Provide an organizational review of workplace well-being, harassment and discrimination; and
- Provide recommendations on short and long-term activities that the organization can put into place to support workplace well-being and create a harassment free environment

2.2. Methodology and approach

Deloitte’s engagement was conducted between September 25, 2019 and November 30, 2020 and included work across 4 concurrent phases, each consisting of several workstreams. The specific activities undertaken by Deloitte are outlined in more detail within Section 3 of this report. The findings and recommendations in this report are reflective of the data, documentation, files, perspectives, and broader initiatives underway at TPS at this point in time.

Phase 1 – Designing the Approach – during this phase, Deloitte conducted a project kick-off meeting with key TPS and TPSB stakeholders to define objectives for the review.

Phase 2 – Developing Insights – during this phase, Deloitte gathered information through the following:

- Reviewing various policies, procedures and processes with respect to harassment and discrimination, and having discussions to understand how they are implemented in practice;
- Reviewing 10 redacted Reports of Investigation related to harassment and discrimination complaints; and
- Reviewing 5 cases brought before the HRTO alleging discrimination based on protected grounds.

Phase 3 – Gathering Perspectives – during this phase, Deloitte gathered perspectives and inputs through the following:

- Conducting stakeholder interviews with TPS Members and Board representatives;
- Conducting focus group sessions with TPS Members; and
- Issuing a confidential survey to active TPS Members.

Phase 4 – Reporting – during this phase, Deloitte summarized findings in a written report. Where relevant and appropriate, observations and recommendations are informed by leading practice including Human Resource professional organizations (e.g., Human Resources Professional Association), workplace investigation organizations (e.g., Association of Workplace Investigators) and private legal firms specializing in workplace investigations and employment law.

For the purpose of this review, key definitions are set out in Appendix G.

2.3. Background

TPS is comprised of approximately 7,700 Members, about 70% of which are Uniform Members and 30% of whom are Civilian Members. The Service is led by the Chief of Police, with 5 Areas of Command reporting directly to the Chief, each led by a Deputy Chief or senior Civilian Member. Each Command is comprised of units, most of which are led by a Unit Commander, and divisions.

The role of TPSB is defined by Section 31 of the *Police Services Act*. TPSB effectively operates as the statutory employer for TPS and has broad responsibilities to ensure adequate and effective policing. The primary role of TPSB is to establish, after consultation with the Chief of Police, overall objectives and priorities for the provision of police services. These objectives are contained within policies issued by TPSB, which delegate the Chief of Police to develop procedures to implement the objectives of said policies. The Chief of Police has authority to make any operational decisions that are consistent with governing laws and policies established by the TPSB, and TPSB can alter the scope of the Chief's responsibilities by revising its policies. TPSB's authority to give direction applies only to the Chief of Police, and not to other Members of TPS.

In many respects TPS is like other large public sector organizations (e.g. unionized environments, long employee tenure, formal hierarchy); however, there are characteristics of TPS that are particularly relevant with respect to the findings and themes identified in this report. Some of these distinguishing characteristics are embedded within the foundation of law enforcement and the infrastructure (e.g. legal, structural) that is integral to the capability of police services to carry out their primary responsibilities related to the 5 core areas of policing⁷ defined within the *Police Services Act*. Other characteristics are derived from the experiences detailed by Members which give weight and shape to the perception of workplace culture.

Members that we spoke with consistently and frequently highlighted these characteristics as important and foundational to the cultural fabric of TPS, and a contributing factor to their perceptions of why harassment and discrimination occur at TPS. The most notable of these distinguishing characteristics, both institutional and experiential, are outlined below.

The Police Services Act

The *Police Services Act* sets out in Statute how police services are governed within Ontario. Section V of the *Police Services Act*, Complaints and Disciplinary Proceedings, covers the complaints, investigation and disciplinary process for misconduct

⁷ Crime prevention, law enforcement, helping victims, maintaining public order, and responding to emergencies.

by Uniform Members. As such, TPS's processes and procedures that govern its response to allegations of harassment and discrimination must comply with the *Police Services Act* and related case law.

Paramilitary roots

Canadian police services, including TPS, were largely developed based on a military model, characterized by a "rules" or "procedure" based approach, whereby officers follow orders according to rank. This model was designed to enable police officers to execute safely, securely and efficiently in their primary responsibility of emergency response, and the maintenance of public safety. According to some Members we spoke with, there are varied implications of a paramilitary model, and they perceived the model to:

- Lead to a "tick the box" mentality, whereby Members follow policies and procedures, without fully comprehending the purpose, or how different situations may require different interpretation;
- Afford significant influence to individuals with a higher rank, making it difficult to raise a complaint about a senior officer; and
- Create an "esprit de corps", whereby Uniform Members are "broken down" and "initiated" into a "mold" of a police officer, resulting in a high degree of homogeneity, or lack of diversity, within the Service.

As a paramilitary structure is a defining characteristic of police services, it will require these organizations to think differently and more creatively than before in their pursuit of improved workplace health and equity for their members.

Family relationships

We heard from many participants that policing is somewhat of a "family profession", and that there were several examples of multi-generation families within TPS. Some Members believed that the "family culture" makes it difficult to raise complaints about fellow Members, and also creates a "culture of protection," whereby Members who benefit from or are part of these informal networks protect one another.

Subcultures

TPS is organized in units and divisions. According to Members we spoke with, this can lead to the perception of "subcultures" whereby different units or divisions develop their own standards in terms of conduct or acceptable behaviour, and in some cases, how they respond to or address issues of harassment or discrimination.

Reliance on others

Members of a police service may need to rely on their fellow Members for their physical safety. As a result, some participants shared a reluctance to raise complaints of harassment or discrimination, for fear of being ostracized, or alienating Members whose support they may require as matter of personal safety in the line of duty.

3. Scope of review



3.1. Scope

Deloitte's engagement was conducted between September 25, 2019 and November 30, 2020. During the course of Deloitte's engagement, there were numerous significant events, including the appointment of a new chief, changes within TPS and Deloitte project leadership teams, the Covid-19 pandemic, as well as a significant decision by the Human Rights Tribunal of Ontario ("HRTO") with respect to sexual harassment. These factors impacted the timing and scope of Deloitte's engagement.

Deloitte's scope of review consisted of the following:

- Conducting meetings with Members to understand how various policies and procedures are implemented in practice, and how certain processes are carried out (e.g. accommodations, complaint intake, investigations);
- Conducting stakeholder interviews with 55 participants to identify perceptions and experiences with respect to harassment and discrimination within the Service. Interview participants were identified by TPS, TPSB or Members that we interviewed;
- Conducting 10 focus group sessions with a total of 70 participants throughout August 24, 2020 to September 15, 2020⁸, to identify Members' perceptions and experiences with respect to harassment and discrimination within TPS. TPS issued correspondence to Members, who contacted Deloitte directly to participate in focus groups that were grouped by rank/role. Participants were randomly selected by Deloitte from those Members that expressed interest;
- Developing and distributing a confidential survey directly to 7,818 active Members as of July 13, 2020, as identified by TPS. The confidential survey was distributed on September 9, 2020 at 9:30 am EST and was closed on October 3, 2020 at 12:05 am EST. Deloitte received 908 responses from Members, accounting for approximately 11.6%⁹ of active TPS Members. A profile of survey respondents is included in Appendix D.
- Reviewing documentation summarizing TPS's and TPSB's policies, procedures and processes related to harassment, discrimination and well-being, as summarized in Appendix F;

⁸ Focus groups were conducted virtually during the week of August 24 – 28, 2020 and on September 15, 2020, due to Covid-19 restrictions.

⁹ According to TPS's request for proposals for this review, the minimum required response ratio for the survey was 10%.

- Analyzing 5 cases brought to the HRTO throughout 2009 to 2020 in which TPS or the Board were the respondent. Cases were selected by Deloitte based on information provided by TPS and information publicly available from the HRTO. Deloitte aimed to make a diverse selection of cases that covered numerous protected grounds;
- Reviewing 10 redacted reports of investigation between 2015 to 2020, selected by Deloitte from a list provided by TPS. Deloitte aimed to make a diverse selection of cases with variation in the time period, the Members involved (e.g. Uniform/Civilian), the source (e.g. internal, anonymous hotline), the outcome (e.g. substantiated or not substantiated), and the nature of the allegation (e.g. harassment, discrimination). Deloitte was provided with the final report of investigation for the selected cases and did not receive the supporting documents or working papers that comprised the investigative file. Names of all involved parties were redacted.
- Deloitte specifically reviewed and/or relied upon the documents in Appendix F.

Deloitte has presented our findings from this review based on key themes that emerged through discussions/interviews, survey and data and document review. While we have quantified our findings wherever possible, in doing so we have balanced the need to preserve the anonymity of those who participated in this review and the integrity of the work undertaken. The frequency and consistency of these issues raised by participants warrants their discussion as general themes identified across the various procedures undertaken during this review. Where a particular observation came from one or few participants, we aimed to highlight this to ensure full context for the reader, while working within the parameters of anonymity as described above.

3.2. Limitations in scope

Deloitte relied on the completeness and accuracy of information provided by TPS and TPSB.

Deloitte relied on TPS to communicate directly with Members in respect of focus groups. Deloitte provided input to the communications that were distributed to Members.

Deloitte was provided with redacted copies of Reports of Investigation and did not receive any supporting documents comprising the underlying investigative files.

Deloitte's review was limited to internal harassment and discrimination complaints, and did not include complaints initiated by members of the public or other individuals or organizations outside of the Service.

3.3. Restrictions

Deloitte reserves the right, but will be under no obligation, to review these findings, and if we consider it necessary, to revise our findings in light of any information, which becomes known to us after the date of this Report. Should Deloitte be asked to consider different information or assumptions, any findings or conclusions set out in this report could be significantly different.

This work was not designed to identify all circumstances of workplace harassment or discrimination, if any, which may exist. For the purposes of this report, Deloitte has assumed that the documents or other information disclosed to us are reliable and complete, unless otherwise stated.

This report is based on the information, documents and explanations that have been provided to Deloitte, and therefore the validity of any conclusions noted rely on the integrity of such information. Deloitte has not investigated the accuracy of any third-party information, nor have we performed any investigative procedures to independently verify the accuracy of any third-party information. Should any of the information provided to Deloitte not be factual or correct or should we be asked to consider different information or assumptions, any conclusions set out in this report could be significantly different.

4. Findings



Although TPS and TPSB have taken steps that signal an organizational intent to change and improve workplace culture (Appendix E highlights some of these change initiatives underway, with many related to workplace health and harassment implemented or in the process of being implemented in 2021 and 2022 after the conclusion of Deloitte’s fieldwork), the extensive and historical nature of workplace harassment at the Service warrants a continued, renewed and robust approach to achieve long-term change. Based on the scope of review outlined in Section 3 of this report, Deloitte’s findings are set out below.

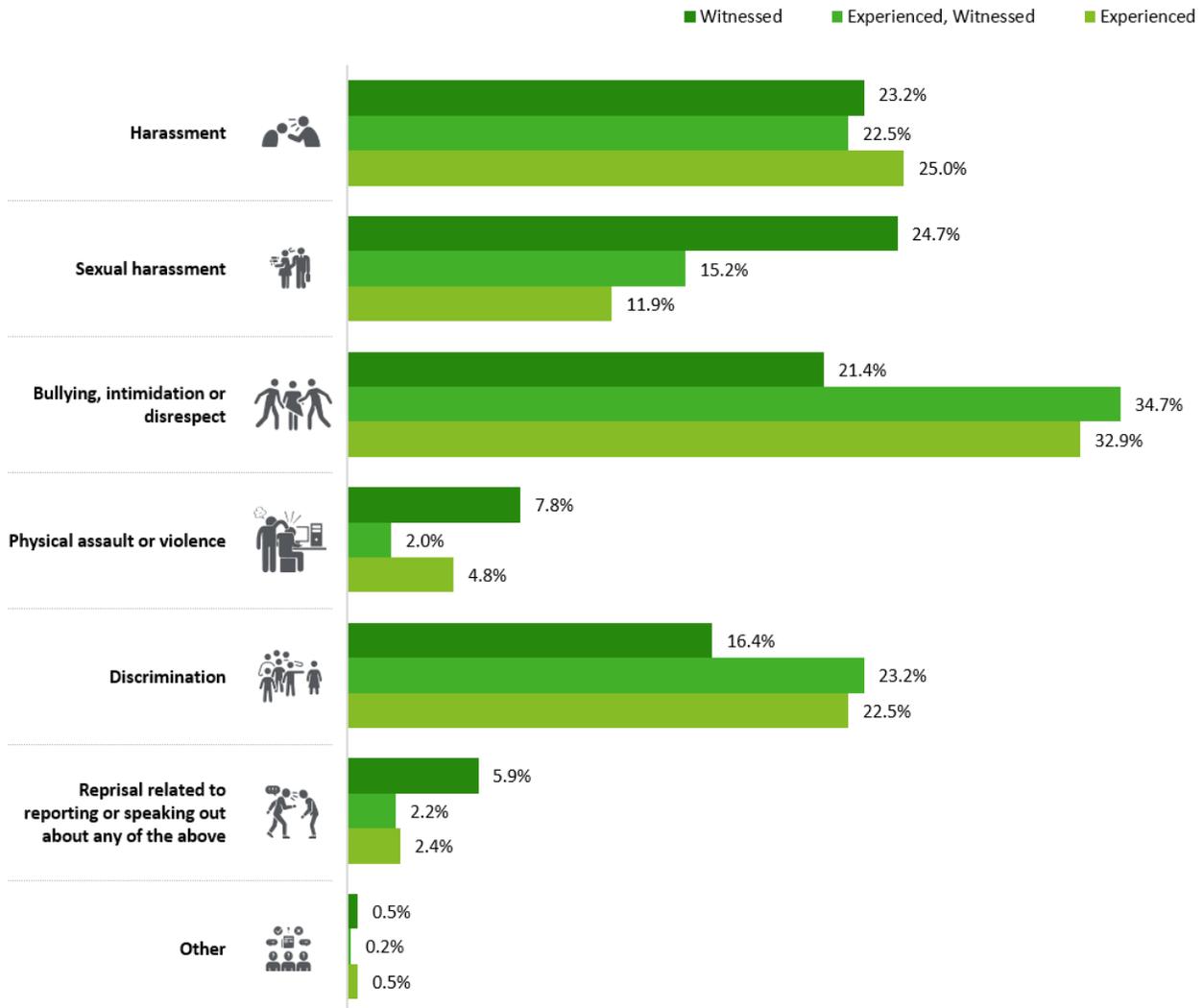
Members that participated in this review¹⁰ articulated a consistent narrative during stakeholder interviews, focus groups and within the confidential survey: **harassment and discrimination occur regularly at TPS**. This perception was identified frequently by Members of all types (e.g. Uniform, Civilian, sexuality, gender, race, length of tenure, etc.) and ranks and emerged as the overall feeling that was conveyed during this review. While it is possible a small number of those who participated do not hold this sentiment in whole or in part, it was not articulated during this review.

In addition, approximately **60% of survey respondents reported that they have experienced and/or witnessed some form of harassment or discrimination with TPS within the past 5 years.**

¹⁰ Demographic information on review participants can be found in Appendix D.



In the past 5 years, which of the below behaviours have you experienced or witnessed while observing or interacting with uniform or civilian members of TPS? Please select all that apply below.



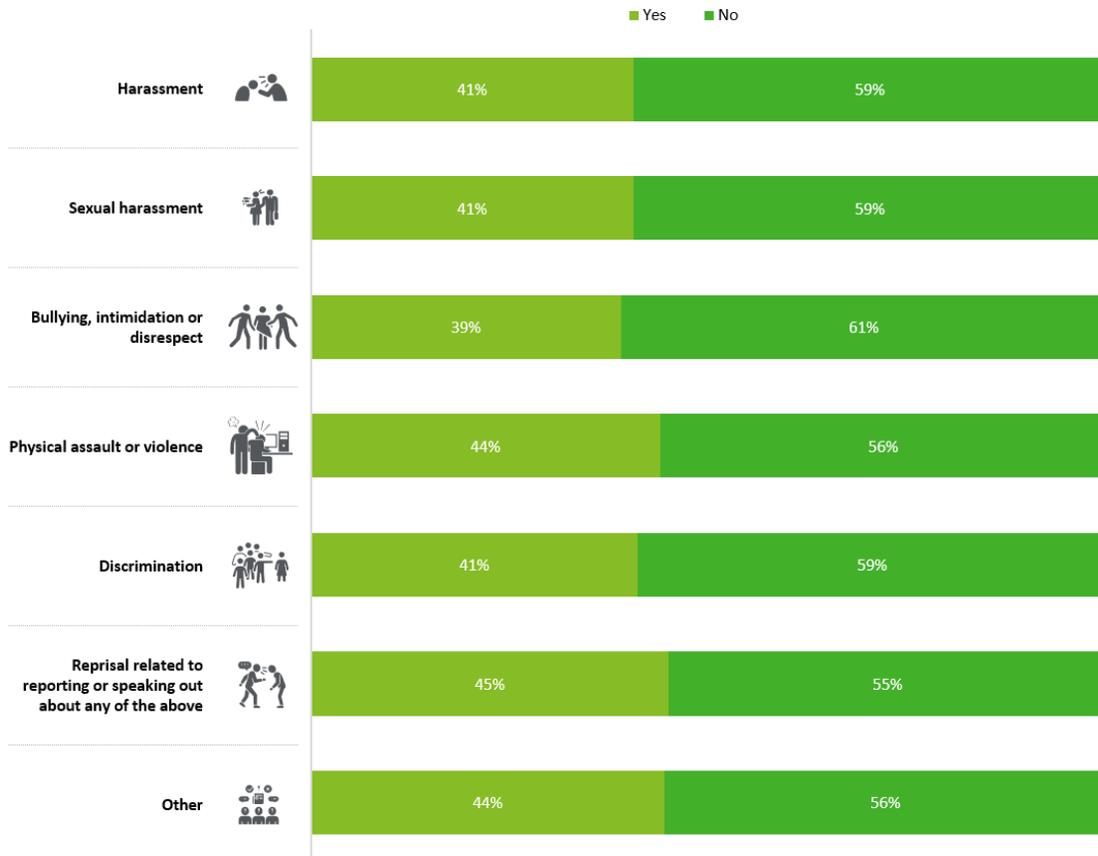
Survey respondents were asked whether they witnessed, experienced and witnessed, or experienced certain behaviours while observing or interacting with Uniform or Civilian Members of TPS, in the past 5 years. The split of participants that experienced or witnessed the behaviours identified above was approximately 45% male and 39% female¹¹. This conduct occurred most commonly in the workplace, while on duty, or on social media. The majority of survey participants indicated that this behaviour occurred “occasionally” and was most often carried out by a superior against a subordinate or within peer levels.

¹¹ Survey respondents had the option to indicate gender.

Yet 53% of the survey participants that have experienced or witnessed harassment or discrimination in the past 5 years did not report the incident(s).



Participants who indicated they had either experienced or witnessed these behaviours in the past 5 years that have made a complaint or reported an incident.



Of those survey respondents that did report complaints of harassment or discrimination, the majority (i.e. 50+% in all but one scenario below) either somewhat disagreed or strongly disagreed that:

- Their complaint was taken seriously and investigated;
- They were supported by their platoon or supervisor;
- Their complaint was kept confidential;
- The investigation was free from bias; and
- They did not experience reprisal.



Participants who indicated they had either experienced or witnessed harassment or discrimination in the past 5 years that have made a complaint or reported an incident.

Strongly Agree Somewhat Agree I don't know / I am not sure Somewhat Disagree Strongly Disagree



The survey findings corroborated information obtained during stakeholder interviews and focus groups, as well as through documentary review. In addition to these findings, Deloitte identified several themes throughout the various phases of work, which are discussed in more detail below. These topics were identified frequently by participating Members of all types and ranks, and corroborated through Deloitte’s document review where applicable, highlighting the pervasive nature of these issues. While not every theme quantifies the number of individuals who conveyed a sentiment, experience or message, the frequency and consistency of these issues raised by participants warrants their discussion as general themes identified across the various procedures undertaken during this review.

4.1. Leadership conduct and diversity

Leadership at all levels play a critical role in creating an environment that is free from harassment and discrimination. Messaging from leadership, whether articulated or demonstrated, has significant influence on an organization’s cultural environment and shared values. Where messaging from leadership is, or is perceived to be, inconsistent with actions in practice, it can create a perception that leadership does not share these values, or that these values will not be protected or enforced.

There is an opportunity for TPS leadership at the highest levels to review and implement processes that ensure that espoused values are operationalized, tracked and measured throughout every level of the organization. According to Members that we spoke with, they perceive a disconnect between leadership's messaging and actions. Participating Members shared examples of feeling as though they were harassed or discriminated against by leadership and highlighted the difficulty in distinguishing between "tough" leaders, who are often respected within the organization, and those leaders who were exhibiting an abuse of authority. Many participants also described a "culture of protection" within leadership, particularly amongst individuals in very senior positions.

Some participants expressed concern that this culture of protection was exacerbated by a lack of diversity within leadership at TPS. Senior leadership was described as "white and male-dominated", with leaders promoting others who "look like them", reinforcing these same issues. Further, Members believed that past incidents of harassment or discrimination were unlikely to affect promotions to senior officer positions, particularly as the *Police Services Act* stipulates that past instances of misconduct may be expunged from Uniform Member's employment records after 2 years, if no other entries concerning misconduct are made during that time.

Several participants also stated that Staff Sergeants and Superintendents, in particular, are extremely influential leaders and have the ability to shape messaging and expected behaviours within their units. Yet Members also questioned if these leaders received adequate support or training to identify and remediate issues of harassment, bullying, intimidation and discrimination within their units.

4.2. Uniform/Civilian Member experience

Civilian Members, the positions they hold, and the skill sets they bring to police organizations are integral to the public service. Civilian and Uniform Members that we spoke with described a perceived disparity in the experience between Uniform and Civilian Members, encompassing the issues identified below.

Taking steps to reconcile the extent of these perceived disparities within TPS presents a real opportunity to validate and institutionally recognize the meaningful role Civilian Members play in policing, optimize the overall health of the Service and, in doing so, maximize the value the Service can deliver to the communities of Toronto.

Disciplinary framework

Members who participated in this review perceive that the disciplinary framework that applies for Civilian Member workplace misconduct is significantly more punitive than that for Uniform Members, due to differences in legislation governing the underlying processes and outcomes, as well as differences in how these cases are investigated. Substantiated misconduct by Civilian Members can result in suspension without pay or termination, as outlined in collective agreements and in accordance with labour relations principles and associated labour jurisprudence. By contrast, Uniform Members fall under different legislation defined within the *Police Services Act*, as discussed below.

Where a Uniform Member is found to have engaged in misconduct at the conclusion of an investigation, a hearing is required to be held, unless the misconduct is determined to not be "of a serious nature", in which case the matter can be resolved informally, if the respondent Uniform Member consents to the proposed resolution. "Resolve the matter informally" is not defined within the *Police Services Act* and appears to be subjective and at the discretion of the Chief of Police, or their designate.

Further, following an investigation, if an informal resolution is attempted but not achieved, the respondent police officer can refuse to accept a penalty or any notation on their employment record, and instead have the matter proceed to a hearing. According to Uniform and Civilian Members that we spoke with, some hold the perception that hearings are only utilized for "serious" misconduct, as they are time consuming and costly.

Where an investigation or a hearing concludes that allegations of misconduct by a Uniform Member are substantiated, the *Police Services Act* prescribes penalties ranging from days without pay to termination under special circumstances¹². Any related entries to the respondent police officer's employment record may be expunged after 2 years, if there are no other entries during that time.

In addition, the standard of proof for substantiating allegations of misconduct is perceived to be significantly higher for Uniform Members compared to Civilian Members. A hearing for a Uniform Member must demonstrate on "clear and convincing evidence"¹³ that the misconduct occurred, whereas misconduct must only be substantiated on "a balance of probabilities" for Civilian Members following an investigation, where it is not informally resolved.

Civilian Members that supervise Uniform Members are also limited in their capacity to discipline Uniform Members in relation to substantiated misconduct, as the *Police Services Act* stipulates that only Uniform Members can dispose of a complaint without a hearing.

These differences in the definition and consequences of substantiated misconduct create a perception that Uniform Members are less accountable for misconduct, which Civilian Member participants believe emboldens them.

General treatment of Civilian Members

Numerous Civilian participants believe that they are treated like "2nd class citizens" within TPS. Many Civilian Members described instances of being harassed, bullied, intimidated, and excluded from informal networks by Uniform Member colleagues. Both Civilian and Uniform participants also acknowledged a general perception that Uniform Members "outrank" Civilian Members, even those Civilian Members that hold management level positions.

Approximately 65% of the Civilian Member survey respondents stated that they had experienced or witnessed harassment or discrimination within the past 5 years at TPS, compared to 58% of Uniform Members. Bullying or intimidation was the most commonly cited behaviour, with 56% of Civilian Member survey respondents reportedly experiencing or witnessing this behaviour (vs. 46% of Uniform survey respondents). Further, 30% of all survey respondents that had experienced or witnessed harassment or discrimination within the past 5 years indicated that it was carried out by a Uniform Member against a Civilian Member.

Promotion and advancement opportunities

Many Civilian Members that participated in this review believe that they are excluded from job opportunities and promotions, as well as promotional panels that determine leadership positions. According to TPS, promotion panels for all senior officers include 2 Civilian Executive Command Members – the Chief Administrative Officer and the Chief Information Officer. Civilian Members feel that they have less ability to move throughout the organization relative to Uniform Members, which makes them susceptible to retaliation if they report complaints of harassment or discrimination by any Member. Many Civilian Members are also engaged in contract work, and those who participated in this review indicated that this lack of job security makes them feel especially vulnerable.

4.3. Gender-based discrimination

Virtually all Members that we spoke with, both male and female, reported a history of gender-based discrimination within the Service. In interviews, focus groups, and survey responses, female Members shared numerous examples of gender-based discrimination and sexual harassment within TPS, including:

¹² According to Part V, subsection 85 (4) of the PSA, penalties of dismissal or demotion shall not be imposed unless the notice of hearing (or a subsequent notice) indicated that they might be imposed if the complaint were proved on clear and convincing evidence. Precedent established by Police Tribunal decisions may also impact whether termination is ordered.

¹³ The PSA does not specifically identify a threshold of proof for internal police service investigations. According to Members we spoke with, TPS applies case law such as *Jacobs v. Ottawa* to determine that clear and convincing evidence is required to substantiate allegations of misconduct by Uniform Members.

- Unwanted sexual advances, including physical contact;
- Sexualized comments, jokes or pranks;
- Comments about the inferior abilities of women in policing relative to men;
- Comments about the negative impact that pregnancy and maternity leave have on women’s policing careers; and
- A belief held by many female Members that they needed to “prove themselves”.

We identified a consistent trend among survey respondents that identified as female¹⁴: more female survey respondents indicated that they had *experienced* misconduct than men, in all but one category. Notably, 28% of female survey respondents had experienced sexual harassment, compared to just 5% of male respondents.

% of Female and Male survey respondents that experienced misconduct

Type of misconduct	% of Female survey respondents that experienced misconduct	% of Male survey respondents that experienced misconduct
Harassment	32%	21%
Sexual Harassment	28%	5%
Bullying, intimidation	46%	30%
Physical violence or assault	4%	4%
Discrimination	30%	21%
Reprisal	24%	18%

This perception of gender-based discrimination was also corroborated by a review of reports of investigation and cases heard by the HRT0, which highlighted allegations of sexual harassment at TPS. In 2 of the 5 HRT0 cases that Deloitte reviewed, the allegations therein related to discrimination on the basis of sex. In 1 of these cases, the HRT0 found that the Applicant had experienced sexual harassment and a poisoned work environment. Many individuals, including supervisors, made comments, jokes or gestures that were intended in a joking manner but amounted to sexually harassing comments that had a cumulative effect over time. The impact of the comments was pronounced due to the degree of control some of the harassers had over the Applicant’s career.

The HRT0 found that many incidents of sexual harassment did in fact occur and that they were minimized, and that sexualized comments and innuendo were found to be accepted and normalized behaviour in the workplace. Two of the 10 reports of investigation that Deloitte reviewed involved allegations of sexual harassment of female Members by male Members. The conduct described included continuous and unwelcome romantic advances, comments about personal photos, and sexualized jokes.

4.4. Stigma around mental health

Over the past several years, TPS has invested significant resources to improving wellness and mental health initiatives throughout the service, including a Wellness Unit dedicated to supporting Member well-being and wellness, Critical Incident Response Teams, Psychological Services, a Chaplaincy program and a PeerConnect app. The Service also provides an Employee Family Assistance Program (“EFAP”) via a third-party provider and maintains on-site psychologists and registered nurses. At the time of Deloitte’s review, a comprehensive Wellness Strategy was being developed.

While TPS has made strides in recognizing mental health, participating Members perceive a lingering stigma with respect to mental health issues within the Service, as identified through stakeholder interviews, focus groups, and within survey responses. Several participants voiced a reluctance to rely on existing support programs provided by TPS due to concerns around stigmatization, confidentiality and availability and continuity of support. While 48% of survey respondents agreed

¹⁴ Survey respondents had the option to indicate gender

that they were satisfied with the both number and quality of wellness programs available to them, 44% of survey respondents somewhat disagreed or strongly disagreed that there is no stigma attached to using well-being resources¹⁵. Further, 47% of all survey respondents somewhat disagreed or strongly disagreed that they felt comfortable accessing well-being resources located at TPS headquarters.

In addition, the following issues were alleged within 2 complaints made to the HRTO that Deloitte reviewed:

- Failure to accommodate individuals with disclosed mental health concerns;
- Lack of clarity, confidentiality and alternative access points within the accommodation process;
- Lack of coordination among internal resources with respect to mental health issues, including Medical Advisory Services (“MAS”), Occupational Health and Safety (“OHS”), the grievance process and TPS;
- Workplace bullying and harassment on account of mental health issues;
- An Applicant being advised by MAS to emphasize physical disabilities over mental disabilities for fear of further stigmatization;
- An Applicant being advised by the Employee Family Assistance Program not to disclose their mental disability to MAS, because it would be disclosed to TPS;
- Pervasive and undiagnosed mental conditions, such as post-traumatic stress disorder (“PTSD”);
- Denial or revocation of opportunities on account of disclosed mental health conditions;
- Deliberate assignment of tasks to exacerbate a disclosed mental disability;
- Termination or other punitive action without consideration of potential mental health conditions; and
- Lack of confidentiality within MAS, such that medical information, including mental health issues, is shared within the Service.

In 1 of these 2 cases, several witnesses corroborated a stigma at TPS regarding mental health issues, including PTSD.

4.5. Complaints and investigations

Throughout interviews, focus groups and the confidential survey, Members expressed a general lack of trust in the complaints and investigations process for harassment and discrimination, citing their perceptions of biased investigations and a lack of accountability.

The Board, in its role as employer, sets policy for the Service, and delegates the Chief with implementation of said policies. The Service implements policies by issuing procedures, which detail actions that should be taken by individuals in various roles. Deloitte reviewed various policies and procedures that encompass the Services’ governance, intake and investigation processes for internal harassment and discrimination complaints relative to leading practices in public and private organizations¹⁶, as well as a sample of reports of investigation, and identified the following issues:

4.5.1. Policies and processes require updating

TPSB’s policies with respect to workplace harassment are encompassed within various documents that have not been amended for several years, including the TPSB’s Occupational Health and Safety policy (last amended June 21, 2018), the Human Rights policy (last amended December 17, 2015) and Standards of Conduct (last amended August 23, 2018). According to the Occupational Health and Safety Act, policies are to be reviewed at least annually, as such it appears that TPSB has not been compliant in conducting an annual review.

¹⁵ Well-being resources identified within the survey included advice or guidance from peers or leaders, Medical Advisory Services, internal support networks, critical incident response team, psychological services, the Employee and Family Assistance program, medical or non-medical accommodation requests.

¹⁶ Leading practices were determined with reference to the Occupational Health and Safety Act, guidelines published by the Ministry of Labour, as well as standards of investigation promoted by the Human Resources Professional Association, professional associations of workplace investigators and private legal firm specializing in workplace investigations and employment law.

In addition, these policies lacked the following elements:

- Definitions for workplace harassment and workplace sexual harassment, which is required by OHSA; and
- Specific information about how incidents or complaints of harassment will be investigated, and who they should be addressed to, including secondary outlets that can receive complaints if a complainant reports to an alleged harasser. While these elements are covered to some degree within TPS's procedures, as discussed below, they lack specific coverage within TPSB's policies.

4.5.2. Documentation summarizing complaints and investigations process is unclear

There is a clear opportunity to enhance the understanding and transparency of the complaints intake and investigations process by better defining and communicating it through channels that will effectively reach all levels of the organization. Several Members who we spoke with stated that they would be hesitant to initiate a complaint because they did not understand what would happen after coming forward.

We did not identify an official, readily available summary or visualization of the process of a complaint/investigation. We interviewed various stakeholders within TPS and received different information about the process for handling complaints and investigations. The process is driven by numerous procedures and forms, with different aspects of the process contained within different documents, making it difficult to understand the end-to-end course of a complaint.

In addition, participants who had raised complaints stated that they were provided with very little information once they had come forward, and that the overall investigation process was focused on keeping the respondent updated as opposed to the complainant. Participants also stated that the investigation process was too lengthy, particularly as many complainants remain in their units or platoons while the investigation is being carried out, potentially exposing them to continued misconduct or retaliation.

A review of Procedures related to harassment and discrimination identified the following:

No comprehensive summary of the complaints process

There is no clear summary of how a complaint will be handled from initiation to completion, or what to expect as a complainant. Rather, the process is contained within numerous different procedures and appendices, which include numerous cross-references to other policies, procedures, collective agreements, standards of conduct, TPS forms and the *Police Services Act*.

For example, Procedure 13-03 Uniform Internal Complaint Intake/Management summarizes the intake process for a complaint about workplace conduct against a Uniform Member, including harassment or discrimination. The document is summarized by role and includes headings for different Members (e.g. Investigating Supervisor, Unit Commander), with a series of tasks for each role. While this enables a Member to easily find their position/role and determine a series of actions to take, it does not provide a holistic view of the full process.

Deloitte received one document entitled "Workplace Harassment Complaint Process Flow", which was prepared by TPS's Internal Audit group, as part of its Workplace Harassment Audit in 2019. This document depicted a flow chart of how different types of complaints are handled and was the only summary of the overall complaint process that we received. However, when we shared this document with other Members, few had seen it before, and several Members stated that their understanding of the actual process for complaints and investigation differed from that depicted.

A comprehensive summary is especially important as some elements of the complaints and investigation process are not described within the procedures. For example, the procedures themselves do not provide guidance on how to determine if substantiated misconduct is serious, and warrants a tribunal hearing, or not serious and capable of being resolved informally, nor do they provide guidance on how to resolve a complaint informally.

Procedures provide limited guidance

Procedures summarize specific actions that should be taken by Members with different roles in a complaint. There is no indication that any other steps may be warranted beyond those listed, or how and when judgment should be applied, or if there are circumstances that may warrant not following any of the listed steps. More guidance in terms of the objectives and expectations of each role would enhance Members' understanding of the process and minimize subjectivity in the process.

For example, Procedures contain vague language such as *“conduct a preliminary investigation”*, *“ensure the workplace is not poisoned/toxic”* and *“informal resolution”*. These terms lack definitions and guidance, potentially resulting in misinterpretation, subjectivity and inconsistencies in application.

The Procedures are not all-encompassing

Complaints about senior officers (Inspector to Staff Superintendent) should be made to a Deputy Chief, but the Procedures do not specify how complaints against Command officers (Deputies and the Chief) should be made, or how they will be dealt with.

The Procedures do not focus on the complainant

Procedures appear to be written more for individuals who may be part of the complaints and investigation process (e.g. Supervisors, Unit Commanders) and not the actual parties involved – complainant(s) and respondent(s), further emphasizing the lack of clarity about the process for these individuals. The Procedures also require notification of the respondent for an unsubstantiated complaint, but not the complainant.

4.5.3. Quality of complaints and investigation process

Investigations of workplace harassment and discrimination are conducted by Uniform Members within the Professional Standards unit (“PRS”). According to Members we spoke with, PRS investigators typically have a minimum of 10-15 years of investigation experience, usually within criminal investigations and all PRS investigators receive training on conducting workplace investigations from law firms with expertise in this field.

A review of TPS's and TPSB's policies, procedures and processes for complaint intake and investigation identified the following:

Harassment and discrimination complaints are not consistently tracked. We requested a list of all harassment and discrimination complaints throughout the past 5 years, but this information was not readily available. As such, it is not clear if information related to complaints that is reported to the Board is complete or accurate. Without an accurate and up to date record of complaints, TPS is unable to determine the extent and severity of harassment and discrimination within the Service, and its ability to assess performance and measure progress is impaired.

The process lacks independence. Members handle everything from complaint intake and investigation through to resolution. This can make it difficult for Members to think and act objectively when they may know and work with complainants and respondents, and it also drives mistrust in the process given Members' perceptions of a “culture of protection” and the lack of confidentiality within investigations. This is compounded by the lack of guidance contained within the Procedures, which affords a significant amount of discretion in executing the investigation process and determining the severity of any substantiated misconduct.

Complainants do have the option to use an anonymous reporting line, however this is also operated by Members and therefore anonymity is not guaranteed. Further, it is difficult to investigate an anonymous complaint of harassment or discrimination, and there is a considerable possibility that a complainant's identity would be revealed to the investigator based on the specific details of a complaint.

In addition, a review of 10 redacted reports of investigation identified the following:

Investigations are not conducted in a consistent manner. Some investigations were initiated and conducted within a unit, some were initiated by PRS, and some were transferred from a unit to PRS mid-investigation. While the Procedures empower supervisors to conduct a “preliminary investigation”, there is no clear guidance on how to achieve this. The result is that investigations may be conducted to a different standard within different units, including PRS, and confidentiality and impartiality may be impaired. The sample of reports of investigation that Deloitte reviewed were inconsistent in terms of the format of the report, the depth of investigation, and the level of documentation contained within the report. More recent reports appeared more comprehensive and contained more supporting analysis for conclusions.

Investigations may involve subjectivity. Within the sample of reports of investigation reviewed, Deloitte noted several instances where investigating officers documented opinions (e.g. “in the investigator’s opinion” or “the investigator believes”). While some degree of subjectivity may be required to assess credibility and evaluate evidence, best practice is for conclusions to be based on evidence as opposed to opinions.

Some investigators use aggressive interviewing techniques. In 1 of the 10 reports of investigation that Deloitte reviewed, the interviewer appeared to use interrogation techniques to re-interview a complainant, following receipt of new evidence that was contradictory to the complainant’s initial statement. While the new evidence identified in the report could have impaired the credibility of the original statement provided by the complainant, the interviewer stated personal opinions within the line of questioning, disagreed with responses provided by the complainant, and advised the complainant that they may want to reconsider their responses and to “be careful”.

Interrogation techniques are more commonly used to elicit a confession and can be perceived as accusatory or implying a presumption of guilt. While investigators should seek clarity and identify contradictory evidence, human resource and workplace investigation associations advocate for evidence gathering interviews that are professional and impartial and allow an interview subject to relay their version of events, with a credibility assessment to follow.

Some investigations do not follow leading practices. According to PRS, it is common practice for respondents in a harassment investigation to be interviewed last, contrary to leading practices advocated by Human Resource and workplace investigation associations, which suggest that complainants and respondents should be interviewed at the outset of an investigation. While it may be appropriate in some circumstances, interviewing respondents last can create inefficiencies as the Respondent may provide information that requires further investigation or re-interviewing of witnesses, and can result in more of an “interrogation” style interview.

4.5.4. Lack of confidentiality

Members who we spoke with consistently stated their belief that the internal complaints and investigation process lacks confidentiality. One Member described contacting the anonymous reporting line offered by the Service and being asked for their name and unit. Approximately 54% of survey respondents that had reported a complaint of harassment or discrimination in the past 5 years disagreed or strongly disagreed that their complaint was kept confidential. In addition, 47% of all survey respondents somewhat disagreed or strongly disagreed that if they reported a complaint of harassment or discrimination it would be kept confidential.

In reviewing the complaints and investigation process, Deloitte observed that when a complaint is raised, several individuals may be informed, including a Supervisor, Unit Commander of at least 1 unit, Officer in Charge, and PRS. Supervisors are also empowered to conduct a “preliminary investigation”, which may involve speaking with potential witnesses. While there may be legitimate circumstances warranting notification of these individuals, the more individuals that are notified, the greater the chance that confidentiality will be undermined.

Deloitte identified further evidence of a lack of confidentiality within a review of 10 redacted reports of investigation. Transferring investigative files between units, as previously identified, erodes confidentiality, as it broadens the pool of individuals that are aware of the issue(s) under investigation. In 2 of the 10 reports that we reviewed, more than 10 witnesses were interviewed, and in 1 of these instances, this appeared excessive given the consistency of information

provided among witnesses. However, allegations of misconduct by Uniform Members require clear and convincing evidence to be substantiated, which can pose a direct challenge to maintaining confidentiality of a complaint and the related investigation.

4.5.5. Fear of retaliation

A consistent theme from stakeholder interviews was a fear of reprisal, which participants attributed to a perceived culture of protection. Participants witnessed individuals who raised complaints being labelled as “troublemakers”, moved to other units, generally “blackmarked” and shut out of advancement opportunities. We noted that in 2 of the 10 reports of investigation that we reviewed, allegations were raised by witnesses and the individual alleged to have suffered harassment refused to make an official complaint, despite an ongoing investigation that other Members were aware of. While these reports of investigation did not identify a specific fear of retaliation driving a reluctance to make a complaint, it is consistent with the general theme expressed by participating Members.

This perception was corroborated by survey results, where 30% of survey respondents indicated that they had either experienced, witnessed, or both experienced and witnessed reprisals within the past 5 years at TPS¹⁷. Further, 53% of the survey respondents that had experienced or witnessed harassment or discrimination and reported a complaint either somewhat agreed or strongly agreed that reprisal was an outcome of reporting the misconduct¹⁸. Additionally, 41% of the survey respondents that had not reported a complaint of harassment or discrimination believed retaliation or reprisal would be an outcome of reporting a complaint¹⁹.

4.5.6. Lack of accountability

Members who participated in this review perceive that, despite the Service exhibiting a highly “punitive” culture, the outcomes for Uniform Members for substantiated instances of harassment or discrimination were too lenient, and inconsistent with the severity of the conduct. Several Members shared stories of Members’ losing “a few days’ pay” or being “slapped on the wrist” for substantiated misconduct, which has the effect of diminishing trust in the complaints and investigations process.

According to TPS personnel, outcomes of a harassment or discrimination investigation are logged in PRS’ database PSIS²⁰, but PRS does not make any updates directly within a Member’s personnel file. As per the *Police Services Act*, any misconduct that is noted in a Uniform Member’s employment record may be expunged after 2 years. It is unclear how any complaints initiated prior to expungement are factored into a Member’s employment record or the promotional process.

¹⁷ Of the 908 survey respondents, 275 (30%) indicated they had either experienced, witnessed, or experienced and witnessed reprisals within the past 5 years at TPS.

¹⁸ Of 160 survey respondents that had experienced or witnessed harassment or discrimination and reported a complaint, 85 (53%) either somewhat agreed or strongly agreed that reprisal was an outcome of reporting the misconduct.

¹⁹ 41% of survey respondents that had not reported a complaint of harassment or discrimination either disagreed or strongly disagreed that they “would not experience retaliation or reprisal”.

²⁰ The Professional Standards Information System (“PSIS”) is the database used by PRS, where complaints investigation files and related information are stored.

5. Recommendations



Based on the specific issues identified within the Findings section of this report, Deloitte has identified a series of prioritized actions that TPS can implement in the short, medium and long term, to begin the long and challenging task of cultural change. These recommendations are described in more detail below, and are summarized within a prioritized roadmap that sets out specific actions and timeframes for each in Appendices A and B.

Where any of the recommendations proposed by Deloitte require interpretation of the *Police Services Act*, other relevant legislation or case law, Deloitte recommends that TPS obtain independent legal advice.

Deloitte understands that since the beginning of this Review, the Service’s People and Culture Pillar has engaged in a number of initiatives to support TPS in achieving its vision of a modern, community-centric policing service. Work and results to-date, including next steps relevant to the Toronto Police Services Board’s Police Reform Recommendation 30 – Diversity in Human Resources, is further described in Appendix E. Deloitte has not undertaken any work to assess the implementation or effectiveness of any of these measures, which may or may not be consistent with recommendations proposed by Deloitte.

5.1. Overall recommendations

5.1.1. Redefine working group objectives

In order to ensure that creating a harassment and discrimination free environment remains a priority of TPS, and that the specific issues identified within this report are addressed, Deloitte recommends that the harassment working group (the “working group”) established by TPS in 2020 and headed by the People & Culture pillar, be tasked with implementing the action plan outlined in this report. Deloitte also recommends that TPS:

- Appoint an executive sponsor to oversee activities of the working group and demonstrate commitment from the highest levels of organization;
- Document the objectives of the working group within a charter or mission statement, to enable the group to evaluate progress in achieving desired outcomes and resolve any potential conflicts;
- Require that individuals comprising the working group commit to a minimum period of service, to ensure continuity and accountability for implementation of recommendations, and ensure that participation is not impacted by changes in day-to-day operational activities (e.g. regular officer rotation);
- Require the working group to participate in training with respect to harassment and discrimination, delivered by an independent and external advisor;
- Ensure that the working group's membership includes diversity of gender, rank, category of employee, tenure, race, disability, etc.;
- Designate the working group to act as a central repository of information related to harassment and discrimination, and ensure that data collected from various ongoing initiatives (e.g. engagement surveys, 360 feedback reviews, complaints, exit interviews) is considered in evaluating the organization's progress and response to harassment and discrimination;
- Report to the Chief of Police on progress, challenges and achievements of the working group at least semi-annually, with the Chief of Police reporting to the TPSB.

5.1.2. Conduct ongoing monitoring

Deloitte recommends that TPS and TPSB implement a monitoring framework, to evaluate the performance of the working group in effectively implementing these and other relevant recommendations aimed at eliminating harassment and discrimination within the Service. Effective implementation should consider the following criteria:

- Timeliness of implementation – Deloitte's recommendations are grouped into those requiring immediate, medium- and long-term action. TPS should assess the extent to which the recommendations have been implemented within the suggested timeframe, and document and discuss any reasons for delays in implementation with the Board on a regular basis (e.g. semi-annually).
- Improvement in Member perceptions – Deloitte recommends including selected questions from the harassment and discrimination survey in broader engagement surveys the Service conducts on a periodic basis, to allow for comparative analysis over time. Deloitte also recommends that TPS conduct regular and voluntary focus groups to elicit updated Member feedback. Data and feedback from engagement surveys and focus groups can be used to assess the effectiveness of measures implemented by TPS to reduce harassment and discrimination.
- Statistics regarding the number of complaints – given some Members' reluctance to raise complaints of harassment and discrimination, effective implementation of the recommendations of this report may be evidenced by an *increase* in the number of reported complaints per year, in the years immediately following this report. As TPS gains comfort that barriers to Members raising complaints have been removed, the organization can continue to focus on reducing the number of complaints through ongoing training and accountability for substantiated misconduct. In particular, TPS should monitor trends in the frequency and nature of complaints, the direction of activity (e.g. superior to subordinate), and the units or divisions involved, in order to determine if more targeted remedial efforts are required to address the issues identified.
- Diversity, equity and inclusion statistics – Deloitte recommends that TPS continue to track various diversity, equity and inclusion related statistics, including demographic profiles by roles throughout the organization. As harassment and discrimination complaints begin to decrease, this may correspond with higher levels of diversity, particularly within senior leadership positions. TPS should also monitor its disclosure statistics (e.g. gender, visible minorities, etc.), as a reduction in harassment and discrimination may also correlate with an increase in disclosures of this nature, as Members become more comfortable sharing this information.
- Attrition levels and exit interview data should provide further information as to the effectiveness of measures implemented by TPS.

5.2. HR programs

Deloitte recommends that TPS create (or refine existing) HR related programs and processes to consider harassment and discrimination within hiring, evaluation, and promotion processes, including:

5.2.1. Develop career path for Civilian Members

While TPS publicly posts available positions, Deloitte recommends that the Service also develop a career path for Civilian Members, specifically. This career path should highlight how Civilian Members can advance within the organization, or other organizations within the City of Toronto, and enable Civilian Members to identify potential leadership roles and promotional opportunities, as well as the skills or experience that will make them eligible candidates for these roles.

5.2.2. Conduct a skills analysis for selected roles

TPS has unique challenges in providing mobility opportunities for Members within the Service. Only Uniform Members can perform certain roles and duties within the organization. Civilian Members are hired to perform specific roles, some of which are highly specialized, and can refuse work outside of the specific positions they were hired for. Collective bargaining agreements include additional compliance requirements. Deloitte recommends that TPS continue to adopt a skills-based approach in establishing new roles or filling existing vacancies, to determine the actual skills required, and to encourage candidates with broad skillsets to apply. This may have the effect of redeploying highly skilled Uniform Members to more frontline, investigative-related roles, or other roles requiring the specialized Uniform Member skill set, or perhaps identifying new roles or duties that Civilian Members could adopt within the Service.

5.2.3. Reassess hiring committees and promotional panels

Deloitte recommends that TPS continually assess the composition of hiring committees and promotional panels to ensure that there is sufficient diversity of Members represented, to ensure that diverse perspectives are considered in appointing leadership. In addition, a more rigorous process should be undertaken to update senior leadership job profiles to include the ideal traits and characteristics that Members (both Uniform and Civilian) would like to see in that job profile, as appropriate and applicable to the specific role and its scope of responsibility.

5.2.4. Leverage 360-degree feedback

TPS has recently piloted a 360-degree feedback program. Deloitte recommends that the results of these assessments should be considered as part of performance evaluations and promotion decisions, and that the communication process around this program be updated (see section 5.4 Communications).

5.2.5. Update interview questions

Deloitte recommends that TPS include questions to help identify a history of harassment or discriminatory behaviour as part of job interviews. TPS currently includes harassment and discrimination related questions as part of exit interviews. This data should be reviewed on a regular basis by the working group to assess effectiveness of anti-harassment and anti-discrimination measures, and to gather insight about the specific nature and extent of issues within the Service. Such questions should be standard, and not at the interviewer's discretion.

5.3. Data and analytics

TPS lacks consolidated data with respect to harassment and discrimination incidents, complaints and outcomes to make informed decisions about the adequacy of preventive and responsive measures. Deloitte proposes the following recommendations to enable TPS to adopt a more data-driven approach to eradicating harassment and discrimination:

5.3.1. Track complaints and outcomes

While investigation related data is currently tracked within PSIS, Deloitte encountered difficulty in obtaining fulsome data with respect to harassment and discrimination complaints, particularly as some issues are dealt with at a unit level, or on

an informal basis. As such, there is an opportunity for the organization to bridge gaps in data to obtain a comprehensive picture of harassment and discrimination in the organization, where Members report it, and take a more intelligence-driven approach to the management of complaints in the future. Deloitte recommends centrally tracking *all* complaints with respect to harassment and discrimination, including the status and/or outcome, whether within PSIS or another platform.

Complaints may originate from various sources, for example, an individual may discuss an issue with a supervisor or with the Equity, Inclusion, and Human Rights Unit (“EIHR”), or the Service may learn of an issue from the Ontario Human Rights Tribunal (“OHRT”). Deloitte recommends that TPS aggregate all complaints of harassment and discrimination from all sources within one repository. Deloitte has also separately recommended a third-party confidential reporting platform (see section 5.5 below), which could be used to aggregate all complaints from various sources and drive consolidated reporting. The proposed framework described at section 5.5 below further illustrates how this tracking may be achieved.

5.3.2. Conduct comparative disciplinary analysis

Members we spoke with discussed a perceived disparity in the disciplinary framework for Civilian and Uniform Members. Deloitte recommends that TPS undertake a historical analysis over the past 5 years to assess whether the outcomes for substantiated misconduct are consistent among Civilian and Uniform Members. To the extent disparities do exist, these should be acknowledged, and TPS should consider retaining external legal advice to determine if the *Police Services Act* is being appropriately interpreted with respect to discipline of Uniform Members. Procedures should then be updated to address any such discrepancies, alongside the governance framework and training to ensure accountability in practice.

5.3.3. Review Member support programs

Several Members voiced a reluctance to rely on existing support programs provided by TPS (e.g. accommodation requests, EFAP, CIRT) due to concerns around stigmatization, confidentiality and availability and continuity of support. During Deloitte’s engagement, TPS undertook a separate and comprehensive analysis of wellness programs and wellness strategy within the Service. Deloitte recommends that the findings from that analysis be considered along with the findings of this report, and that a more comprehensive analysis is undertaken to assess the availability, confidentiality, and adequacy of wellness support programs for Members dealing with harassment and discrimination.

5.4. Communications

Deloitte recommends that TPS develop an internal communication strategy that acknowledges the specific issues identified in this report, in order to lay the groundwork for change. While exposing, this degree of vulnerability reveals a commitment to real change and action. Explicit acknowledgement of the findings and action plan contained within this report will help to rebuild trust within the organization. Continued and timely reporting to Members on the progress of the Service against this action plan and achievement of identified outcomes will be integral and a differentiating factor to building trust across the Service, while the effective implementation of this framework and regular reporting of outcomes will *maintain* Member trust.

Specifically, the Service should use internal communication channels to:

5.4.1. Develop a Communications strategy with respect to the report and findings

Command’s acknowledgement of the report findings and commitment to addressing systemic issues causing harassment and discrimination will send a strong signal to the organization and affected individuals that their views have been heard and appropriate action will be taken. Empathy, compassion, transparency, and authenticity should form the basis of any communications associated with the action plan.

5.4.2. Elevate Civilian Member profiles within the organization

Promoting the value that Civilian Members add throughout the organization may help to alleviate some of the perceived differences in the experiences between Civilian and Uniform Members. In addition, highlighting examples of Civilian

Members acting in leadership positions will provide representation for other Civilian Members, and help them to visualize a career path within the Service.

5.4.3. Share stories from Command and leadership

A critical aspect of destigmatizing mental health is for Members to hear from individuals that they respect within the chain of command about how they have overcome challenges. A communication campaign that features individuals in leadership positions discussing these issues and the inherent challenges, in an authentic way, will communicate to Members that mental health is a continuous journey that all Members must navigate.

5.4.4. Continue the discussion around harassment and discrimination

Harassment and discrimination should continue to be an explicit priority of Command and should be discussed often. Dedicating time in standing meetings or within daily rituals throughout the organization, will keep the issue front and centre and prompt more frequent discussion on these topics.

5.4.5. Refresh communication around the 360-degree feedback program

While TPS piloted a 360-degree feedback program in 2019, there is an opportunity to refresh communication around this program to yield more actionable data. Communications around this program should highlight that it is fully independent and managed by a third-party, to build more trust in the process and alleviate fear of retribution, as well as the importance of constructive feedback for leaders.

5.5. Increase independence

Consistent with many leading public and private sector organizations in this area, Deloitte recommends that TPS engage external service providers to increase independence, trust and transparency in the complaints and investigations process, as follows:

5.5.1. Implement an independent, anonymous reporting platform

Deloitte recommends that TPS implement a confidential reporting platform managed by an independent third-party, such that Members can raise allegations of harassment or discrimination through a channel that is completely outside of the Service, on an anonymous basis if they choose. The confidential reporting platform should encompass the following elements:

- Managed by an independent third party that handles intake and reporting of complaints to TPS;
- Available via multiple channels (e.g. website, email, phone, or other channels);
- Ability for reporters to remain anonymous if they choose;
- Ability for the service-provider, or TPS via the service-provider, to communicate directly with a reporter;
- Ability to route reports to appropriate individuals within TPS, such that anonymity is maintained and so that the subject of a complaint does not receive a complaint; and
- Ability to extract relevant information for tracking and analysis purposes and for reporting to the Board, including the number and nature of complaints, division/unit specific information, and the status of each complaint.

5.5.2. Utilize external investigators for harassment and discrimination complaints

Investigations of Uniform Members are governed by the *Police Services Act*, requiring compliance with the legislation and relevant case law.

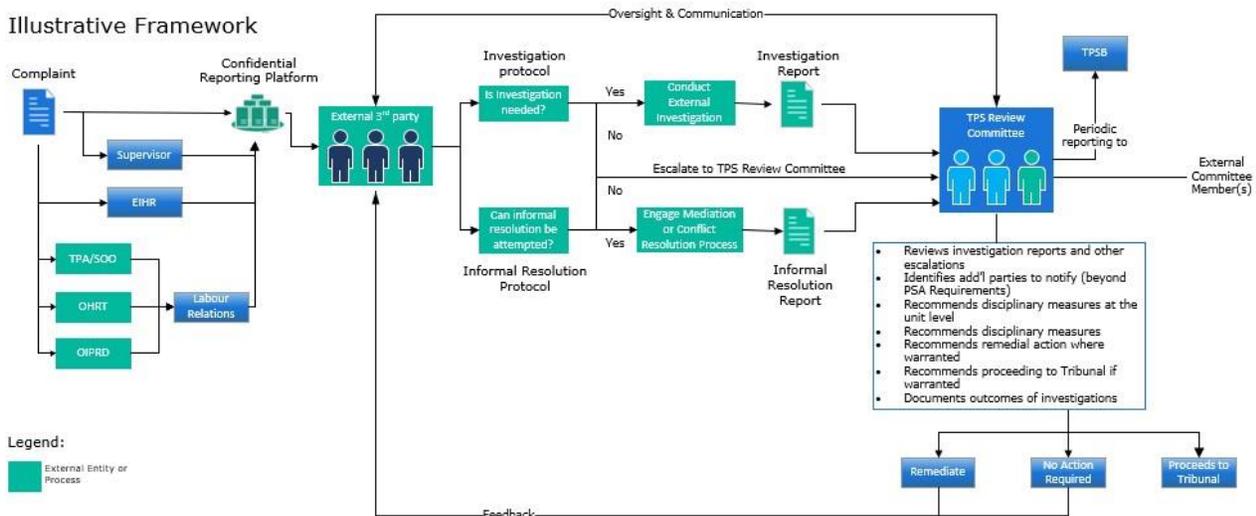
Several Canadian military and paramilitary organizations are moving toward internal complaint investigation models with more external involvement, which range from fully external processes governed by an independent oversight body, to hybrid approaches that allow for some internal involvement while ensuring that critical aspects of the process are outsourced to enhance transparency. The degree of external involvement in these processes is influenced by the

legislative regime in which each organization operates, and TPS must ensure that its investigative processes and procedures comply with the *Police Services Act*, which stipulates that only the Chief of Police or a delegate can perform certain aspects of such processes.

Deloitte recommends that TPS develop a framework for internal investigations that utilizes external, trained workplace investigators to conduct investigations into allegations of harassment and discrimination, with input from legal counsel to ensure compliance with the *Police Services Act* and relevant case law, in line with leading practices for public and private organizations²¹.

Illustrative framework

An illustrative framework for intake and investigation of internal harassment and discrimination complaints is presented below. Given the complexities in implementing a framework such as this, TPS could consider a phased approach, for example beginning with complaints against Senior Officers, and adapt the process as necessary, with the goal of eventually rolling it out Service-wide. TPS should also consider the extent to which the illustrative framework could be integrated with parallel processes for dealing with other sources of complaints (e.g. public complaints).



Complaint Intake

Under the illustrative framework, Members should have numerous avenues to raise a complaint of harassment or discrimination, including:

- Supervisors – Members should continue to have the option to raise a complaint with a Supervisor. Supervisors, including the Chief of Police and Command Members, should also initiate a complaint if they become aware of an incident or issue, either through the confidential reporting platform, or directly to the external 3rd party tasked under this framework.
- EIHR – Members should continue to have the option to speak with an individual within EIHR to raise a complaint.

²¹ Leading practices were determined with reference to the Ontario Health and Safety Act, guidelines published by the Ministry of Labour, standards of investigation promoted by the Human Resources Professional Association and professional associations of workplace investigators, as well as practices proposed or in place at other military and paramilitary organizations in Canada.

- Confidential reporting platform – as described in Section 5.5.1, Members should have the option to raise a complaint via a channel that is entirely external to, and independent of, TPS.
- Professional associations – Members should continue to have the option to raise a complaint via the Toronto Police Association (“TPA”) or the Senior Officers’ Organization (“SOO”).
- OHRT – Members will continue to be able to make a complaint directly to the OHRT, however if TPS can increase transparency and trust in its complaint’s intake and investigation process, ideally Members will raise complaints internally in more circumstances.
- OIPRD – Occasionally, internal complaints may be raised to the OIPRD, for example in relation to an external incident, which should be treated in a similar manner to complaints raised internally.

Regardless of which channel a Member uses to raise a complaint, the information should be consolidated and captured within a centralized system, which, for efficiency purposes, may be the confidential reporting platform proposed at Section 5.5.1, or may be directly escalated to the external 3rd party tasked under this framework.

Members raising complaints should also be able to specify if they prefer an informal resolution (e.g. engaging conflict resolution or mediation services), or to make a formal complaint and have the matter investigated. These preferences should be considered by the external 3rd party in determining how a complaint is dealt with and may or may not determine the ultimate course of action taken with respect to the complaint.

Under a framework such as this, all complaints, regardless of source, would be escalated to an external third-party organization that can determine whether an investigation is required, or whether informal resolution should be attempted, based on a defined protocol (“Third Party Protocol”).

This protocol should:

- Be drafted explicitly enough such that an independent reviewer would come to the same conclusion and to ensure consistency within the process. However, it should not be drafted so stringently that there is no flexibility to adapt the process/precedent for unanticipated situations;
- Be “stress tested” using a mix of real and hypothetical examples, to determine if an appropriate outcome is reached, and may evolve over time as more experience is gained; and
- Specify the required documentation for each investigation file (e.g. investigation plan, interview summaries or transcripts, standardized reporting templates) or conflict resolution engagement.

Third Party Protocol

In determining the appropriate method of resolution, the external third-party organization should apply the Third Party Protocol. If the external third-party organization concludes that an investigation is required, an independent investigator (i.e. independent to TPS) should be selected from a list of approved investigators with the appropriate experience and credentials²². Similarly, if the external third-party organization concludes that informal resolution is feasible and preferable, a third-party mediator or conflict resolution specialist should be selected from a list of approved specialists. Where the external third-party organization concludes that an investigation is not required as per the Third-Party Protocol, the complaint should be forwarded directly to the Review Committee.

In applying the Third Party Protocol the external third-party organization and any independent specialists engaged by TPS as a result must comply with all aspects of the *Police Services Act* and related case law that specify when complainant and respondent Uniform Members should be informed, as well as the timelines for completion of an investigation.

Factors that may suggest an investigation is warranted include:

²² The independent investigator may be affiliated with the external third-party organization, though the same individual should not apply the investigation protocol and conduct the investigation. Through its oversight responsibilities, the Review Committee can assess the distribution of investigations among service providers, if applicable.

- Complaints allege conduct that contravenes a policy, procedure or Standards of Conduct;
- The severity of the alleged conduct;
- An investigation is requested by a complainant; and
- Sufficient information is available to initiate an investigation;

When an investigation is concluded, an investigation report should be forwarded to a review committee (the “Review Committee”) who will determine whether any additional individuals should be notified (beyond requirements specified within the *Police Services Act*) when they should be notified, and the appropriate course of action to take with respect to the complaint.

Factors that may suggest an investigation may not be required include:

- Complaints outside the jurisdiction of the external third-party organization (e.g. public complaints, complaints unrelated to harassment or discrimination);
- Complaints that a complainant requests to resolve informally, for example through a conflict resolution process;
- Complaints that are less serious or severe in nature, that could be more appropriately resolved through facilitated discussion or mediation;
- A frivolous complaint (e.g. building temperature); and
- Insufficient information to initiate an investigation.

Where an informal resolution process is engaged, the outcome of the discussion should be documented and forwarded to the Review Committee. Service level agreements should be included within contracts with any third-party organizations to ensure that complaints are reviewed in a timely manner, and that investigations, where required, are initiated and concluded within an appropriate timeframe, to ensure that TPS complies with statutory requirements to resolve complaints within 6 months.

Review Committee

The Review Committee should be comprised of at least 5 individuals with sufficient diversity to allow for different perspectives (e.g. gender, ethnicity, rank, Uniform/Civilian, etc.). TPS should also include at least 1 independent (i.e. external to TPS) individual on the Review Committee, to enhance transparency and independence in the process. The Review Committee should also include representation from throughout the organization, for example, People & Culture, Legal Services, Labour Relations and Professional Standards.

Following receipt of an investigation report, informal resolution or escalation of a complaint, the Review Committee should convene and determine if anyone (e.g. TPA or SOO) should be notified (beyond the statutory requirements of the *Police Services Act*), when they should be notified and the appropriate course of action. The frequency and urgency of these meetings can be adapted by the Review Committee as required. Where allegations of misconduct are substantiated, the Review Committee, or other delegate(s) should determine the discipline required in accordance with the relevant procedures, or whether the matter should proceed to the Police Tribunal. Essentially, the process that is currently applied by Professional Standards (determination of severity, recommendation re discipline), should be conducted by the broader Committee, with the Committee’s recommendation documented and executed by a Uniform Member (either part of the Review Committee or a delegate), in accordance with the *Police Services Act* and relevant case law.

The Review Committee should maintain responsibility for oversight of the external third-party organization, and the application of the Third-Party Protocol. The Review Committee can assess the distribution of engagements among external investigators and mediation specialists, the quality of these processes and deliverables, and provide feedback as required. The Review Committee should report to the TPSB on a regular basis about the number, nature and outcome of complaints, as well as any analytical findings regarding trends or issues.

5.6. Policies, processes and procedures

TPS maintains a comprehensive set of policies and procedures that govern expected conduct and response to harassment and discrimination. Should TPS revise its process for complaints and investigations as recommended in this report, then corresponding revisions will be required for policies and procedures as well. As such, TPS should determine its framework for complaints intake and investigation first, and then revise existing policies and procedures where necessary.

5.6.1. Update policies, processes and procedures

Irrespective of the framework to be applied, specific recommendations for selected policies and procedures are summarized below. Deloitte recommends that all policies, processes and procedures are assessed on an annual basis and updated as necessary. If no updates are required following the annual assessment, the date of assessment should be recorded within the documentation to evidence the analysis.

Ref	Recommendation	Applicable Policies/Procedures
A	Conduct annual review of policies and procedures to ensure they comply with relevant updates to legislation and related guidance. Document the date of review (as distinct from Amended date) within policies and procedures.	Various
B	Incorporate more gender-neutral language throughout policies, processes and procedures, for example to encompass non-binary Members.	Various
C	Develop a comprehensive, end to end summary/diagram of the complaints and investigation process and include it within policy and procedure documents.	Various
D	Provide more guidance on protections offered to Members with respect to incidents of workplace violence, harassment or sexual harassment, as well as avenues to report incidents of retaliation.	Various
E	Include definitions of workplace harassment and workplace sexual harassment, and include realistic examples.	Workplace Violence and Harassment policy
F	Update policy to include information required by law, that is currently covered under Procedures, including how investigation of incidents will be handled.	Workplace Violence and Harassment policy
G	Elaborate on the definition of reprisal/retaliation, and include examples for terms such as "harass, intimidate, retaliate".	Procedures 08-12, 13-03,13-09
H	Update guidance to reflect anonymous reporting channels.	Procedures 08-12,
I	Include more specific guidance about investigation protocols and clarify terms such as "commence an investigation" or "conduct an investigation and maintain detailed notes." Standardized templates for investigation and reporting should be developed as well.	Procedures 08-12, 13-03, 13-09
J	Specify how complaints about Deputy Chiefs or the Chief should be actioned.	Procedure 13-03
K	Include more guidance and/or examples to clarify "resolve the complaint informally" and "impose disciplinary action".	Procedure 13-03
L	Include more specific guidance and/or examples to clarify "ensure the workplace is not poisoned/toxic".	Procedure 13-14
M	Include references to well-being resources available to Members within Procedures (currently contained within selected Procedures).	Procedures 08-12, 13-03, 13-09
N	Inform Members of their right to raise complaints directly to the OHRT.	Procedure 08-12

5.7. Training

TPS offers numerous types of training with respect to harassment and discrimination through the Toronto Police College (“Police College”), for both new recruits and new supervisors, including:

- New recruit training, during which Members are provided with procedures covering harassment and discrimination;
- Promotion candidates are asked questions about how they would respond to various types of harassment and discrimination situations;
- Leadership development courses based on global materials, covering TPS’s core values, including specific content with respect to having difficult conversations; and
- Leadership training courses for new supervisors, including expectations with respect to workplace harassment, and having difficult conversations.

Due to restrictions on account of the Covid-19 pandemic, Deloitte was unable to attend in person training at the Police College. TPS has recently formed a Community Advisory Panel for the Police College, which includes members external to TPS, that is conducting an in-depth review of the current training curriculum. Deloitte recommends that TPS provide this report to the advisory panel in that it may inform their recommendations, and that the advisory panel consider the following recommendations with respect to training courses and materials:

5.7.1. Incorporate more examples

TPS should include more examples of different types of harassment within training materials, including some real-life examples to the extent they can be sufficiently anonymized. Examples should reflect realistic day to day scenarios that Members could encounter and consider multiple viewpoints in analyzing and debriefing examples.

5.7.2. Provide specific guidance on reprisal

TPS should include specific training content around reprisal or retaliation for harassment or discrimination complaints, including how to identify if you are a subject of reprisal.

5.7.3. Introduce more role playing

TPS should consider including more role-playing exercises within training courses when covering harassment and discrimination related content, to foster more empathy.

5.7.4. Tie training to performance

Attendance at training should be mandatory and verified as part of the performance evaluation process.

5.7.5. Explanation of the harassment and internal complaints process

TPS should provide training (either online or in person) with respect to the harassment and internal complaints process including the different types of complaints; how to lodge a complaint; how to resolve issues informally, including documentation; the reporting and investigative process for investigators, supervisors and complainants, including requirements of each area, etc.

5.8. Critical success factors

TPS’s success in implementing the suggested recommendations outlined above and within Appendices A and B is dependent on the Service’s ability to:

- Acknowledge the review’s findings and assure Members that their concerns relating to workplace well-being, harassment and discrimination have been heard;
- Obtain commitment and buy in from executive leadership;

- Develop proper governance over the implementation to maintain progress and hold the team to account for timely progress against agreed upon milestones;
- Work alongside external partners in the detailed design and implementation of the recommendations to support accountability and independent perspective, and enhance buy-in from Members into the process;
- Define clear measures of success focused on the implementation and actioning of recommendations herein, as well as definition of indicators that support clarity and transparency of reporting on issues of workplace harassment and discrimination in the future;
- Provide clear, timely and honest communication with TPS Members; and
- Assemble a dedicated project leadership team for the implementation of these recommendations (with consideration to an attached tenure in this role to mitigate the risk of implementation delay or disruption that could be caused by, for instance, officer rotation).

Appendix A: Prioritized action plan

Implementation of the proposed recommendations will require careful planning, resourcing, and monitoring by the senior leaders of TPS. Some recommendations will have immediate and tangible impacts on reducing harassment and discrimination within the Service, while others will help pivot the organization in the right direction for long-term change.

The following action plan, combined with Appendix B: Priority Roadmap, can serve as the framework for prioritizing, sequencing, and executing recommended activities.²³ It is meant to be a starting point to equip TPS and TPSB with the initial tools to pursue a more granular planning exercise required to bring the necessary interventions to life. Each action is accompanied with the following information: the issue it seeks to address, the accountable unit at TPS/TPSB, its expected impact on Members, its level of effort to implement, and “Considerations” for next steps.

While undertaking *all* actions is the best way to drive the most value and impact for the Service and the Board, in the below table we have **highlighted** (**‘bold text’**), select items to consider investing in and focusing on relative to and integrated with all other ongoing Human Resources and People & Culture initiatives ongoing at the Service²⁴. These are highlighted once again in Appendix B alongside the other Action Items and their relative impact.

Short-term Actions (0-6 months)

The actions below can be initiated immediately after the receipt and acceptance of this report. The impacts from these actions will likely be felt by Members over a short to medium-term, thereby creating momentum and groundswell of support for the changes.

No	Ref	Action	Issue addressed	Accountable	Impact on Members	Effort to Implement	Considerations
1	5.1.1	Assign accountability to an empowered body (working group) to execute recommended actions, monitor progress and resolve issues as they arise	Various	People & Culture	Low	Low	<ul style="list-style-type: none"> Refer to 5.1.1 Appoint executive sponsor to oversee activities and demonstrate commitment from highest levels of organization. Ensure diversity of composition²⁵ of working group Provide working group with access to relevant data
2	5.1.2	Develop monitoring framework to evaluate performance of working group	Various	People & Culture	Low	Low	<ul style="list-style-type: none"> Refer to 5.1.2 Document objectives, time commitments, and measurable outcomes Determine frequency of monitoring and required reporting

²³ Corresponding information for Appendices A and B can be found in Section 5 of this report.

²⁴ Action items highlighted in bold represent those that Deloitte believes will have the highest impact to Members, based on input provided by participating Members and experiences at other public and private sector organizations.

²⁵ Considerations for diversity include gender, rank, category of employee, tenure, race, and individuals with a disability

No	Ref	Action	Issue addressed	Accountable	Impact on Members	Effort to Implement	Considerations
3	5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5	Engage TPS HR in prioritizing programmatic changes	Uniform/Civilian Member experience	People & Culture	Low	Low	<ul style="list-style-type: none"> Refer to 5.2.1, 5.2.2, 5.2.3, 5.2.4, 5.2.5 Existing HR programs and practices generate relevant data with respect to harassment and discrimination Revisit roles and required skills to identify potential career opportunities for Civilian Members
4	5.4.1	Develop a Communications strategy with respect to the report and findings	Leadership conduct and diversity	Chief of Police, HR Command, Corporate Communications	Medium	Low	<ul style="list-style-type: none"> Refer to 5.4.1 Align internal and external communications strategies
5	5.4.5	Refresh communication around 360-feedback program	Leadership conduct and diversity	People & Culture, Corporate Communications	Medium	Low	<ul style="list-style-type: none"> Refer to 5.4.5 Develop new communication materials that reintroduces the goal of the 360-feedback program, its purpose, and how it is managed
6	5.6.1	Update policies, processes and procedures	Various	People & Culture	High	Medium	<ul style="list-style-type: none"> Refer to 5.6.1 Conduct annual reviews, explicitly highlight changes made from previous versions Update terminology and include definitions and examples Develop visual summary of complaints and investigation process Include info on rights, protections and resources available to Members Employ personification techniques, scenarios, decision trees, and plain language
7	5.7.1, 5.7.2, 5.7.3, 5.7.4	Redesign approach to training	Various	People & Culture, Toronto Police College	Medium	Low	<ul style="list-style-type: none"> Refer to 5.7.1, 5.7.2, 5.7.3, 5.7.4 Review Community Advisory Panel recommendations Incorporate example scenarios and role playing Tie training to performance evaluation Expanding modes and frequency of training,

No	Ref	Action	Issue addressed	Accountable	Impact on Members	Effort to Implement	Considerations
							behavioural nudging and modeling, and continuous in-field reinforcement will yield positive outcomes of awareness, perception, and response of participants

Medium-term Actions (6-18 months)

The actions below may require the organization to make investments and institute changes that will take hold in the next one to two years. Impacts of those changes are likely to be felt over the medium to long-term, setting TPS on a path to a broader institutional and behavioral change.

No	Ref	Action	Issue addressed	Accountable	Impact on Members	Effort to Implement	Considerations
8	5.3.1	Track complaints and outcomes	Various	People & Culture	Medium	High	<ul style="list-style-type: none"> Refer to 5.3.1 Consider centralizing complaints within anonymous reporting platform
9	5.3.2	Conduct comparative disciplinary analysis	Uniform/Civilian Member experience	People & Culture, Professional Standards	Medium	High	<ul style="list-style-type: none"> Refer to 5.3.2 Consider undertaking a historical analysis to assess whether the outcomes for substantiated misconduct are consistent among Uniform and Civilian Members
10	5.3.3	Review Member support programs	Stigma re mental health, Gender-based discrimination	People & Culture, Wellness	High	Medium	<ul style="list-style-type: none"> Refer to 5.3.3 Integrate with Wellness review
11	5.4.2	Elevate Civilian Member profiles within the organization	Uniform/Civilian Member experience	People & Culture, Corporate Communications	High	Medium	<ul style="list-style-type: none"> Refer to 5.4.2 Consider spotlighting Civilian Members acting in leadership positions Invite individuals to nominate leader(s) to be spotlighted, regularly
12	5.4.3	Share stories from Command and leadership	Stigma re mental health	People & Culture, Corporate Communications	High	Low	<ul style="list-style-type: none"> Refer to 5.4.3 Consider identifying Uniform and Civilian Member to be ambassadors for a mental health campaign

No	Ref	Action	Issue addressed	Accountable	Impact on Members	Effort to Implement	Considerations
13	5.4.4	Continue the discussion around harassment and discrimination	Various	Chief of Police, People & Culture	Medium	Medium	<ul style="list-style-type: none"> Refer to 5.4.4 Incorporate the discussion into daily rituals or standing meetings
14	5.5.1	Implement an independent, anonymous reporting platform	Lack of Confidentiality	People & Culture	High	Medium	<ul style="list-style-type: none"> Refer to 5.5.1 Retain independent third party Extract relevant data for reporting purposes
15	5.5.2	Utilize external third-parties to conduct investigations or facilitate informal resolution for harassment and discrimination complaints	Various	People & Culture	High	Medium	<ul style="list-style-type: none"> Refer to 5.5.2 Engage in peer discussions with other police services to identify enhancement opportunities for proposed framework

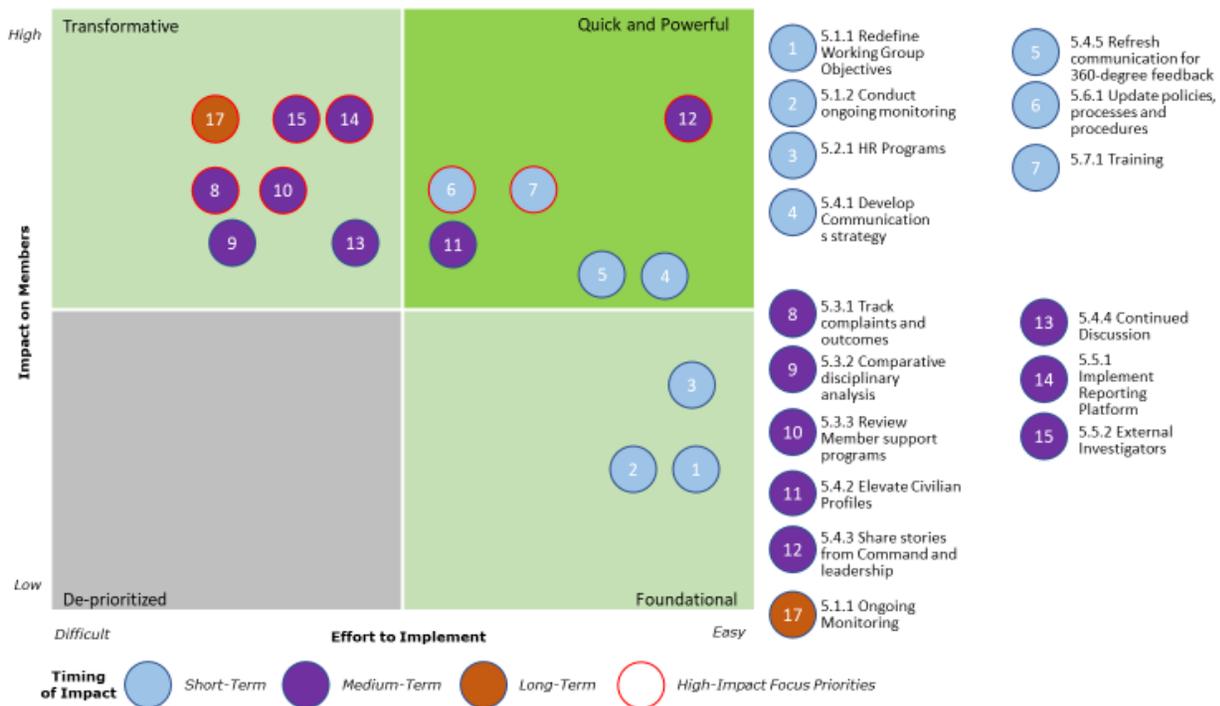
Long-term Actions (18+ months)

The actions below are likely to have a long-term impact on the organization, affecting TPS culture, unwritten rules, perceptions and behaviours. While they may be initiated immediately (within 0-18 months), they will be implemented over a longer term to create a pivot point for generational change.

No.	Ref	Action	Issue addressed	Accountable	Impact on Members	Effort to Implement	Considerations
17	5.1.1	Conduct ongoing monitoring	Various	TPSB, Chief of Police, Working Group	High	Low	<ul style="list-style-type: none"> Refer to 5.1.1 Working Group to report to the Chief and TPSB on progress, challenges and achievements at least annually Review and update processes annually, incorporating insights and recommendations from ongoing monitoring.

Appendix B: Priority roadmap

The priority roadmap below provides a visual representation of recommended actions along 3 dimensions – time (colour), effort to implement (x-axis) and impact to Members (y-axis), to assist TPS and TPSB in planning and prioritizing implementation. To assist TPS and TPSB prioritize within the priorities, we have also highlighted the actions that, of all those listed, may have the most impact for the Service and the Board. While undertaking *all* actions will drive the most value and impact for the Service and the Board, these selected high-impact items are a good place to focus and invest time, relative to and integrated with all other Human Resources and People & Culture initiatives ongoing at the Service. More details on these recommendations can be found in **Section 5 and Appendix A**.



Select High-Impact Focus Priorities

As captured in the above roadmap, TPS should consider prioritizing implementation of the recommended actions that will have the most impact on Members, which include:

Priority Roadmap No.	Ref	Action Item	Timeline
6	5.6.1	Update policies, processes and procedures	Short-term
7	5.7.1	Redesign approach to training	Short-term
8	5.3.1	Invest in analytical capability to track desired outcomes	Medium-term

Priority Roadmap No.	Ref	Action Item	Timeline
10	5.3.3	Review Member support programs	Medium-term
12	5.4.3	Share stories from Command and leadership	Medium-term
14	5.5.1	Implement an independent, anonymous reporting platform	Medium-term
15	5.5.2	Utilize external third-parties to conduct investigations or facilitate informal resolution for harassment and discrimination complaints	Medium-term
17	5.1.1	Ongoing Monitoring: Working Group to report to the Chief and TPSB on progress, challenges and achievements at least annually	Long-term

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Appendix C: Survey and focus group questions

Survey Questions

Section 1: Background

In this first section, we would like to ask some questions about your rank or role. Please be assured that these questions are for classifying your answers with others who are participating in this survey only. Please note, all questions are optional and your responses will be kept confidential.

1. Which of the following best describes your current rank (including acting) rank within the Service? Please select one answer below.
 - a. Police Constable
 - b. Sergeant/Detective
 - c. Staff Sergeant/Detective Sergeant
 - d. Inspector/Staff Inspector
 - e. Superintendent/Staff Superintendent
 - f. Civilian (non-supervisory position)
 - g. Civilian Supervisor/Manager/Director
 - h. Other (Please describe)

2. Which area(s) of the Service have you been assigned to in the past 5 years? Select all that apply.
 - a. Office of the Chief of Police or Deputy Chiefs of Police/Command
 - b. Division (Priority Response Command and Communities & Neighbourhoods Command)
 - c. Priority Response Command (not Division)
 - d. Communities & Neighbourhoods Command (not Division)
 - e. People and Culture
 - f. Finance & Business Management
 - g. Information Technology Services
 - h. Operations Support
 - i. Corporate Risk Management
 - j. Public Safety Operations

k. Detective Operations

3. Which Divisions of the Service have you been assigned to in the past 5 years? Select all that apply.
- a. 11 Division
 - b. 12 Division
 - c. 13 Division
 - d. 14 Division
 - e. 22 Division
 - f. 23 Division
 - g. 31 Division
 - h. 32 Division
 - i. 33 Division
 - j. 41 Division
 - k. 42 Division
 - l. 43 Division
 - m. 51 Division
 - n. 52 Division
 - o. 53 Division
 - p. 55 Division
4. How many areas of the Service (units, divisions etc.) have you worked at over the past 5 years? Please select one answer below:
- a. 1
 - b. 2 to 5
 - c. More than 5
5. Approximately how long have you worked for the Service? Please select one answer below.
- a. Less than 1 year
 - b. 1 to 5 years
 - c. 6 to 10 years
 - d. 11 to 15 years
 - e. 16 to 20 years
 - f. 21 to 25 years
 - g. More than 25 years

Section 2: Workplace Culture

In this section, we would like to learn more about your experiences and perceptions of the workplace culture at TPS. Please note, all questions are optional and your responses will be kept confidential.

6. In your own words, please describe the workplace culture at TPS with regard to wellness, harassment and discrimination?

[FREE FORM BOX]

Section 3: Awareness of Policies and Procedures at TPS

In this section, we would like to ask some questions about your experience locating, understanding and applying policies and procedures relating to workplace harassment or discrimination.

7. Please indicate your level of agreement with each of the following statements:

OPTIONS [Listed across the top]

- a. Strongly Disagree
- b. Somewhat Disagree
- c. Somewhat Agree
- d. Strongly Agree
- e. I don't know / I'm not sure

[DOWN THE SIDE/RANDOMIZE]

- a. I understand TPS's policies and procedures regarding harassment and discrimination
 - b. I know where to find TPS's policies and procedures regarding harassment and discrimination
 - c. I have received training on TPS's policies and procedures on harassment and discrimination.
 - d. I feel that TPS's procedures around harassment and discrimination are comprehensive
 - e. I know where to go if I have questions about TPS's harassment and discrimination policies and procedures.
 - f. I am satisfied with the options available to me to resolve incidents of harassment or discrimination.
 - g. I am satisfied with the current procedure and process for reporting complaints related to harassment and discrimination
8. You may have somewhat disagreed or strongly disagreed with some of the statements in the previous question. If so, please provide some comments about why you feel this way. Please type your comments below, noting specific examples if possible.

[FREE FORM BOX]

9. Please rate the frequency and content of the training that you have received from the Service on harassment and discrimination in the workplace as follows:

I think the frequency of training on harassment and discrimination is ...

- a. Too much
- b. right amount
- c. Not enough
- d. Have never received any training

I think the content of training on harassment and discrimination is ...

- a. Excellent
- b. Adequate
- c. Inadequate
- d. Have never received any training

10. In your opinion, what improvements could be made to harassment and discrimination training?

[FREE FORM BOX]

Section 4: Personal Experience with Harassment and Discrimination

In this section, we would like to ask some questions about your experience with harassment and discrimination at TPS over the past 5 years. Please only respond regarding incidents you have **experienced** or **witnessed** with respect to TPS members, and not members of the public. Please note, all questions are optional and your responses will be kept confidential.

11. In the past 5 years, have you experienced or witnessed any of the following behaviours while observing or interacting with uniform or civilian members of TPS? Please select all that apply below.

OPTIONS [Listed across the top]

- a. Experienced
- b. Witnessed
- c. No
- d. I'm not sure / I don't know

[DOWN THE SIDE/RANDOMIZE]

- a. Harassment (e.g. *demeaning, discriminatory or derogatory remarks or name calling on the basis of sex, gender identity or expression, race/colour, religion, sexual orientation, etc.*)
- b. Sexual harassment (e.g. *slurs or jokes based on sexuality or gender identity, unwanted sexual advances/contact, demands of a sexual nature, sexually suggestive comments etc.*)
- c. Bullying, intimidation or disrespect (including verbal) (e.g. *using unprofessional terms to refer to individuals, condescending remarks, exclusion from work meetings or events, passive/aggressive behaviour, etc.*)
- d. Physical assault or violence (e.g. *physical force against an individual in the workplace, a threat to exercise physical force against an individual in the workplace*)
- e. Discrimination (e.g. *being treated unequally on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, religion, sex, sexual orientation, gender identity, gender expression, age, marital status, family status, or disability*)
- f. Reprisal related to reporting or speaking out about any of the above (e.g. *threaten to fire you, suspend you, discipline you, impose any penalty upon you including, for example, transferring you to another position, shift or work location, reducing or changing your hours or denying you a raise or benefits that you're entitled to, or threatening to do so, speak negatively about you to colleagues and/or superiors, including name calling and negative labelling, etc.*)
- g. Other [Please describe]

[FREE FORM BOX]: Please feel free to add any additional or specific details that you feel are relevant to the above question.

12. Where did you experience or witness this harassment or discrimination? Please select all that apply below.

OPTIONS [Listed across the top]

- a. Experienced
- b. Witnessed

On Duty

- a. In my current workplace, while on duty (e.g. at your division or unit)
- b. In my past workplaces, while on duty (within the last 5 years)
- c. On social or digital media, while on duty (e.g. Instagram, WhatsApp, Snapchat etc.)

Off Duty

- d. In my current workplace, while off duty (e.g. at your division or unit)
- e. In my past work assignments or past postings, while off duty (within the last 5 years)
- f. On social or digital media, while off duty (e.g. Instagram, WhatsApp, Snapchat etc.)

Other

- g. At a TPS-sponsored or TPS social event (e.g. after work drinks, party)
- h. Other [Please describe]

13. To the best of your knowledge, approximately how frequently have these incidents that you have experienced or witnessed been occurring over the past 5 years? Please select one answer below.

OPTIONS [Listed across the top]

- a. Experienced
- b. Witnessed

[DOWN THE SIDE/RANDOMIZE]

- a. Very frequently (e.g. daily or almost daily)
- b. Frequently (e.g. occurs multiple times per month)
- c. Occasionally (e.g. occurred once or twice in a six month to one year period)
- d. Infrequently (e.g. occurred only once or twice over a 5 year period)
- e. They have been occurring for as long as I've worked at TPS

14. In situations where you have experienced or witnessed workplace harassment or discrimination, who was conducting the harassment or discrimination? Please select all that apply below.

OPTIONS [Listed across the top]

- a. Experienced
- b. Witnessed

[DOWN THE SIDE/RANDOMIZE]

- a. Harassment or discrimination was carried out by a supervisor against a non-supervisor
- b. Harassment or discrimination was carried out by a non-supervisor against a supervisor
- c. Harassment or discrimination occurred between individuals holding the same rank or role
- d. Other (please describe)
- e. Not sure / don't know

Section 5: Complaints and Resolutions

In this section, we would like to ask some questions about your understanding of the complaints and resolutions processes available to you as a member of TPS. **Please note, all questions are optional and your responses will be kept confidential.**

15. Have you ever made a complaint or reported an incident of harassment or discrimination? Please select all that apply below.
- a. Yes – I have reported harassment or discrimination that I personally experienced to TPS
 - b. Yes – I have reported harassment or discrimination that I witnessed to TPS
 - c. Yes – I have reported harassment or discrimination that I personally experienced at TPS to an external body (e.g. the Human Rights Tribunal of Ontario)
 - d. Yes – I have reported harassment or discrimination that I witnessed at TPS to an external body (e.g. the Human Rights Tribunal of Ontario)
 - e. I am unsure how to report an incident of harassment or discrimination
 - f. Prefer not to answer

16. What was the outcome of the harassment or discrimination that you reported?

OPTIONS [Listed across the top]

- a. Strongly Disagree
- b. Somewhat Disagree
- c. Somewhat Agree
- d. Strongly Agree
- e. I don't know / I'm not sure

[DOWN THE SIDE/RANDOMIZE]

- a. My complaint was taken seriously
- b. My complaint was investigated
- c. I felt supported by my platoon, unit, team or department
- d. I felt supported by my direct supervisor
- e. I felt comfortable discussing my concerns with my supervisor
- f. My complaint was kept confidential
- g. The investigation process was free from bias
- h. The investigation was completed within a reasonable amount of time
- i. I experienced reprisal or retaliation
- j. Other (please describe) **[FREE FORM BOX]**

17. You may have somewhat disagreed or strongly disagreed with some of the statements in the previous question. If so, please provide some comments about why you feel this way and what changes you would like to see to the process. Please type your comments below, noting specific examples if possible.

[FREE FORM BOX]

18. What do you believe would be the potential impact of reporting an incident of harassment or discrimination at TPS?

OPTIONS [Listed across the top]

- a. Strongly Disagree
- b. Somewhat Disagree
- c. Somewhat Agree
- d. Strongly Agree
- e. I don't know / I'm not sure

[DOWN THE SIDE/RANDOMIZE]

- a. My report would be taken seriously
- b. My report would be investigated
- c. I would be supported by my platoon, unit, team or department
- d. I would be supported by my direct supervisor
- e. I would feel comfortable discussing my concerns with my supervisor
- f. My report would be kept confidential
- g. The investigation process would be free from bias
- h. An investigation would be completed within a reasonable amount of time
- i. There would be retaliation or reprisal for making a report
- j. Other **[FREE FORM BOX]**

19. You may have somewhat disagreed or strongly disagreed with some of the statements in the previous question. If so, please provide some comments about why you feel this way. Please type your comments below, noting specific examples if possible.

[FREE FORM BOX]

20. Other than reporting an incident of harassment or discrimination, what other avenues would you take to address or resolve these issues within your workplace? Please select all that apply below.

- a. I would speak directly to the members involved
- b. I would ignore it
- c. I would make a note of it in my memo book and take no further action
- d. I would go to a trusted confidant/peer support/mentor in the Service for advice on how to proceed
- e. I would ask a trusted confidant/peer support person/mentor in the Service to intervene on my behalf
- f. I would speak to my Association for advice
- g. I would ask my Association to intervene on my behalf
- h. I would take time off work (e.g. paid or unpaid, stress leave etc.)
- i. I would submit an accommodation request
- j. I would seek a transfer
- k. I would speak to someone in Wellness, Human Resources or EI & HR about my options
- l. I would seek an informal avenue to resolve the issue

- m. I don't know what I would do
- n. Other **[FREE FORM BOX]**

21. Please indicate your level of agreement with the each of the following statements:

[ACROSS TOP]

- a. Strongly Disagree
- b. Somewhat Disagree
- c. Somewhat Agree
- d. Strongly Agree

[DOWN THE SIDE/RANDOMIZE]

- a. I believe that TPS effectively deals with workplace harassment and discrimination issues
- b. I believe that TPS takes action to prevent and address harassment and discrimination within the workplace when complaints are raised
- c. I believe that TPS wants to hear about harassment and discrimination within the workplace
- d. I believe that when harassment and discrimination occurs at TPS, it is reported
- e. I believe that a complaint of harassment and discrimination against leadership will be treated appropriately
- f. I believe that a complaint of harassment and discrimination against management will be treated appropriately
- g. I believe that a complaint of harassment and discrimination against supervisors will be treated appropriately
- h. I feel safe and empowered to speak up if I experience or witness workplace harassment or discrimination
- i. I understand what is expected of me if I hear about workplace harassment or discrimination

22. You may have somewhat disagreed or strongly disagreed with some of the statements in the previous question. If so, please provide some of the reasons for saying that you feel this way. Please type your comments below, noting specific examples if possible.

[FREE FORM BOX]

Section 6: Wellness Programs at Toronto Police Service

In this section, we would like you to provide your view on TPS's workplace wellness programs including how they support individuals and teams experiencing harassment and discrimination, and address these issues in the workplace. **Please note, all questions are optional and your responses will be kept confidential.**

23. Please indicate your level of agreement with each of the following statements:

[ACROSS TOP]

- a. Strongly Disagree
- b. Somewhat Disagree
- c. Somewhat Agree
- d. Strongly Agree
- a. I'm not sure / I don't know

[DOWN THE SIDE/RANDOMIZE]

- a. I am aware of wellness programs available to me if I have experienced or witnessed workplace harassment or discrimination
- b. I am likely to use wellness programs provided by the Service to address my concerns around workplace harassment and discrimination
- c. I know where to go if I have questions about wellness programs available to me in the event that I experience harassment or discrimination in the workplace.
- d. I am satisfied with the number of wellness programs available to me
- e. I am satisfied with the quality of wellness programs available to me.

24. Which, if any, of the following resources related to harassment or discrimination within the Service have you accessed? Please select all that apply below.

- a. Advice and guidance from peers or leaders
- b. Wellness/Medical Advisory Services
- c. Internal Support Networks
- d. Critical Incident Response Team
- e. Psychological Services
- f. Employee and Family Assistance Programs
- g. Medical or non-medical accommodation requests
- h. I have not accessed any wellness resources
- i. I have not experienced harassment or discrimination
- j. Other **[FREE FORM BOX]**

25. In your own words, if you have engaged with any of the above services, please describe your experience.

[FREE FORM BOX]

26. If you did not use any of the above services, please explain in your own words why you did not.

[FREE FORM BOX]

27. Please share your perspective with respect to wellness programs for harassment and discrimination issues. Please indicate your level of agreement with each of the following statements:

[ACROSS TOP]

- a. Strongly Disagree
- b. Somewhat Disagree
- c. Somewhat Agree
- d. Strongly Agree

[DOWN THE SIDE/RANDOMIZE]

- e. I am encouraged by supervisors to access wellness programs for harassment and discrimination

- a. There is no stigma attached to using these programs
- b. My access to/use of these programs or services would be kept confidential
- c. The programs or services are available at convenient times for me
- d. My peers are supportive of colleagues accessing wellness programs
- e. I have enough information about the programs or services to understand how they could help me
- f. The programs or services make a positive improvement to member wellness
- g. The programs or services are available in a convenient location
- h. I feel comfortable accessing these programs or services at TPS Headquarters
- i. Other **[FREE FORM BOX]**

Section 7: Opportunities for Change

In this section, we would like to like you to provide your view of what, if anything, TPS could be doing differently with respect to workplace wellness, harassment & discrimination. **Please note, all questions are optional and your responses will be kept confidential.**

28. In your opinion, what changes are required or needed to contribute to a workplace free from harassment and discrimination at the Service?

[FREE FORM BOX]

29. In your opinion, what changes are required, if any, to existing TPS wellness programs and services, including the Employee and Family Assistance Program?

[FREE FORM BOX]

Section 8: About yourself

In this final section, we would like to ask some overall questions about you. Please be assured that these questions are for classifying your answers with others who are participating in this survey only. **All questions are optional and your responses will be kept confidential.**

30. I identify my gender as: (Please select one answer below)

- a. Woman (including cisgender/transgender)
- b. Man (including cisgender/transgender)
- c. Trans Man
- d. Trans Woman
- e. Non-Binary/gender variant
- f. My gender identity is: (please describe)
- g. Prefer not to say

31. Which of the following best describes your sexual orientation?
- a. Lesbian
 - b. Gay
 - c. Bisexual
 - d. Trans
 - e. Queer
 - f. Questioning
 - g. Straight
 - h. Other
 - i. Prefer not to say
32. In our society, people are often described by their race or racial background. For example, some people are considered “White” or “Black” or “East/Southeast Asian”, etc. Please select the category that best describes you:
- a. Latino (e.g. Latin American, Hispanic)
 - b. Middle Eastern – Arab, Persian, West Asian (e.g. Afghan, Egyptian, Iranian, Lebanese, Turkish, Kurdish)
 - c. Black (e.g. African, Afro-Caribbean, African-Canadian)
 - d. South Asian (e.g. East Indian, Pakistani, Bangladeshi, Sri Lankan, Indo-Caribbean)
 - e. East/Southeast Asian (e.g. Chinese, Korean, Japanese, Taiwanese, Filipino, Vietnamese, Cambodian, Thai, Indonesian)
 - f. White
 - g. Indigenous (e.g. First Nations, Métis, Inuit)
 - h. Another category not listed above **[FREE FORM BOX]**
 - i. Prefer not to say
33. My current age is:
- a. 18-24 years
 - b. 25-34 years
 - c. 35-44 years
 - d. 45-54 years

- e. 55-64 years
 - f. 65+
 - g. Prefer not to say
34. Do you have a disability?
- a. Visible disability
 - b. Non-visible disability
 - c. No
 - d. Prefer not to say
35. What is your religion and/or spiritual affiliation? Select all that apply:
- a. Buddhist
 - b. Christian
 - c. Hindu
 - d. Jewish
 - e. Muslim
 - f. Sikh
 - g. Indigenous Spirituality
 - h. No religion
 - i. Other **[FREE FORM BOX]**
 - j. Prefer not to say

Focus Group Questions:

PART 1: Describing TPS' Culture

- “What words would you use to describe the culture at TPS?”

PART 2: Harassment and Discrimination Issues

- “What types of harassment and discrimination issues have you experienced or observed while at TPS?”
- “What are some of the root causes (why) and enablers (how) of the aforementioned harassment and discrimination issues at TPS?”

PART 3: Opportunities for Change –Harassment & Discrimination

- “What are some of the changes you would like to see implemented that would address the aforementioned (PART 2) harassment and discrimination issues?”

PART 4: Well-being Issues

- “What are the most significant wellbeing issues service employees are facing?”
- “What types of barriers, if any, do members face in accessing wellness services?”

PART 5: Opportunities for Change –Well-being

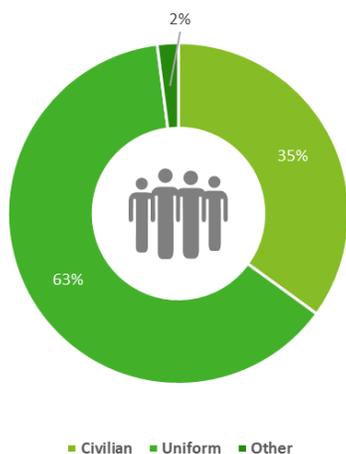
- “What are some of the changes you would like to see implemented that would address the aforementioned (PART 4) Well-being issues?”

Appendix D: Profile of survey participants

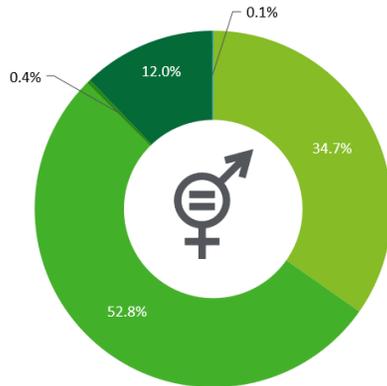
The following represents the demographic distribution of participants in the confidential survey.



Which of the following best describes your current (including acting) rank within the Service?

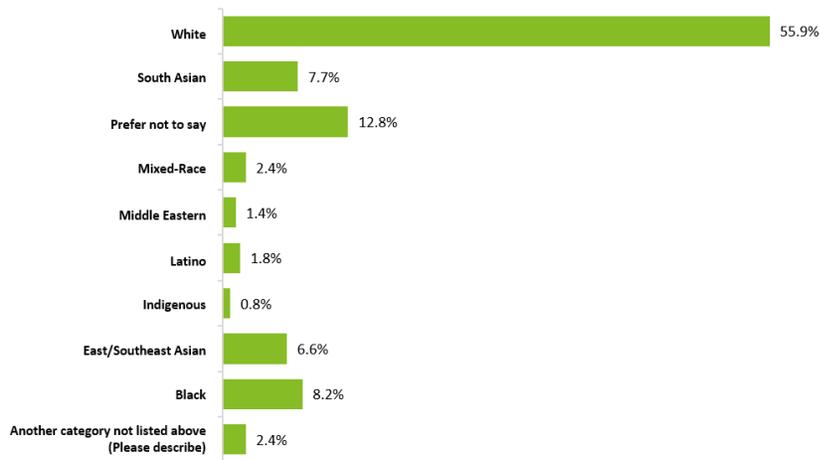


 I identify my gender as:

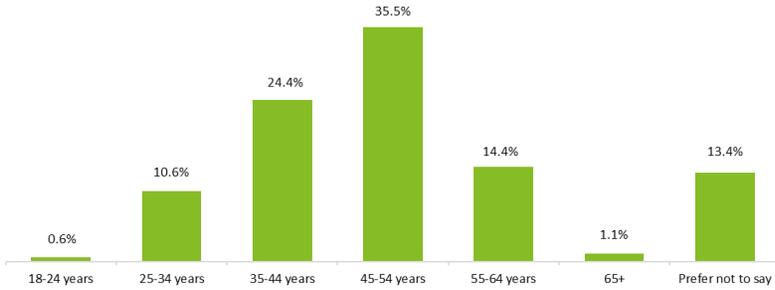


■ Female (including cisgender/transgender) ■ Male (including cisgender/transgender) ■ Non-Binary/gender variant ■ Prefer not to say ■ Trans Man

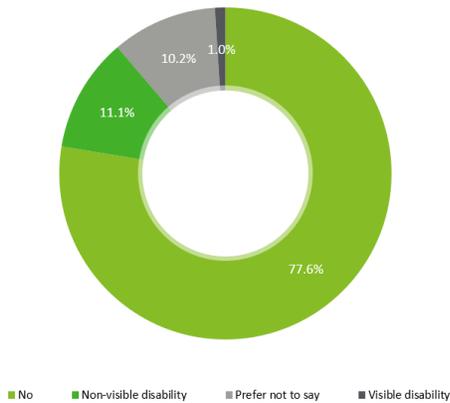
 In our society, people are often described by their race or racial background. Which race category best describes you? Please select all that apply:



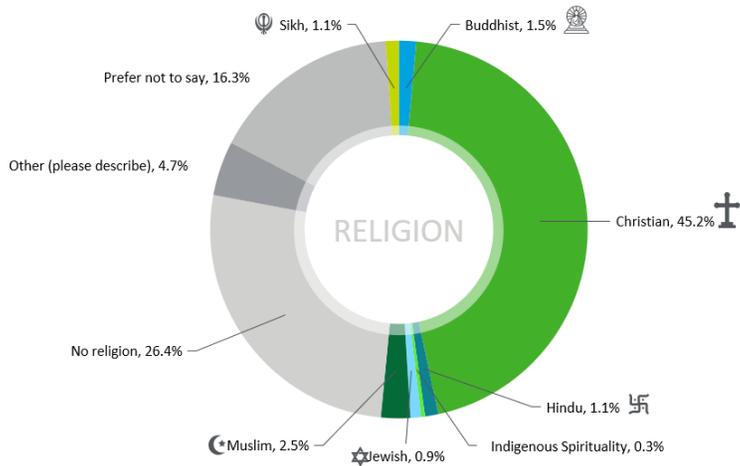
? My current age is:



? Do you have a disability?



? What is your religion and/or spiritual affiliation? Select all that apply:



Appendix E: TPS People & Culture Initiatives

The following is an extract from a July 2021 Report to the Board on Recommendation 30 (of the 81 police reform recommendations approved by the Board in August 2020), a TPS People & Culture Status Report (January 13, 2022) and, People & Culture Connection (a quarterly newsletter launched in January 2022) outlining various measures implemented by TPS following the conclusion of Deloitte’s fieldwork in respect of this report.

Many of these initiatives are reflective of, informed by, or included in Recommendation 30 of the 81 police reform recommendations approved by the Board in August 2020. Recommendation 30 focuses on outcomes associated with how diversity in Human Resources is being prioritized and achieved in the TPS, including with respect to recruitment, hiring and promotion for both Civilian and Uniform positions.

Deloitte has not undertaken any work to assess the implementation or effectiveness of any of these measures, which may or may not be consistent with recommendations proposed by Deloitte.

While there are several initiatives ongoing, below relates specifically to the Workplace Harassment:

Workplace Harassment Program

- As of July 2021, in partnership with Professional Standards (P.R.S.), Equity, Inclusion & Human Rights (E.I.H.R.) has reportedly undertaken several measures to address workplace well-being, harassment and discrimination, including:
 - Co-creation of a new modernized intake and assessment process for workplace harassment and human rights complaints.
 - Ongoing consultative advice and support by E.H.R. to P.R.S. on investigations; and a collaborative approach to identify and address systemic issues and implementation of alternative dispute mechanism.
 - TPS is working with police services in Ontario to develop cross-sector approaches to addresses workplace harassments and discrimination in policing. The intent is to advance best practices as a collective, including developing and implementing shared policies, programs and initiatives. Service co-hosted (with OPP) a Workplace Harassment workshop for police services across Ontario in November 2021 to kick-off collaboration and next steps to improving workplace culture.

Comprehensive and Targeted Equity, Inclusion and Human Rights Training (including sexual harassment training)

- The E.I.H.R. unit provides ongoing equity, inclusion and human rights training for members, new recruits, and newly-promoted uniform members to raise awareness on members’ rights and obligations and to foster an understanding of the concepts of equity and inclusion and how they impact every member in their work. In addition, the pillar has also provided targeted coaching and training to specific groups, units, or divisions to resolve or proactively prevent conflicts. For example, Anti-Black Racism (A.B.R.) training has been presented to all members of Command and the Senior Management Team, as well as Talent Acquisition. This training has also started to be delivered in specific units.
- In addition to A.B.R. training, members of Talent Acquisition have received a suite of training from both E.I.H.R. and C.P.E.U., in order to better understand Lesbian, Gay, Bisexual, Transgender, Queer or Questioning, and Two-Spirit

(L.G.B.T.Q.2.S.+) and Indigenous communities, to ensure any unconscious bias that may be present in the recruitment process is addressed.

- All Senior Officers were required to attend a two-part Equity and Inclusion Training Presentation presented by an independent expert in June 2021.
- The Service has created two programs in partnership with Global Knowledge: the Foundation of Leadership Development (F.L.D.) Program and in, partnership with York University’s Schulich Executive Education Centre, the Advanced Leadership Development (A.L.D.) Program. Both programs, designed around the Service’s Core Values, offer a full day of training on diversity and inclusion, both as leaders within the Service but also community promoters and champions, fostering community engagement.
- T.P.C. is developing and updating its training curricula, with greater emphasis on community experience and additional time dedicated to diversity, inclusion and human rights topics. Supporting this effort included the hiring of two specialists – a Diversity and Inclusion Training Curriculum Coordinator, and an eLearning Specialist/Instructional Designer.
- Training modules regarding Gender Diverse Trans Inclusion have been developed.
 - **Module 1:** *Community Experiences* will be mandatory for civilians, frontline officers and court service officers, and will focus on empathy building towards trans and gender diverse identities; and
 - **Module 2:** *Policies and Procedures* will be mandatory for frontline officers and court services officers and will focus on new and revised policies, procedures and forms.

A Healthy Workplace Strategy

- Members reportedly asked for an enhanced level of fairness, accessibility and transparency when reporting complaints related to workplace harassment and discrimination. Based on this feedback, the Service has designed a new confidential, client-centred, trauma-informed process that will launch in the coming months. According to the TPS “People & Culture Connection” Newsletter, this process is intended to provide greater avenues for members to report concerns, as well as increase opportunities for internal resolutions.

Training & Support for Victims of Workplace Harassment & Discrimination

- Equity, Inclusion & Human Rights (EIHR) group is an existing resource that provides a suite of resolution services, including mediation, coaching, targeted training, motivational interviews, workplace restoration, healing circles and other forms of intervention. Further, the Service has introduced anti-harassment training - specifically focused on sexual harassment - for all members in supervisory roles.
- Bernardi Law Training to all frontline supervisors continues (estimated completion June 2022)

Appendix F: Documents reviewed/relied upon

In conducting this review, Deloitte specifically reviewed and relied upon the following documentation provided by TPS and TPSB.

1. Standards of Conduct (Version 2018.10.16)
2. Procedures:
 - a. Employee and Family Assistance Program (08-01)
 - b. Member Involved in a Traumatic Critical Incident (08-04)
 - c. Critical Incident Stress Handout (08-04_appendix_a)
 - d. Guidelines for the Support and Assistance of Affected Members for Use by Unit Commanders and Critical Incident Response Team/Peer Support Volunteers (08-04_appendix_b)
 - e. Critical Incident Response Team/Peer Support Volunteers Flow Chart (08-04_appendix_c)
 - f. Workplace Safety (08-09)
 - g. Workplace Violence (08-11)
 - h. Workplace Harassment (08-12)
 - i. Workplace Accommodation - Medical (08-13)
 - j. Psychological Health and Wellness (08-14)
 - k. Unit Level Criteria/Conduct Penalties (13_appendix_a)
 - l. Progressive Discipline (13_appendix_c)
 - m. Expunge Police Services Act Conviction (13_appendix_g)
 - n. Uniform External Complaint Intake / Management (13-02)
 - o. Uniform Internal Complaint Intake / Management (13-03)
 - p. Uniform Unit Level Discipline (13-04)
 - q. Police Services Act Hearing (13-05)
 - r. Uniform Complaint Withdrawal (13-06)
 - s. Uniform Suspension from Duty (13-08)
 - t. Civilian Complaint and Discipline Process (13-09)
 - u. Civilian Suspension from Duty (13-10)
 - v. Human Rights (13-14)
 - w. Special Investigations Unit (13-16)
 - x. Notes and Reports (13-17)
 - y. Anonymous Reporting of Discreditable Conduct (13-18)
 - z. Accessibility for Persons with Disabilities (13-20)
 - aa. Workplace Accommodation – Non-Medical (14-19)
 - bb. Leaves of Absence (14-26)
 - cc. Service and Legislative Governance and Legal Agreements (16-01)
 - dd. Collection and/or Use and/or Reporting of Statistics Related to Prohibited Grounds (16-07)
3. TPSB Policies:
 - a. Accommodation
 - b. Complaints
 - c. Conduct of Service Members

- d. Grievance Settlements
 - e. Human Rights
 - f. Occupational Health and Safety
 - g. Protected Disclosure
 - h. Race and Ethnocultural Equity
 - i. Uniforms Work Attire and Equipment
4. Toronto Police Service - Workplace Harassment - 2019 By Audit & Quality Assurance
 5. Workplace Harassment Complaint Process Flow
 6. Reports of Investigation:
 - a. 2018.CIN-0025
 - b. 2015.CIN-0133
 - c. 2019.CIN-0036
 - d. 2018.CIN-0064
 - e. 2018.CIN-0089
 - f. 2018.INT-0349
 - g. 2017.INT-0775
 - h. 2020.INT-0069
 - i. 2020.INT-0087
 - j. 2018.INT-0467
 7. Survey Documents:
 - a. Active Members_July13_2020
 - b. Personnel Survey Questions 2014-2019
 - c. Wellness EIHR - 2019 Personnel Survey Results
 - d. 2019 Personnel Survey Demographics Data
 8. Employment Equity Data:
 - a. Annual Reporting on Uniform Promotions - 2010
 - b. 2010-2016 Employment Equity Summary
 - c. Analysis on Demographic Data - 2019 Cadets Hiring
 - d. Personnel Employment Equity Spreadsheets 2005-2018
 - e. Uniform Hires Year End 2005-2018
 9. List of HRTO documents:
 - a. McWilliam v Toronto Police Services Board and Angelo Costa and TPA, 2020 HRTO 574
 - b. Tribunals Ontario, "Tribunals Ontario: Annual Report 2018-19"
 - c. Honourable John W. Morden, "Independent Civilian Review into Matters Relating to the G20 Summit"
 - d. Ontario Human Rights Commission, "Policy on ableism and discrimination based on disability"
 - e. Frank Iacobucci J., "Police Encounters with People in Crisis", excerpt at para 59
 - f. TPS Internal Correspondence from M. Federico Deputy Chief, "Gap Analysis – Toronto Police Service and the National Standards for Psychological Health and Safety in the Workplace"
 - g. Krieger v Toronto Police Services Board, 2010 HRTO 1361
 - h. Application of the Estate of Richard Rogers
 - i. Response of TPS and TPSB re Rogers
 - j. Estate of Richard Rogers Reply to a Response
 - k. OHRC Notice of Commission Intervention re Rogers
 - l. Application of Andria Cowan
 - m. Responses of Sean Brosnan and TPSB
 - n. HR Proactive Inc., "An Employers Guide to Conducting Harassment Investigations"

- o. Phipps v Toronto Police Services Board, 2009 HRTO 1604
 - o. Ontario Human Rights Commission, “A Collective Impact: Interim report on the inquiry into racial profiling and racial discrimination of Black persons by the Toronto Police Service”
10. TPS Forms:
- a. TPS 217 (Statement: Complaint Response)
 - b. TPS 649 (Internal Correspondence)
 - c. TPS 901 (Policy, Service or Conduct Report)
 - d. TPS 909 (Anonymous Disclosure Dedicated Line (343-7090) Intake Report)
 - e. TPS 930 (Uniform Disciplinary Report)
 - f. TPS 931 (Civilian Disciplinary Report)
11. Wellness Documents:
- a. Employee and Family Assistance Program (EFAP)
 - b. 2018 Annual Report: Healthy Workplace Initiatives
 - c. Critical Incident Response Team: Selection Process
 - d. Employee and Family Assistance Program (EFAP) Brochure
 - e. Informed Consent for Participation Early Career Psychological Wellness Program Toronto Police Service
 - f. Peer Support/Critical Incident Response Team Code of Practice, Program Oversight & Review
 - g. Course: TM0119 - Road to Mental Readiness (R2MR) (Non-Supervisory)
 - h. Race-Based Data Collection, Analysis and Public Reporting
 - i. A Program of Support and Health Promotion for Officers at Increased Risk due to the Demands of the Job
 - j. A Program of Support and Health Promotion for Officers at Increased Risk due to the Demands of the Job
 - k. Unit Policy - Psychological Wellness Program
 - l. Psychological Services Activities
 - m. Role Description EFAP and Peer Support Team Lead Wellness
 - n. Toronto Police College Wellness Curriculum
12. Promotional documents:
- a. Uniformed Promotional Processes Report Highlights by Korn Ferry (2019)
 - b. 14-10 Uniform Promotional Process – Up to and Including the Rank of Inspector
 - c. Uniform Promotion Process Guide
 - d. TPS 818 (Application Form - Uniform Promotion) - 2018
13. Human Rights Tribunal Applications 2013 – 2018

Appendix G: Glossary of terms

Allegation: A claim or assertion that someone has done something illegal or wrong.

Civilian Member: Individual who is employed by TPS but has not been sworn to serve and protect the lives of citizens (e.g., Civilian Member).

Discrimination: Encompassing the following elements, as described by the OHRC, given that discrimination is not defined within the Human Rights Code:

- not individually assessing the unique merits, capacities and circumstances of a person
- instead, making stereotypical assumptions based on a person’s presumed traits
- having the impact of excluding persons, denying benefits or imposing burdens.

Harassment: As defined by the Ontario Human Rights Commission (“OHRC”): “engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome”.

Members: Members the Toronto Police Service and/or the Toronto Police Board.

Participants: Uniform and Civilians Members of the Service who participated in this review. Refer to Section 3 Scope of Review for more information.

Uniform Member: Member of the Service who has been sworn to serve and protect the lives of citizens (e.g. Police Officers).

Well-being: The physical or mental state of Members, specifically with respect to harassment and discrimination²⁶.

²⁶ Well-being is distinct from “Wellness”, as defined by TPS, and related programs. During the course of Deloitte’s engagement, TPS undertook a broader initiative to enhance Wellness strategy, which was outside the scope of this project.



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