



WOODSTOCK POLICE SERVICE BOARD POLICY

Subject:	Collection of Identifying Information Policy
Policy Number:	LE-049
Effective Date:	October 8, 2024
Reviewed:	
Amended:	

Authority/Legislative References

Community Safety and Policing Act, 2019, S.O. 2019, c. 1, Sched. 1

Ontario Regulation 399/23 General Matters Under the Authority of the Lieutenant Governor in Council

Ontario Regulation 400/23 Collection of Identifying Information in Certain Circumstances – Prohibition and Duties

Ontario Regulation 87/24 Training

Policy Statement

The Woodstock Police Service Board (the “Board”) is dedicated to building trust and confidence in the Woodstock Police Service (the “Service”) by ensuring that all services are delivered impartially and without discrimination. This policy establishes the procedures and requirements for collecting identifying information by the Service, in accordance with the *Community Safety and Policing Act* (the “Act”) and its regulations. It ensures that the collection of identifying information is conducted ethically, transparently, and in accordance with legal requirements.

Policy Application

1. The Chief of Police (the “Chief”) shall ensure that the collection of identifying information complies with *Ontario Regulation 400/23 Collection of Identifying Information in Certain Circumstances – Prohibition and Duties* (O. Reg. 400/23) and the *Ontario Human Rights Code*, and is free from racial or biased profiling or arbitrary actions.
2. The Chief shall establish procedures in line with the regulation and this policy to guide and assist officers in collecting identifying information.
3. A Chief shall ensure that all officers who attempt to collect identifying information about an individual, from the individual, and any member of the Service to whom the Chief delegates any powers or duties of the Chief under section 10 of *O. Reg. 400/23*, have successfully completed the training prescribed by the Minister within the previous 36 months.
4. The Chief shall ensure requirements under section 10.1 of *O. Reg. 400/23* are complied with.
5. At least once annually, the Chief shall review a random sample of identifying information entries to determine compliance with sections 6 (limitations on collection of certain information), 7 (duties to inform before attempting to collect information), and 8 (documents for individuals) of the regulation, using a margin of error of plus or minus, at a 95% confidence level.

Reporting

6. The Chief’s annual report to the Board, as required by *Ontario Regulation 399/23 General Matters Under the Authority of the Lieutenant Governor in Council*, shall include the following:
 - a. the number of attempted collections and the number of attempted collections in which identifying information was collected;
 - b. the number of individuals from whom identifying information was

- collected;
- c. the number of times each of the following provisions was relied on to not do something that would otherwise be required under subsection 7(1):
 - i. subsection 7(2);
 - ii. clause 7(3)(a);
 - iii. clause 7(3)(b);
 - iv. clause 7(3)(c);
 - d. the number of times an individual was not given a document under clause 8(1)(b) because the individual did not indicate that they wanted it;
 - e. the number of times each of the following clauses was relied on to not do something that would otherwise be required under subsection 8(1):
 - i. clause 8(2)(a);
 - ii. clause 8(2)(b);
 - f. for each of the following categories of gender identity, the number of attempted collections from individuals who are perceived, by a police officer, to be within that category:
 - i. male;
 - ii. female;
 - iii. transgender, non-binary or other gender identity;
 - g. for each age group established by the Chief for the purpose of this paragraph, the number of attempted collections from individuals who are perceived, by a police officer, to be within that age group;

- h. for each racialized group, the number of attempted collections from individuals who are perceived, by a police officer, to be within that racialized group;
 - i. a statement, based on an analysis of the information provided under this subsection, as to whether the collections were attempted disproportionately from individuals within a group based on gender identity, a particular age or racialized group, or a combination of groups and if so, any additional information that the Chief considers relevant to explain the disproportionate attempted collections;
 - j. the neighbourhoods or areas where collections were attempted and the number of attempted collections in each neighbourhood or area;
 - k. the number of determinations, referred to in subsection 10(5), that section 6 or clause 10(4)(a) was not complied with;
 - l. the number of determinations, referred to in subsections 10(6) and (7), that section 6, 7, or 8 was not complied with;
 - m. the number of times members of the Service were permitted under subsection 10(10) to access identifying information to which access must be restricted.
7. The Chief shall ensure that the annual report includes all required information and that the document and any amendments are provided to the Board for its information and input, if any, before use.
8. Following an analysis of the annual report referred to in section 6 of this policy, if it reveals that identifying information was attempted to be collected disproportionately from individuals perceived to be within a group or combination of groups, the Chief shall review the practices of the Service and shall prepare a report setting out the results of the review and the Chief's proposals, if any, to address the disproportionate attempted collection of

information.

9. On receipt of a report under section 8 of this policy, the Board shall:
 - a. publish the report on the internet in a manner that makes it available to the public free of charge and may make the report available to the public free of charge in any other manner that the Board deems appropriate; and
 - b. consider the report and the proposals, if any, set out in the report and consider whether to give directions under section 40 of the *Act*.
10. The Chief shall ensure that all identifying information collected be retained, accessed, and disclosed in accordance with *O. Reg. 400/23*.