



111th Council Meeting

Friday, March 10, 2023 – 10:00 a.m. to 12:30 p.m.

Teleconference via Zoom & YouTube Live Stream

Please contact the College at info@denturists-cdo.com
to receive the meeting access information.

AGENDA

Item	Action	Page #
1. Call to Order		
2. Approval of Agenda	Decision	1
3. Declaration of Conflict(s) Comments on Conflict of Interest by Rebecca Durcan, <i>College Counsel, Co-Managing Partner, Steinecke Maciura LeBlanc</i>	Declaration	
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11. Other Business		
12. Next Meeting Dates ➤ Strategic Planning Workshop – Saturday, April 15, 2023 (date to be finalized) ➤ 112 th Council Meeting – Friday, June 9, 2023 ➤ 113 th Council Meeting – Friday, September 29, 2023 ➤ 114 th Council Meeting – Friday, December 8, 2023		
13. Adjournment		



MISSION STATEMENT

The mission of the College of Denturists of Ontario is to regulate and govern the profession of Denturism in the public interest.



MANDATE AND OBJECTIVES

Under the *Regulated Health Professions Act 1991*, the duty of each College is to serve and protect the public interest by following the objects of the legislation. The objects of the College of Denturists are:

1. To regulate the practice of the profession and to govern the members in accordance with the health profession Act, this Code and the *Regulated Health Professions Act, 1991* and the regulations and by-laws.
2. To develop, establish and maintain standards of qualification for persons to be issued certificates of registration.
3. To develop, establish and maintain programs and standards of practice to assure the quality of the practice of the profession.
4. To develop, establish and maintain standards of knowledge and skill and programs to promote continuing evaluation, competence and improvement among the members.
 - 4.1 To develop, in collaboration and consultation with other Colleges, standards of knowledge, skill and judgment relating to the performance of controlled acts common among health professions to enhance inter-professional collaboration, while respecting the unique character of individual health professions and their members.
5. To develop, establish and maintain standards of professional ethics for the members.
6. To develop, establish and maintain programs to assist individuals to exercise their rights under this Code and the *Regulated Health Professions Act, 1991*.
7. To administer the health profession Act, this Code and the *Regulated Health Professions Act, 1991* as it relates to the profession and to perform the other duties and exercise the other powers that are imposed or conferred on the College.
8. To promote and enhance relations between the College and its members, other health profession colleges, key stakeholders, and the public.
9. To promote inter-professional collaboration with other health profession colleges.
10. To develop, establish, and maintain standards and programs to promote the ability of members to respond to changes in practice environments, advances in technology and other emerging issues.
11. Any other objects relating to human health care that the Council considers desirable. 1991, c. 18, Sched. 2, s. 3 (1); 2007, c. 10, Sched. M, s. 18; 2009, c. 26, s. 24 (11).



110th Council Meeting Teleconference

Held via Zoom

Friday, December 9, 2022 – 10:00 a.m. to 2:00 p.m.

MINUTES

Members Present:

Lileath Claire
Kristine Bailey
Abdelatif Azzouz
Norbert Gieger
Elizabeth Gorham-Matthews
Aisha Hasan
Paul Karolidis
Garnett A. D. Pryce
Christopher Reis
Gaganjot Singh
Joseph Whang

➤ President
➤ Vice President

Regrets:

Avneet Bhatia
Adam-Christian Mazzuca

Absent:

Michael Bakshy

Guests:

Geoffrey Clute, Hilborn LLP
Ahmad Mozaffari, Steinecke, Maciura and LeBlanc

Legal Counsel:

Rebecca Durcan, Steinecke, Maciura and LeBlanc

Staff:

Roderick Tom-Ying, Registrar and CEO
Megan Callaway, Manager, Council and Corporate Services
Tera Goldblatt, Manager, Quality Assurance & Sexual Abuse Liaison
Elaine Lew, Manager, Registration and Qualifying Examinations
Catherine Mackowski, Manager, Professional Conduct

1. Call to Order

The President called the meeting to order at 10:02 a.m.

The President acknowledged that the land we are meeting on is the traditional territory of many nations including the Mississaugas of the Credit, the Anishnabeg, the Chippewa, the Haudenosaunee and the Wendat peoples and is now home to many diverse First Nations, Inuit and Métis peoples. It was also acknowledged that Toronto is covered by Treaty 13 with the Mississaugas of the Credit.

2. Approval of Agenda

MOTION: To approve the agenda as presented.

MOVED: A. Azzouz

SECONDED: K. Bailey

CARRIED

3. Declaration of Conflict(s)

Comments on conflict of interest were made by Ms. Rebecca Durcan, College Counsel. No conflicts of interest were declared.

4. College Mandate

The President drew Council members' attention to the College Mission and the College Mandate, which were provided.

5. In Camera Meeting of Council

MOTION: To move the meeting in camera.

MOVED: N. Gieger

SECONDED: G. Singh

CARRIED

Pursuant to section 7(2)(d) of the *Health Professions Procedural Code*, being Schedule 2 to the *Regulated Health Professions Act, 1991*, the meeting moved in camera at 10:07 a.m. and ex camera at 10:20 a.m.

MOTION: That the Council of the College of Denturists of Ontario hereby appoints Roderick Tom-Ying as Registrar and CEO of the College pursuant to section 9(2) of the *Health Professions Procedural Code*, being Schedule 2 to the *Regulated Health Professions Act, 1991*, effective December 9, 2022.

MOVED: N. Gieger

SECONDED: G. Singh

CARRIED

6. Consent Agenda

It was requested that the Registrar's Report and all financial reports be removed from the Consent Agenda for this meeting and going forward.

MOTION: To approve the Consent Agenda except for items 6.13-6.16.

MOVED: E. Gorham-Matthews

SECONDED: A. Azzouz

CARRIED

The Registrar presented item 6.13: Registrar's Report. A suggestion was raised that, in light of Ms. Tera Goldblatt's new role as Manager of Quality Assurance and the Sexual Abuse Liaison, incorporating Patient Relations into the Quality Assurance Committee be considered. It was reported that the Patient Relations Committee is a Statutory Committee under the *Health Professions Procedural Code*, and that it must exist. Ms. Rebecca Durcan provided comments on the mandate and role of the Patient Relations Committee.

The Registrar presented items 6.14-6.16: Financial Report, Statement of Operations, and Strategic Initiatives Budget for April 1, 2022 to October 31, 2022.

MOTION: To approve Items 6.13-6.16.

MOVED: K. Bailey

SECONDED: A. Azzouz

CARRIED

7. Draft Audited Financial Statements

Mr. Geoffrey Clute, Hilborn LLP presented the 2021-2022 draft audited financial statements and audit findings communication. A recommendation to align the Registration Year with the Fiscal Year was noted.

MOTION: To approve the 2021-2022 draft audited financial statements.

MOVED: N. Gieger

SECONDED: G. Pryce

CARRIED

MOTION: To appoint Hilborn LLP as the Auditor for 2022-2023.

MOVED: E. Gorham-Matthews

SECONDED: J. Whang

CARRIED

8. Overview of the Discipline Process Guidelines

Mr. Ahmad Mozaffari, Steinecke, Maciura and LeBlanc presented the draft Overview of the Discipline Hearings Process Guidelines, which were developed to supplement the Discipline Hearings Rules of Procedure and provide members with further clarity on the hearings process in plain language.

A suggestion to provide this document in other languages as the need may arise was noted. It was also proposed that the Guidelines be sent to the associations as part of the communications plan and provided to members early in the discipline process.

MOTION: To approve the draft guidelines as presented.

MOVED: A. Azzouz

SECONDED: J. Whang

CARRIED

9. 2022-2023 Renewal Fees

The Registrar presented a summary of the renewal fees set by Council over the past several years alongside the College's net income amount, as well as budget assumptions and analysis for 2023-2024. It was noted that the option to pay the Registration renewal fee in two installments would be provided again for 2023-2024.

A scheduled 30-minute break for lunch was held from 12:00 to 12:30 p.m.

Possible temporary and permanent fee reductions were discussed and deliberated. Council members were polled, and the majority were in support of a fee reduction in the amount of \$200, and of the fee reduction being temporary.

MOTION: To approve a fee reduction of \$200 for the 2023-2024 renewal year.

MOVED: J. Whang

SECONDED: P. Karolidis

CARRIED

10. Annual Report

The Manager, Council & Corporate Services introduced the draft Annual Report for 2021-2022, and the Past President provided comments on the reporting period.

MOTION: To approve the draft Annual Report for 2021-2022 as presented.

MOVED: N. Gieger

SECONDED: E. Gorham-Matthews

CARRIED

11. Timely Registration Decision

The Registrar presented registration requirements that will come into force on January 1, 2023 as a result of Bill 106, the *Pandemic and Emergency Preparedness Act*, 2022, including specific prescribed timelines for the College's Registrar when reviewing completed Certificate of Registration (licensure) applications. This item was presented for information, and it was noted that the College currently meets or exceeds the prescribed timelines.

12. Language Proficiency Requirements Revised Policy

The Registrar presented proposed amendments to the College's current Language Proficiency Requirements Policy to include two new language proficiency tests that are approved and used by Immigration, Refugees and Citizenship Canada (IRCC). These amendments are necessitated by the registration requirements that will come into force on January 1, 2023 as a result of Bill 106, the *Pandemic and Emergency Preparedness Act*, 2022, and were considered and approved by the Registration Committee on November 10, 2022.

MOTION: To adopt the proposed amendments to the Language Proficiency Requirements Policy as brought forward by the Registration Committee.

MOVED: N. Gieger

SECONDED: G. Singh

CARRIED

13. Personal Information Privacy Policy

Ms. Rebecca Durcan, College Counsel introduced the draft Personal Information Privacy Policy and provided background on the Policy's purpose and development. It was noted that it is within the Registrar's role to determine who will serve as the Information Officer.

MOTION: To approve the Personal Information Privacy Policy as presented.

MOVED: A. Hasan

SECONDED: G. Pryce

CARRIED

14. Other Business

No other business was raised.

15. Next Meeting Dates

The following proposed meeting dates for 2023 were provided:

- 111th Council Meeting – March 10, 2023
- 112th Council Meeting – June 9, 2023
- 113th Council Meeting – September 22, 2023

- 114th Council Meeting – December 8, 2023

16. *In Camera* Meeting of Council

MOTION: To move the meeting in camera.

MOVED: P. Karolidis

SECONDED: A. Azzouz

CARRIED

Pursuant to section 7(2)(d) of the *Health Professions Procedural Code*, being Schedule 2 to the *Regulated Health Professions Act, 1991*, the meeting moved in camera at 1:41 p.m. and ex camera at 3:04 p.m. The YouTube livestream ended at 1:40 p.m.

17. Adjournment

MOTION: That the meeting be adjourned.

MOVED: A. Azzouz

SECONDED: A. Hasan

CARRIED

The meeting was adjourned at 3:05 p.m.

Lileath Claire
President

Date

Roderick Tom-Ying
Registrar and CEO

Date



Special Council Meeting Teleconference

Held via Zoom

Monday, February 13, 2023 – 6:00 p.m. to 8:00 p.m.

MINUTES

Members Present:

Lileath Claire
Kristine Bailey
Abdelatif Azzouz
Michael Bakshy
Avneet Bhatia
Norbert Gieger
Elizabeth Gorham-Matthews
Aisha Hasan
Paul Karolidis
Garnett A. D. Pryce
Gaganjot Singh
Joseph Whang

- President
- Vice President

Absent:

Adam-Christian Mazzuca
Christopher Reis

Legal Counsel:

Rebecca Durcan, Steinecke, Maciura and LeBlanc

Staff:

Roderick Tom-Ying, Registrar and CEO
Megan Callaway, Manager, Council and Corporate Services

1. Call to Order

Called and convened in accordance with section 22.16 of the CDO By-laws with formal notice given in accordance with section 22.17, the Special meeting was called to order at 6:03 p.m.

2. Approval of Agenda

It was noted that the agenda includes only those items of business that were contained in the formal notice of the Special meeting.

MOTION: To approve the agenda as presented.

MOVED: A. Hasan

SECONDED: A. Azzouz

CARRIED

3. Declaration of Conflict(s)

Comments on conflict of interest were made by Ms. Rebecca Durcan, College Counsel. No conflicts of interest were declared.

4. College Mission and Mandate

The President drew Council members' attention to the College Mission and the College Mandate, which were provided.

5. In Camera Meeting of Council

MOTION: To move the meeting in camera.

MOVED: G. Pryce

SECONDED: N. Gieger

CARRIED

Pursuant to section 7(2)(b) and (d) of the *Health Professions Procedural Code*, being Schedule 2 to the *Regulated Health Professions Act, 1991*, the meeting moved in camera at 6:07 p.m. and ex camera at 6:51 p.m.

6. Governance/Strategic Planning Proposal

The Registrar introduced a proposal from Dundee Consulting Group Ltd. which included three projects related to strategic planning and governance: (1) facilitation of a strategy workshop and development of a 2-year Strategic Plan, (2) development of a Skills and Competency Profile for Council and Committees, and (3) conducting a third-party assessment of Council's effectiveness. A discussion took place regarding the proposal and the need to make progress on governance initiatives as laid out in the CPMF action items.

MOTION: To approve the proposal as presented by Dundee Consulting Group Ltd. for all three projects.

MOVED: N. Gieger

SECONDED: G. Singh

CARRIED

7. Registration Regulation, Emergency Class of Registration

The Registrar and Ms. Rebecca Durcan, College Counsel, introduced the 2023 draft Registration Regulation, which includes the creation of an Emergency Class of Registration mandated by

recent amendments to the *Health Profession Procedural Code*. It was noted that the draft Registration Regulation includes amendments previously submitted by the College to the Ministry of Health in 2021. It was reported that the College must have its proposed amendments regarding the Emergency Class submitted to the Ministry no later than May 1, 2023, and that a sixty-day public consultation period is required. A discussion took place regarding the proposed amendments.

MOTION: To approve the proposed amendments to the CDO Registration Regulation (Emergency and 2021 amendments) for public consultation to all Registrants and key stakeholders for a period of at least sixty (60) days, pursuant to subsection 95(1.4) of the *Health Professions Procedural Code*.

MOVED: G. Pryce

SECONDED: G. Singh

CARRIED

8. Next Meeting Date

It was noted that the 111th Council Meeting will be held on March 10, 2023.

9. Adjournment

MOTION: That the meeting be adjourned.

MOVED: E. Gorham-Matthews

SECONDED: A. Hasan

CARRIED

The meeting was adjourned at 8:08 p.m.

Lileath Claire
President

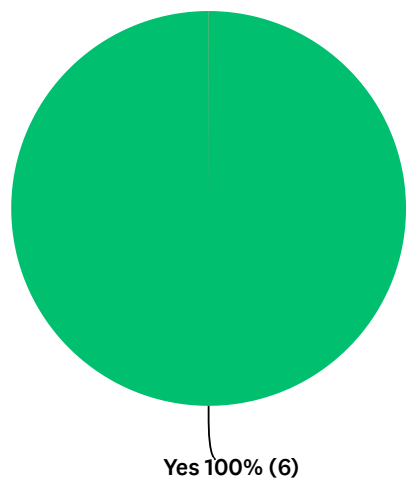
Date

Roderick Tom-Ying
Registrar and CEO

Date

Q1 I received appropriate, supportive information for this Council meeting.

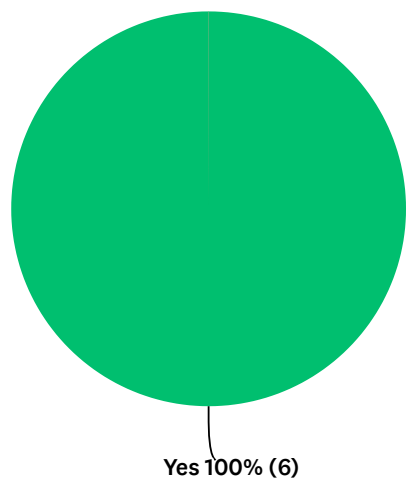
Answered: 6 Skipped: 0



#	COMMENTS	DATE
	There are no responses.	

Q2 I received this supportive information in a timely manner.

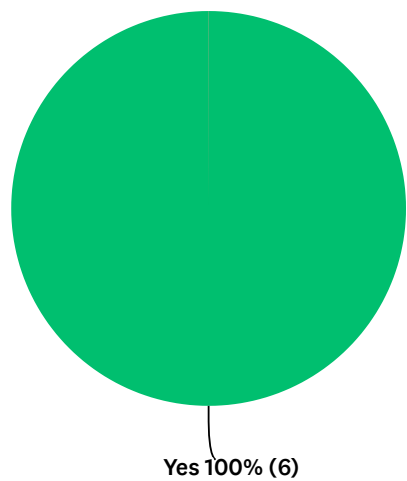
Answered: 6 Skipped: 0



#	COMMENTS	DATE
	There are no responses.	

Q3 I was prepared for this meeting.

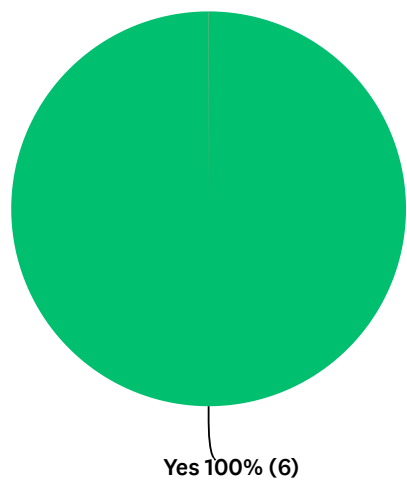
Answered: 6 Skipped: 0



#	COMMENTS	DATE
	There are no responses.	

Q4 All Council members appeared prepared for this meeting.

Answered: 6 Skipped: 0



#	COMMENTS	DATE
	There are no responses.	

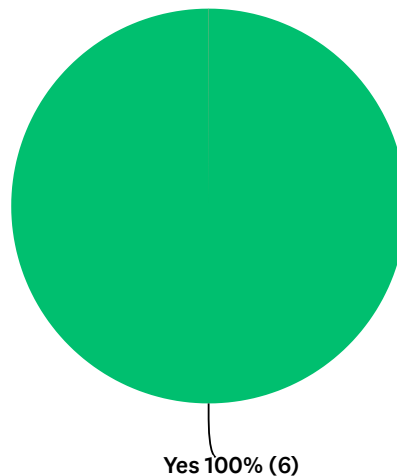
Q5 List any additional supports or resources that would have helped you better prepare for this meeting.

Answered: 1 Skipped: 5

#	RESPONSES	DATE
1	More information when questions and concerns were asked	12/12/2022 10:36 AM

Q6 This meeting was effective and efficient.

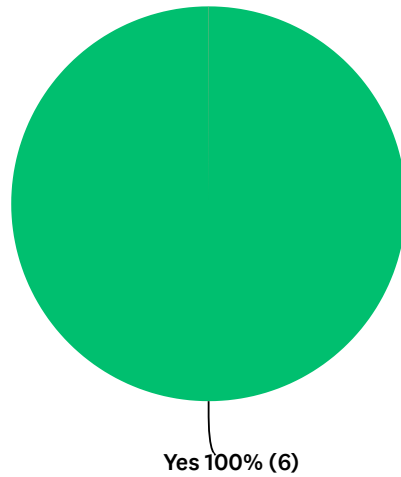
Answered: 6 Skipped: 0



#	COMMENTS	DATE
1	There were a lot of materials for this meeting. The time allotted was not enough for the general meeting and the second in-camera meeting. Could any of the materials be include din the consent agenda or delayed to the March meeting?	12/13/2022 7:55 PM
2	Yes, very informative.	12/12/2022 10:36 AM

Q7 The objectives of this meeting were achieved.

Answered: 6 Skipped: 0

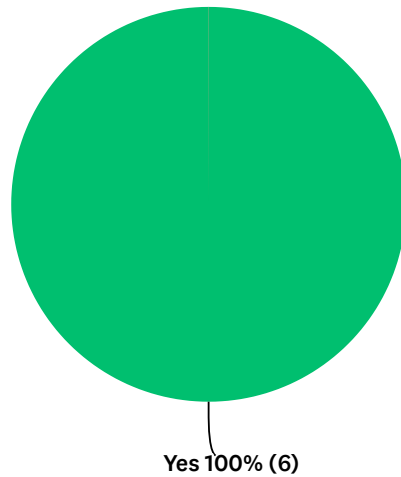


Yes 100% (6)

#	COMMENTS	DATE
1	Although the objectives were achieved, it was difficult, due to the volume to allocate appropriate time for discussion. The in camera meeting went 1 hour later (5 hour in total for this meeting) and I had to leave early so was unable to participate in the final discussion.	12/13/2022 7:55 PM

Q8 The President chaired the meeting in a manner that enhanced Council's performance and decision-making.

Answered: 6 Skipped: 0



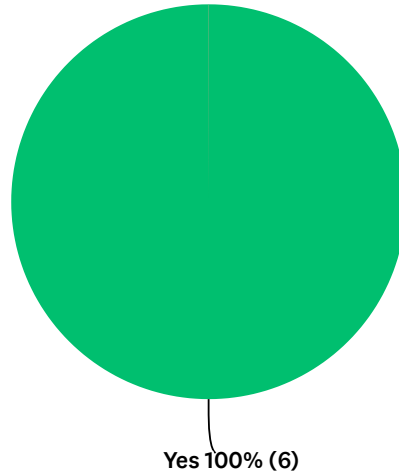
Yes 100% (6)

#	COMMENTS	DATE
	There are no responses.	

Q9 I felt comfortable participating in the Council discussions.

Answered: 6 Skipped: 0

Agenda Item 5.3

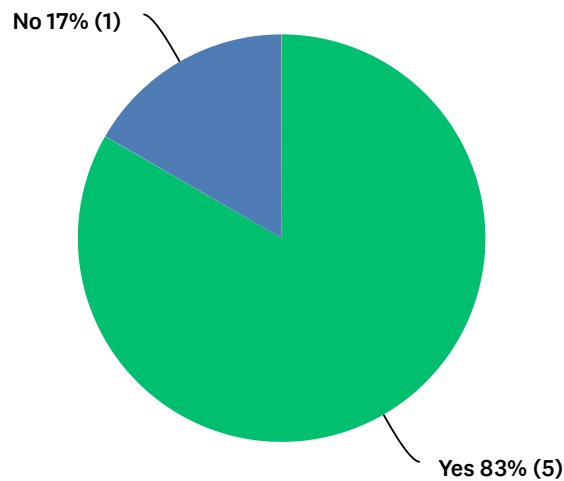


Yes 100% (6)

#	COMMENTS	DATE
	There are no responses.	

Q10 The public interest was considered in all discussions.

Answered: 6 Skipped: 0



Yes 83% (5)

#	COMMENTS	DATE
	There are no responses.	

Q11 List two strengths of this meeting.

Answered: 4 Skipped: 2

#	RESPONSES	DATE
1	The President's handling of the meetings agenda. Members participation	12/14/2022 11:40 AM
2	comprehensive detailed	12/13/2022 7:55 PM
3	1. Time management - The ability to get through the agenda without sacrificing the engagement of all participants. 2. Participants preparedness and engagement	12/13/2022 9:07 AM
4	Lots of questions, and very informative especially different opinions.	12/12/2022 10:36 AM

Q12 List two ways in which the technical aspects of this meeting could have been improved.

Answered: 2 Skipped: 4

#	RESPONSES	DATE
1	shorter, perhaps some of the items could have been for info only or left until March	12/13/2022 7:55 PM
2	Incorporating the estimated time for agenda items, with a focus on items requiring presentations and group discussions	12/13/2022 9:07 AM

Q13 List two ways in which Council meetings could be improved.

Answered: 3 Skipped: 3

#	RESPONSES	DATE
1	shorten general meeting to allow time for strategic discussions as present in the in-camera meeting	12/13/2022 7:55 PM
2	For agenda items requiring a decision - Suggestion of having a process for determining consensus or outliers for ending discussion / deeper discussion prior to having the actual vote/poll. Something like "Fist to Five"... 0 to 5 with reason on where each participant stands on the discussion point.	12/13/2022 9:07 AM
3	I think it's great as they are.	12/12/2022 10:36 AM

Q14 Additional Comments

Answered: 0 Skipped: 6

#	RESPONSES	DATE
	There are no responses.	

Q15 Other Questions that Council should be asking in a feedback survey?

Answered: 0 Skipped: 6

#	RESPONSES	Agenda Item 5.3 DATE
	There are no responses.	



COMMITTEE REPORT TO COUNCIL

Name of Committee: **Executive Committee**

Reporting Date: **March 10, 2023**

Number of Meetings since
last Council Meeting: **1**

The Executive Committee met on January 30, 2023 to consider two separate proposals with respect to joining a regulatory hub and engaging a consultant to provide strategic planning and governance services. A request for approval for in-clinic dental hygiene equipment and a request for approval of a clinic name were also considered.

The Committee directed that the regulatory hub and strategic planning/governance proposals be presented to Council at a special meeting along with their recommendation.

The Special Council Meeting was called and convened on Monday, February 13, 2023 at 6:00 p.m. in accordance with section 22.16 of the CDO By-laws, with formal notice given in accordance with section 22.17.

On February 23, 2023 the Executive Committee passed a motion electronically to direct the Registrar to hold a By-election for District 7 in accordance with the CDO By-laws. The Committee acted on behalf of Council for this matter requiring immediate attention, and the decision will be brought to Council for ratification at the March Council meeting.

One additional Clinic Name Registration Application was considered electronically by the Committee since its last Report to Council.

Respectfully submitted by Ms. Lileath Claire
President and Chair of the Executive Committee



COMMITTEE REPORT TO COUNCIL

Name of Committee: **Inquiries, Complaints and Reports Committee**

Reporting Date: **March 10, 2023**

Number of Meetings since
last Council Meeting: **3**

Role of the Committee

The Inquiries, Complaints and Reports Committee supports the College's commitment to the public interest in safe, competent and ethical care and service. It receives and considers complaints and reports concerning the practice and conduct of Registered Denturists.

Executive Summary

Since the December 2022 Council meeting, the ICRC has considered 8 complete investigations and made final dispositions in 6 matters (5 complaints investigations).

Decisions Finalized:

Complaints	5
Registrar's Reports	1
Total	6

Dispositions (some cases may have multiple dispositions or multiple members)

No Further Action	2
Advice/Recommendation/Reminder	3
Referral to Discipline	1
Deferred	2

Practice Issues (identified by ICRC at the time the decision is made)

*** *Some cases may not have a Secondary Issue***

Practice Issue	Primary Issue	Secondary Issue
Patient harm/Patient Safety	1	
Communication	3	1
Practice Management	1	
Records and Reporting		2

Cases Considered by the Committee:

Complaints	5
Registrar's Reports	1

New Files Received during this period:

Complaints	6
Registrar's Reports	0

HPARB appeals

Total Appeals pending	1
Files 210+ days	1

Respectfully submitted by Ms. Kris Bailey
Chair of the Inquiries, Complaints and Reports Committee



COMMITTEE REPORT TO COUNCIL

Name of Committee: **Discipline Committee**

Reporting Date: **March 10, 2023**

Number of Meetings since
last Council Meeting: **0**

Introduction: Role of the Committee

The Discipline Committee supports the College's commitment to the public to address concerns about practice and conduct.

Executive Summary

Since the December 2022 Council meeting, the Discipline Committee did not meet.

Respectfully submitted by Ms. Elizabeth (Beth) Gorham-Mathews
Chair of the Discipline Committee



COMMITTEE REPORT TO COUNCIL

Name of Committee: **Fitness to Practise Committee**

Reporting Date: **March 10, 2023**

Number of Meetings since
last Council Meeting: **0**

Activities during the quarter:

There was no activity to report for this quarter.

Respectfully submitted by Mr. Norbert Gieger
Chair of the Fitness to Practise Committee



COMMITTEE REPORT TO COUNCIL

Name of Committee: **Patient Relations Committee**

Reporting Date: **March 10, 2023**

Number of Meetings since
last Council Meeting: **0**

The Patient Relations Committee did not meet since its last report to Council on December 9, 2022.

Respectfully submitted by Ms. Kristine Bailey
Chair of the Patient Relations Committee



COMMITTEE REPORT TO COUNCIL

Name of Committee: **Quality Assurance Committee**

Reporting Date: **March 10, 2023**

Number of Meetings since
last Council Meeting: **2**

Role of the Committee

The Quality Assurance Committee considers Peer & Practice Assessment reports as an indicator of whether a member's knowledge, skill and judgement meet the Standards of Practice for a Registered Denturist. The Committee also monitors member compliance with the (Continuing Professional Development (CPD) program and develops tools, programs, and policies for the College's Quality Assurance Program.

Meeting: December 20, 2022

Requirement Considered	Result
2019-2020 Peer & Practice Assessments	<ul style="list-style-type: none">• 1 – Satisfactory• 1 – Remedial action required
2020-2021 Peer & Practice Assessments	<ul style="list-style-type: none">• 4 – Satisfactory• 1 – Remedial action required
2021-2022 Peer & Practice Assessments	<ul style="list-style-type: none">• 6 – Satisfactory• 2 – Remedial action required

Meeting: February 6, 2023

Requirement Considered	Result
2020-2021 Peer & Practice Assessments	<ul style="list-style-type: none">• 1 – Satisfactory•
2021-2022 Peer & Practice Assessments	<ul style="list-style-type: none">• 2 – Satisfactory• 1 CPD Audit Satisfactory• 4 – Remedial action required

2022-2023 Peer & Practice Assessments (Voluntary)	<ul style="list-style-type: none"> • 1 – Satisfactory
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Program Development:

2022-2025 Peer and Practice Assessors

A panel of 3 members of the QAC was formed to interview the PPA assessor candidates. Four candidates were interviewed, two of which were appointed. They will participate in the February 24/25, 2023, training for all of the assessors.

2022-2025 Peer and Practice Assessors training

Training will take place at the end on February 24/25, 2023

EDI Training – Unconscious Bias

The Unconscious Bias training is taking place via Zoom for PPA Assessors, and Examiners on February 22, 2023, from 2-4pm.

Respectfully submitted by Mr. Abdelatif (Latif) Azzouz
Chair of the Quality Assurance Committee



COMMITTEE REPORT TO COUNCIL

Name of Committee: **Registration Committee**

Reporting Date: **March 10, 2023**

Number of Meetings since
last Council Meeting: **1**

Activities during the Quarter:

The Registration Committee has met once on January 18, 2023, since its last report to Council on December 9th, 2022.

At its January 18, 2023, meeting, the Committee met to consider one academic assessment.

Respectfully submitted by Ms. Elizabeth Gorham-Matthews
Chair of the Registration Committee



COMMITTEE REPORT TO COUNCIL

Name of Committee: **Qualifying Examination Committee**

Reporting Date: **March 10, 2023**

Number of Meetings since
last Council Meeting: **0**

Activities during the Quarter:

The Qualifying Examination Committee has not met since its last report to Council on December 9th, 2022.

Respectfully submitted by Mr. Abdelatif (Latif) Azzouz
Chair of the Qualifying Examination Committee



COMMITTEE REPORT TO COUNCIL

Name of Committee: **Qualifying Examination Appeals Committee**

Reporting Date: **March 10, 2023**

Number of Meetings since
last Council Meeting: **0**

Activities during the Quarter:

The Qualifying Examination Appeals Committee has not met since its last report to Council on December 9th, 2022.

Respectfully submitted by Ms. Lileath Claire
Chair of the Qualifying Examination Appeals Committee



To: **Council**

From: **Lileath Claire, President**

Date: **March 10, 2023**

Subject: **President's Report**

I am pleased to provide this report to Council, representing selected activities, events, and accomplishments of the College during the period from the last Council meeting on December 9, 2022.

Personnel Matters.

The College appointed **Mr. Roderick (Rod) Tom-Ying** to the role of Registrar and CEO effective December 9, 2022. Rod served in the role of Acting Registrar throughout 2022. The College is excited about Rod's continued tenure, his innovative ideas and passion for the profession of Denturism. He continues to guard the College's role in ensuring safe health care and high public trust.

January 2023, the Ministry of Health reappointed **Gaganjot Singh**, Council member, for an additional three-year term ending January 2026. The College and Council appreciates Gaganjot's continued service.

March 2023, the Ministry of Health reappointed **Kristine Bailey**, Vice President of Council, for an additional three-year term ending March 2026. The College and Council greatly appreciate the wealth of knowledge and expertise that Kris brings to deliberations.

Joseph (Joey) Whang, Council member from District 7 was presented with a Certificate of Recognition for his service on Council and dedication to the College. Joey resigned from Council to pursue his profession outside the Province of Ontario. We wish Joey the very best on his career journey.

Emergency Class of Registration

Through recent amendments to the *Regulated Health Professions Act, 1991*, the Ontario Government has mandated that all Health Professions Regulators create an Emergency Class of Registration. The Emergency Class of Registration is intended to enable Health Professions Regulators to expeditiously register health professions in times of public health crises.

Specific detailed requirements will come into effect on **August 31, 2023**. The Ministry of Health has advised that to ensure its regulatory amendments are passed by the legislated timeline, the College must have its proposed amendments submitted to the Ministry no later than **May 1, 2023**. CDO staff is working diligently to ensure compliance with the Ministry requirements.

Legislative Update – What Happened in November 2022?

Prepared by Richard Steinecke

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Ontario Bills

(www.ola.org)

Bill 52, Public Health Accountability Act (In Honour of Dr. Sheela Basrur), 2022 - (*Private Members' Bill, first reading*) – Bill 52 would make the Chief Medical Officer of Health an officer of the Assembly and then appoint a select committee where there is a public health emergency.

Bill 42, Gender Affirming Health Care Advisory Committee Act, 2022 – (*Private Members' Bill, first reading*) – Bill 42 would “establish a Gender Affirming Health Care Advisory Committee. The Advisory Committee shall submit a report making recommendations to the Minister for improving access to and coverage for gender affirming health care.”

Bill 34, Pandemic Preparedness Act, 2022 – (*Private Members' Bill, first reading*) – Bill 34 would adjust funding for public health units and would “establish a Pandemic Preparedness Review Committee composed of public health and pandemic preparedness experts that will review the Province’s pandemic response plan every five years and report its findings to the Minister”.

Bill 26, Strengthening Post-secondary Institutions and Students Act, 2022 – (*Government Bill, ordered for third reading*) – Bill 26 allows post secondary educational institutions to discipline and remove any employee who sexually abuses a student. The schools are permitted to define in what circumstances sexual abuse arises beyond criminal behaviour or breaches of the *Human Rights Code*. Provisions also restrict the ability to rehire employees who have engaged in sexual abuse including restricting the use of non-disclosure agreements.

Proclamations

(www.ontario.ca/search/ontario-gazette)

Regulated Health Professions Act, 1991. The proclamation of provisions relating to accepting prescribed language proficiency requirements and Canadian experience requirements is January 1, 2023. The provision relating to creating an emergency class of registration category of registration is August 31, 2023.

Fair Access to Regulated Professions and Compulsory Trades Act, 2006. The proclamation of the provisions providing timelines for various steps in the registration process is March 31, 2023.

Legislative Update – What Happened in November 2022?

Regulations

(<https://www.ontario.ca/laws> Source Law - Regulations as Filed)

Fair Access to Regulated Professions and Compulsory Trades Act, 2006 – This regulation specifies the process by which a non-health regulator can apply to the Fairness Commissioner for a temporary exemption to the prohibition against Canadian-experience requirements. (O. Reg. 522/22)

Proposed Regulations Registry

(www.ontariocanada.com/registry/)

Audiology and Speech-Language Pathology Act, 1991 – It is proposed to update the professional misconduct regulation in several respects (e.g., supervision of unregistered persons, respecting privacy of health information, compliance with committee decisions and other requirements). Comments are due by December 18, 2022.

Bill 26, Strengthening Post-secondary Institutions and Students Act, 2022 – There is consultation on this Bill to enhance the ability of post-secondary educational institutions to address sexual abuse (see description above). Comments were due by November 30, 2022.

Bonus Features

These include early drafts of some of the items that will appear in our blog:

(www.sml-law.com/blog-regulation-pro/)

Registrants Should Not Benefit from Obstructing Investigations

If a registrant faces a serious allegation, should they be able to achieve a reduced sanction by obstructing the investigation? In [*Chimistes \(Ordre professionnel des\) c. Cozak*](#), 2022 QCTP 46 (CanLII), a Quebec court said “no”.

Mr. Cozak, a registered chemist, faced several criminal charges related to the illegal production of the illicit drug, Ecstasy. For various reasons (e.g., delay), he was never convicted. The registrant failed to cooperate with the regulator’s investigation into his conduct. As a result, a disciplinary case on the merits could not be proven. The registrant was disciplined for not cooperating with the investigation and was suspended for four months. On appeal by the regulator, the Court

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imposed revocation and made the point that cooperating with the regulator was a fundamental obligation of regulated professionals. The public interest, including maintaining public confidence in the regulation of the professions, was put at risk by failing to cooperate. Obstruction goes to the heart of the regulation of the profession. The Court was concerned that if the sanction did not reflect the seriousness of the allegations being investigated, other registrants would be tempted to adopt the same strategy as Mr. Cozak. The Court directed that his registration be revoked.

Thus, the seriousness of the sanction for non-cooperation should take into account the sanction that would have been imposed if the allegations under investigation had been established.

More Interim Order Guidance

Interim orders are rare protective measures that have been used more frequently in recent months. Yet another pandemic related case builds on the points made in [Thirlwell v. College of Physicians and Surgeons of Ontario](#), 2022 ONSC 2654 (CanLII).

In [Kilian v. College of Physicians and Surgeons of Ontario](#), 2022 ONSC 5931 (CanLII), the registrant, a physician, was investigated for inappropriately issuing vaccine exemption certificates, among other things. After receiving information that she continued issuing certificates despite an interim order prohibiting precisely that, her registration was suspended on an interim basis. She, and apparently some of her patients (they were anonymous), sought judicial review of both the decision to investigate her and the imposition of the interim orders. The following points were made by the Court:

- The patients did not have standing to seek judicial review of the interim orders against the registrant. They had no direct legal interests at stake in the regulator's actions towards their physician. They also had no public interest standing, in part because they had no reasonable expectation of privacy from the regulator accessing their medical records for regulatory purposes. In addition, they did not bring a perspective different than from what the registrant would bring.
- In terms of the challenge to the decision to investigate the registrant, the application for judicial review was premature. She should await the outcome of the process first.
- The issuing of inappropriate vaccine certificates exposed both the registrant's patients and others to harm or injury.
- In fact, the exposure to harm was immediate and justified an urgent order made prior to hearing submissions from the registrant.
- As in *Thirlwell*, the ungovernability of the registrant reinforced the exposure to harm of patients. Anything less than a suspension was unlikely to protect patients.
- Additional information that was not before the regulator at the time the interim order was made should generally not be considered on judicial review. Rather, the registrant

Legislative Update – What Happened in November 2022?

- should provide the information after the fact, seek a reconsideration of the interim order, and then seek judicial review, if necessary, of the reconsideration decision.
- The Court dismissed the challenge based on the life, liberty and security of the person provision found in s. 7 of the *Canadian Charter of Rights and Freedoms* in a single, four-line paragraph.

The Court also ordered a publication ban on the identities of the patients whose records were reviewed and of the other registrants who assisted in the investigation. There was evidence to suggest that they might be harassed. The Court said:

There is a public interest in encouraging patients, members of the public and other doctors to identify and report potential misconduct on the part of members of the CPSO [the regulator] This interest is significant, and it is related to the public interest in protecting the integrity of ongoing investigations and encouraging witnesses to be truthful [citations omitted]

This order did not prevent counsel for the registrant from accessing the evidence, with reasonable restrictions to maintain its privacy.

Where there is evidence of exposure to harm, courts are supportive of the reasonable imposition of interim orders.

Disciplining an Employee of the Regulator

Regulators often have registrants on staff. Things can get complicated where the regulator disciplines a registrant staff member for their conduct while on staff.

In [*Villa v. Association of Professional Engineers of Ontario*](#), 2022 ONSC 6104 (CanLII), the registrant was disciplined for providing services to the public without a proper certificate and contrary to his agreement not to do so. The Court found that those allegations were established. The discipline panel determined that a third allegation of providing services during work hours or while on sick leave was an employment issue, not a regulatory one.

Appearance of bias concerns can arise in these circumstances. For example, one panel member was on the governing Board/Council of the regulator and, it was speculated, may have received briefings on the related wrongful dismissal action. Another panel member was the spouse of the registrant's former employment lawyer. Both denied receiving any information about the matter in those capacities. The Court found that the registrant had not adduced "cogent and compelling evidence to overcome the strong presumption of impartiality".

The Court also dismissed appearance of bias arguments on the basis that panel members were paid a per diem or that they had not sworn an oath of office. The Court was not concerned about either of those circumstances.

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The registrant also argued that prosecuting counsel had engaged in prosecutorial misconduct and facilitated an abuse of process. The Court said: “The test for proving an abuse of process is a stringent one. Mr. Villa must demonstrate, on a balance of probabilities, that the conduct of the PEO prosecutor was egregious and compromised his right to a fair hearing.” That test was not met. The Court found no evidence to support the assertion that prosecuting counsel had fabricated evidence. The registrant also argued that the prosecution was for the improper purpose of undermining his wrongful dismissal claim against the regulator. The Court said:

The mere fact that the same conduct gave rise to multiple proceedings does not amount to an abuse of process. Similarly, the fact that Mr. Villa was terminated from his position with PEO and subject to disciplinary proceedings for the same conduct does not give rise to an inference that PEO pursued the disciplinary proceedings for an improper purpose related to Mr. Villa’s civil claim.

The Court also noted that attempts were made by prosecuting counsel to separate the two proceedings despite this overlap.

The Court also held that the regulator properly called reply evidence because it responded to issues raised by the registrant in their defence during the hearing that was not anticipated when the regulator presented its case in-chief. That the registrant declined to provide meaningful disclosure of their defence evidence in advance worked against him on this point.

Immunity of a Regulator’s Expert Witness

Regulators frequently retain expert witnesses to assist them in evaluating complaints or concerns and in establishing a breach of standards or an allegation of incompetence at discipline. Are such experts immune from counter proceedings should a case not be established at discipline? That was the issue in [*Touchette c. Conseil de discipline de l'Ordre des psychologues du Québec*](#), 2022 QCCA 1498 (CanLII).

In that case, the registrant, who was the subject of an adverse expert opinion by the expert witness, was successful at discipline. That registrant filed a complaint against the expert witness (who was also a registrant with the same regulator). The Quebec Court of Appeal held that the expert witness was statutorily immune from the complaint even though their role was not explicitly mentioned in the immunity provision. While much of the Court’s reasoning was based on the specific wording of the immunity provision, the Court placed the issue in the context of the regulator’s public interest role in investigating complaints.

Most regulators would agree that their ability to recruit individuals to assist in investigating, screening, and proving concerns would be significantly more difficult if the individuals did not have immunity for their services.

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Limiting Duplicate Investigations

The office of the Patient Ombudsman was created to facilitate accountability for health care providers. The Patient Ombudsman (which is separate from the Ontario Ombudsman's office) can investigate complaints about the care received and can also initiate investigations on its own. However, given that several other entities also hold health care providers accountable, the enabling legislation included an unusual provision preventing the Patient Ombudsman from commencing investigations "in connection with a matter that is within the jurisdiction of another person or body or is the subject of a proceeding".

An Ontario Court has held that this provision against duplicate investigations should be given full effect. In [*Governing Council of the Salvation Army in Canada v. Patient Ombudsman*](#), 2022 ONSC 6563 (CanLII), a long-term care home objected to a Patient Ombudsman's investigation of its preparedness for and response to COVID-19 on the basis that three other investigations or proceedings were already in place; namely: an independent commission appointed by the Ontario government, an Ontario Ombudsman's investigation into the oversight of long-term care homes by the government, and two class action proceedings on behalf of residents of long-term care homes.

The Patient Ombudsman argued, among other things, that the focus of its investigation was different from the other investigations and proceedings. Its investigation was intended to look at "how the COVID-19 outbreaks affected the care and health care experience of residents and how the actions or inactions of individual LTCHs as well as common system factors impacted residents' care and health care experience." The Court concluded that the phrase "in connection with" was intended to be broadly interpreted, demonstrating "a legislative balancing between the [Patient Ombudsman]'s functions and the burden that a multiplicity of proceedings relating to the same matter could pose to health sector organizations and actors." The Patient Ombudsman's investigation was quashed.

This case provides some clarity as to how various oversight bodies involved in health care regulation relate to each other.

Governance Accountability

While the Board of a regulatory body is quite different from a municipal Council, some analogies can be made in terms of their governance responsibilities. The recently enacted (but not yet proclaimed) *Health Professions and Occupations Act* in British Columbia contains a process for complaints about the governance conduct of a regulator's Board member that is analogous to the role of an Integrity Commissioner for some municipalities. The case of [*Villeneuve v. North Stormont \(Township\)*](#), 2022 ONSC 6551 (CanLII), may be of interest to regulators.

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In that case, a Councillor had communications with the Chief Administrative Officer (CAO) of the municipality requesting financial information that the Court later indicated the Councillor was not entitled to. The tone of the communications, including calling the CAO's conduct "completely irresponsible", and allegedly berating the CAO at a public meeting, resulted in a complaint to the Integrity Commissioner. The Integrity Commissioner ruled that the complaint was founded and recommended "a 45-day suspension of her remuneration and a nine-month prohibition on the Applicant communicating directly with the CAO by email". A majority of the Court upheld this recommendation. They said:

This finding was reasonable. This Part of the Code of Conduct serves as a reminder to publicly elected officials that municipal employees "serve Council as a whole and no Member of Council may direct staff absent of a resolution of Council. Council approves policy and the Chief Administrative Officer directs staff to ensure the direction of Council is achieved." The relative power imbalance between staff, who do not have a voice at Council, and elected Members, who do, mean that their respective roles and responsibilities must be acknowledged and respected. The Integrity Commissioner's finding was responsive to that expectation contained in the Township Code of Conduct.

The majority of the Court did not, however, support the increased sanction (a longer suspension and broader restrictions on email communications with staff) imposed by the Council. A dissenting opinion by one member of the Court characterized the finding against the Councillor as reflecting "an impossibly sensitive standard".

Code of Conduct provisions are important and governance principles are enforceable.

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Prepared by Richard Steinecke

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Ontario Bills

(www.ola.org)

Bill 59, Making Sexual Assault Evidence Kits Available Act, 2022 – (*Private Members’ Bill, first reading*) – Bill 59 would require “the Minister of Health to direct every public hospital to have at least 10 sexual assault evidence kits available in the hospital at all times.”

Bill 26, Strengthening Post-secondary Institutions and Students Act, 2022 – (*Government Bill, passed third reading and received Royal Assent*) – Bill 26 allows post secondary educational institutions to discipline and remove any employee who sexually abuses a student. The schools are permitted to define in what circumstances sexual abuse arises beyond criminal behaviour or breaches of the *Human Rights Code*. Provisions also restrict the ability to rehire employees who have engaged in sexual abuse including restricting the use of non-disclosure agreements.

Proclamations

(www.ontario.ca/search/ontario-gazette)

There were no relevant proclamations this month.

Regulations

(<https://www.ontario.ca/laws> Source Law - Regulations as Filed)

Regulated Health Professions Act, 1991 – This amendment to the controlled acts regulation authorizes pharmacists to prescribe Nirmatrelvir/ritonavir for patients who test positive for COVID-19 in certain circumstances. (O. Reg. 560/22)

Occupational Health and Safety Act – This regulation requires certain workplaces to maintain naloxone kits meeting certain requirements. (O. Reg. 559/22)

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Proposed Regulations Registry

(www.ontariocanada.com/registry/)

Nursing Act – It is proposed to expand the scope of practice of registered practical nurses to independently initiate certain procedures, including those related to wound care, venipuncture, and internal procedures. Comments are due by January 14, 2023.

Bonus Features

These include early drafts of some of the items that will appear in our blog:

(www.sml-law.com/blog-regulation-pro/)

Off-Duty Defence Is Offside

Registrants cannot avoid professional accountability by trying to separate questionable conduct from their professional practice. That is the message from the decision in [*Klop v College of Naturopathic Physicians of British Columbia*](#), 2022 BCSC 2086 (CanLII).

In that case the registrant, a Naturopathic Doctor, used various businesses to manufacture and promote the use of fecal microbiota transplant (“FMT”) materials especially for use for children with autism. “FMT involves the transfer of bacteria and natural antibacterials obtained from the feces of a healthy individual into the gut of a patient through enema, colonoscopy or other means, with the aim of re-establishing a healthy microbial community in the recipient.” Health Canada published a guideline stating that FMT was a new biologic drug with very limited indication [i.e., to treat *Clostridium difficile* (“CDI”)] and for which significant safeguards were necessary in order to prevent harm to recipients. The registrant facilitated the administration of FMT in Mexico including, for a time, to Canadian patients.

The regulator investigated the conduct and eventually imposed an interim order prohibiting the registrant from producing or promoting FMT. The registrants appealed the interim order and also sought judicial review to halt the investigations. The registrant initially asserted, but then withdrew, his argument that the regulator had no jurisdiction to regulate his conduct related to Mexico.

The registrant also argued that this was off-duty conduct outside of the jurisdiction of the regulator since FMT was not a recognized form of naturopathic treatment. The Court said that “it is well settled that off-duty conduct can give rise to discipline when it has a negative impact on the individual’s ability to carry out their professional obligations or where the conduct has a negative impact on, or conflicts with the core values of, the profession”. In addition, there was

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ample evidence that the registrant used his professional designation in his promotional activities and that he advocated FMT as a treatment for a health condition (despite denials to the contrary). The Court also rejected the argument that the regulator was not allowed to use its processes to enforce another statute (i.e., the federal *Food and Drugs Act*).

In terms of the interim order, the Court supported the regulator's inference of risk of harm (BC uses a different test for interim orders than Ontario) from the Health Canada guidelines. The Court also rejected the need for expert evidence at this stage indicating "that to import a requirement for expert evidence at this stage of the administrative process would have the effect of conflating the investigatory stage of the process with the disciplinary stage". Also, it was no barrier to imposing an interim order that the regulator had not directly prohibited the use of FMT: "restricting inferences of harm to being made only where conduct is specifically prohibited by the College would unduly tie the College's hands in its oversight of registrants, and negatively impact—rather than promote—the public interest and confidence in the profession."

The Court also concluded that it was premature to consider the challenge to the investigation by the regulator.

Some of the reasons why judicial review will only be entertained in exceptional circumstances during an ongoing administrative process include:

- a) judicial intervention may fragment the tribunal's proceedings;
- b) the tribunal may resolve the dispute to the parties' satisfaction;
- c) the court's decision may be rendered moot because of the tribunal's decision on some other aspect of the proceedings;
- d) it is helpful for the court to have an evidentiary record and the tribunal's analysis of the dispute, especially in areas where the tribunal has special expertise; and
- e) courts are to avoid deciding constitutional and Charter issues on hypothetical facts or in a factual vacuum.

The Court found that there were no exceptional circumstances.

The attempt to separate this registrant's conduct from his professional practice was unsuccessful.

Resignation as an Alternative to Discipline

When facing serious allegations, registrants may offer to resign, (and sometimes undertake to never reapply), in return for avoiding a discipline hearing and a formal finding of misconduct. While regulators often have discretion to consider this option, they will frequently refuse to do so where a public hearing is necessary to maintain public confidence in the regulator. The issue

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of whether a regulator could be forced to accept an offer of resignation arose in [*Sturt v Chartered Professional Accountants of Alberta*](#), 2022 ABKB 801 (CanLII).

In that case, the registrant, an accountant, was alleged to have misappropriated funds from a former client. The registrant offered to resign and never again practise as a professional accountant. Under the applicable legislation the regulator could only accept this offer if the registrant admitted to the allegations. The registrant declined to do so in part because a complaint had been made to the police some years previously. Any requirement to admit the conduct, he argued, could affect his rights under the *Canadian Charter of Rights and Freedoms* to not incriminate himself. The registrant argued he was not able to afford a lengthy discipline hearing and the stress of a hearing would negatively affect his mental and physical well-being.

The registrant brought an application for an injunction against the regulator from proceeding with the discipline hearing.

In deciding whether to order an injunction (or stay), the first part of the test is whether there is a serious issue to be tried. That test is quite low and is usually easily met. In this case, however, the Court concluded that there was no merit to the registrant's arguments. There were no criminal proceedings pending or even imminent. The legislation required the registrant to admit the allegations before his offer to resign would be accepted. Even if there was discretion, there were no special circumstances, such as an abuse of process, to require the regulator to exercise any discretion in the registrant's favour.

The registrant also argued that the investigation was procedurally unfair because the regulator did "not fully investigate the explanations or corroborating evidence suggested by him that would lead to his exoneration". The Court found that the duty of procedural fairness was quite limited at the investigation and screening stages and that there was ample evidence to warrant a referral to discipline. The challenge was also premature as the sufficiency of the evidence would be tested at the discipline hearing.

The Court also found that the two other parts of the test for a stay (i.e., irreparable harm to the registrant and balance of convenience) strongly favoured the regulator. The Court said, in part:

having voluntarily entered into and enjoyed the benefits of the regulated profession of accounting, [the registrant] cannot now avoid the obligation of participating in a disciplinary hearing which is required under the Act. As such, the potential of a large financial commitment by [the registrant], and of health impacts such as they are, are not irreparable harm

The Court also found that the three-year period of time since the original complaint did not amount to an abuse of process under the test set out in [*Law Society of Saskatchewan v. Abrametz*](#), 2022 SCC 29 (CanLII).

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This case suggests that it would be rare for a regulator to be forced to accept a resignation of a registrant rather than to proceed with a discipline hearing if the regulator so chose.

Not Properly Constituted

The composition of a regulator's Council (or Board of Directors) is often set out in its enabling legislation. Where the legislation does not provide for vacancies, questions arise as to the impact of an unfilled position on the Council. In [*Yan v. College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario*](#), 2022 ONSC 6842 (CanLII), a registrant tried to argue that the regulator was unable to even respond to a human rights complaint against it when the Council was not properly constituted. The registrant had made a complaint that the regulator's discipline proceedings against her were discriminatory. The Human Rights Tribunal dismissed the complaints on various grounds including that the complaint was made too late, that the Tribunal had no jurisdiction over adjudicative decisions of other bodies, and that the complaint could not be proved because the regulator's records were statutorily inadmissible in civil proceedings. It also dismissed the registrant's request to reconsider the decision.

On judicial review the registrant raised the concern that the regulator should not have even been able to participate in the human rights proceedings because its Council was not properly constituted (there was a vacancy in one of the public member positions). The Court said that even if the Council was not properly constituted, the legislation permitted its Executive Committee to act on its behalf. In addition, the regulator was not an active participant in the human rights process because it never reached the hearing stage. While the Court did not say this, this analysis suggests that the regulator's other committees (e.g., registration, complaints, discipline) could also continue to function even where the Council is not properly constituted.

It would have been preferable if the enabling legislation had expressly addressed the issue of vacancies. Of course, the government should have immediately filled the vacancy in the public member position as soon as it arose.

The Court made several other observations including:

- There is nothing inherently unfair in a tribunal correcting minor errors in its decision and reasons (e.g., to correctly name the relevant committee) after rendering its decision when the errors are pointed out by a party.
- Where reconsiderations are permitted, it is generally acceptable for the same person (or panel) to conduct the reconsideration.
- It is appropriate for the Human Rights Tribunal not to scrutinize adjudicative decisions made by other tribunals (i.e., adjudicative immunity).

Legislative Update – What Happened in December 2022?

- Where a legislative provision prevents regulatory documents from being admitted in civil proceedings, it was appropriate for the Tribunal to conclude in this case that there was no reasonable prospect of proving the complaint.

This is another example of where courts are reluctant to permit an interpretation of legislation that will lead to absurd results.

More Support for Compassionate Regulation

The dental regulator in the United Kingdom recently released a study it commissioned on its complaints and discipline process. The report is entitled: [Experiences of GDC fitness to practise participants 2015 – 2021: A realist study](#). Using a methodology that included researching the literature, interviewing various participants in the process, reviewing documentation from files, and observing hearings, the authors found dissatisfaction with the process. Even though there was consensus that the outcome was generally fair, most participants found the process stressful and caused anxiety. Registrants, in particular, said the process negatively affected their health, wellbeing, behaviour, and practice. Some engaged in a defensive practice going forward and some even withdrew from the profession.

Complainants and, sometimes, registrants were unclear about the process and found the length of the process and lack of ongoing communication from the regulator challenging. The adversarial nature of the process was seen as problematic for many participants. Racialized participants felt that the process was disproportionately applied to them. Many registrants felt that minor concerns were allocated excessive resources.

Some recommendations include:

- Regulators should enhance their “upstream” activities including ensuring awareness of candidates for registration on the role and processes of the regulator and using effective communication techniques, including employing real-world examples, on professional standards.
- Gender and ethnic diversity of panels should be maintained where possible.
- The tone of communications from the regulator should be less legalistic and clearer. The underlying messaging should be reassurance that the “focus is on finding facts on whether [there is misconduct] so that registrants are considered innocent until proven guilty.”
- There should be one contact person from the regulator who is authorized to provide individual support to each participant, including non-registrants. There should be frequent updates.

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- Recognizing that the process can aggravate or even trigger mental health issues, there should be “self-referral processes for mental health needs assessments” and “early identification of vulnerable registrants.”
- There should be enhanced training of regulatory staff regarding empathy.

Earlier screening of matters that need not enter the adversarial discipline process was also encouraged.

This study complements recent discussions on compassionate regulation.

Functional and Contextual

Courts use the reasons of discipline tribunals as the basis for their review of the disciplinary decisions. However, that is not to say that a disciplinary decision will be set aside simply because its reasons are not perfect. In [*Cann v. Ontario College of Teachers*](#), 2022 ONSC 6988, the Court said that reasons for decision must be reviewed in a functional and contextual manner. This means that the reasons must be considered in light of the evidence, the actual issues in dispute, and the submissions made by the parties.

In that case, the allegation was that the registrant (a teacher) performed sexual acts in the presence of a preteen “little brother” that the registrant was mentoring. The registrant denied the allegation. The discipline panel accepted the evidence of the now sixteen-year-old. In reviewing the decision, the Court made the following points may be of interest to discipline tribunals in general:

- Where the panel correctly states the burden of proof (i.e., a civil burden on a balance of probabilities relying upon clear, cogent and convincing evidence), it is assumed that the panel applied that test unless the contrary can be demonstrated.
- Where it is clear that the panel turned its mind to credibility being in issue, it does not have to make an overall finding of the credibility of each witness. In this case, the panel identified the considerations for assessing whether evidence is honest and reliable and applied those considerations to the evidence of the complainant.
- While it is generally important for the panel to specifically address the credibility of the registrant when making a finding against them, there is no palpable and overriding error in failing to do so where the finding that the complainant is credible necessarily means that the registrant was found not to be credible. In this case, there was substantial agreement in the evidence about everything other than the core allegation. Thus, finding that the complainant was credible in saying the sexual acts occurred meant that the panel found the registrant was not credible on that point. In other cases where there are several facts in dispute, the panel may need to specifically address the credibility of the registrant.

Legislative Update – What Happened in December 2022?

- The panel's summary of the registrant's evidence was an indication that it took that evidence into account.
- It was of great assistance to the Court that the panel had addressed each of the inconsistencies in the evidence of the complainant and identified which of those were peripheral to the core allegations and which were part of the core allegation. In this case, the panel's explanation around why the inconsistency related to the core of the allegation was understandable and clarified why the inconsistency did not undermine the complainant's evidence as a whole.
- Expert evidence is typically not required on the issue of how memories operate. Common sense can generally be used.
- It is an error to say that a complainant has no motivation to fabricate their evidence simply because there was no evidence of such a motive. However, no such incorrect statement was made in this case. Rather, the panel simply concluded that the motives to fabricate suggested by the registrant were not established. That is a different kind of statement.

While a discipline panel's reasons for decision are important to a reviewing court, especially in credibility cases, the decision will be upheld where the basis of the panel's conclusion is apparent in all of the circumstances.

Screening Committee Reasons for Decision

Committees that screen complaints and investigations do not make findings of wrongdoing or impose disciplinary sanctions. As such, a lower degree of procedural fairness is required compared to disciplinary proceedings. However, the consequences of screening committee decisions can be somewhat significant, including being required to participate in remedial measures and having those measures noted on the public register.

In [*Young v. College of Nurses of Ontario*](#), 2022 ONSC 6996 (CanLII), reports of substandard care about two registrants were investigated by the regulator. In both cases there was approximately an eighteen-month delay in notifying the registrants and a further two years taken to complete the investigation. The screening committee decisions requiring remedial measures (a caution and, in one case, remedial educational measures) were issued about four years after the regulator was first notified of the concerns. Both registrants made thorough submissions that the delay was an abuse of process and resulted in prejudice to their wellbeing and to the ability to investigate the matters (i.e., some witnesses and documents were no longer available). One of the registrants also submitted that their mental health was a relevant factor when considering the nature of their conduct. Both argued that, because of the delay, remediation no longer made sense.

Legislative Update – What Happened in December 2022?

The decision and reasons of the screening committee only addressed the merits of the concerns about the registrants' conduct and did not address their arguments of abuse of process and violation of their human rights (based on disability). The Court found that the failure to address these legitimate issues raised by the registrants rendered the decisions unreasonable. Even though the screening committee was not an adjudicator, it should have, at a minimum, considered whether delay and the human rights concerns should have impacted the disposition. The Court said: "The reasons do not address how or why, given the passage of time, the remedial measures remained appropriate." The matters were returned to the screening committee for a new decision.

Screening committee reasons should address legitimate issues raised by registrants that might affect the appropriate disposition, even where those issues do not go to the merits of the underlying conduct.

Registrant Working from Home Stymies Regulator

While regulators are often given search and seizure powers, they are rarely used. Generally, the authority to enter business premises without a warrant, the duty of registrants to cooperate, and the authority to summons witnesses and documents are sufficient to elicit cooperation. However, in the case of [*The Law Society of Ontario v Bowie*](#), 2022 ONSC 7144 (CanLII), a Court agreed that the usual investigative powers were insufficient.

In that case, the regulator was investigating allegations of sexual harassment of more than one person by the registrant. The regulator wanted to confirm that the messages received by the individuals originated from the registrant's devices and social media. The regulator also sought evidence of harassment of other potential victims. The registrant refused to surrender his electronic devices and the regulator could not obtain them because they were not located at his business premises; the registrant generally worked from home or his vehicle. There was urgency to obtain the social media posts before they expired.

The Court granted the order authorizing searching and accessing the devices and social media accounts even from his home or vehicle. The Court said: "The allegations against the respondent are of a predatory nature." The Court approved of the arrangements by the regulator for a third party to hold the information to protect the privacy and privilege of information unrelated to the investigation. The Court also agreed to a temporary sealing of the file to protect the integrity of the investigation and the privacy of the complainant. The Court also delayed the release of its decision and reasons for a brief time until the search could be executed.

This case illustrates the kind of circumstances, and manner, in which search and seizure powers can be exercised by a regulator.



Registrar's Updates

Since the last Council meeting on December 9th 2022:

- As of January 1, 2023, new regulations came into force:
 - Prohibition on requirement for Canadian work experience
 - Updated language tests for language proficiency
 - Timely registration decisions and responses
- Registrar attended DGO's 10th Anniversary Celebratory Event
- Annual report and Audited Financial Statements published publicly
- Launched "Overview of the Discipline Hearings Process" Guidelines
- Renewal now underway, opened March 1, 2023
- Joined HUB 601
- Potential for website colours refresh



Operational Activity

From January – March 2023

- Peer and Practice Assessor in-person training on February 25th and 26th 2023 in Hamilton, Ontario
- MCQ and OSCE Exam February 2023
- CPMF due March 31, 2023
- Ongoing member portal upgrade
- Professional Liability Insurance Check
- Integration into HUB 601
- On-going renewal support for Denturists, deadline of April 15, 2023
- Scheduling of one contested Discipline Hearing
- Finalizing CDO's Strategy Workshop in April
- Emergency Class of Registration 60-day consultation underway.
 - Consultation ends April 15, 2023
 - Special Council Meeting needs to be called immediately week of April 24
 - Completed regulation submission package due May 1 to Ministry



Questions?



BRIEFING NOTE

To: **Council**
From: **Roderick Tom-Ying, Registrar and CEO**
Date: **March 10, 2023**
Subject: **Financial Report: April 1, 2022 – February 28, 2023**

Public Interest Rationale

The College of Denturists of Ontario's mandate is to protect the public by ensuring Registered Denturists provide safe, ethical, and competent denturism care and service in Ontario. As part of that mandate, the College Council has the overall responsibility of ensuring prudent financial stewardship of the College's financial resources as part of its core principle of good governance. Implementation of regulatory best practices, strategic planning, performance monitoring, fiscal management, external compliance, and reporting forms some of these core principles. Council must ensure that the College has a fiscally responsible and strategic operating budget each year.

Statement of Operations for period April 1, 2022 – February 28, 2023

I direct your attention to the column "YTD as Percentage of Budget" which indicates the percentage of the budgeted amount that has been spent (or, in the case of income, received). This report covers the majority of the fiscal year with one month remaining to round off the financial year end.

Items to Highlight

Revenue

On the revenue side, the College experienced an increase in revenues collected compared with previously forecasted revenue in the 2022-2023 budget in the amount of approximately \$114,792.

This increase in revenue is attributed to several revenue accounts explained below:

- Professional Corporation Fees: Increase in new applications for Certificates of Authorizations for professional corporations due to CDO awareness campaign for professional corporations.

- **Registration Fees:** Increase of new applicants from lingering 2022 successful examination candidates.
- **Other Fees:** Increase of 210% year to date percentage in relation to the budget. As this budget line item is relatively small (\$4500 total revenue budgeted), any small fluctuation would disproportionally report a larger total budget percent increase.
- **Other Income:** Due to a significant increase in overnight lending rate percentage from Bank of Canada's interest rate, CDO's savings account interest has increased dramatically.

Expenses

Most expense account line items are within the expected budget with two major variances reported. As found in the Statement of Operations, net expenses are currently within budget. The final large expense before year end that has not yet been captured on the Statement of Operations is the February 2023 exam administration of which we would expect, when compared to examination revenues collected, represent a \$100,000 deficit as predicted. The examination expenses overall are balanced against the increase in revenues collected, and operational efficiencies achieved in the overall operating budget.

Some expense accounts to highlight:

Qualifying Examinations: will experience a deficit between expected revenue collected from the Qualifying Examination fees compared with forecasted expenses.

As previously reported, the CDO expects that the hosting of its examinations may cause a moderate to significant deficit in the examinations department for the 2022-2023 budget year. Each examination costs approximately \$89,000 - \$150,000 to host including all costs (fixed and variable), and each year the costs are balanced with the revenue collected from examination fees. The examination operates on a cost-recovery basis, but due to the significant drop in applicants in calendar year 2023, a projected deficit is forecasted.

College Staff have attempted to minimize examination costs by reducing the number of examiners required to administer the exam for fewer candidates but much of the costs of hosting the examination are fixed (e.g., exam venue rental space, SPP program). As well, College Staff have planned a separate Peer and Practice Assessor Training workshop occurring alongside the February 2023 Qualifying Examinations in an attempt to save on venue hosting and accommodations costs.

The lower than budgeted initial examination costs was due to the operating premise of hosting just one administration in calendar year 2023 at budget time in March 2022. Due to an influx of candidates that were prepared for a potential February 2023 OSCE examination, College Staff moved back to two administration dates for the OSCE examination in 2023.

The final costs and revenues collected for the February 2023 administration will be reported at the next Council meeting.

Professional Fees: Due to the increase in strategic activities, regulatory changes due to governmental updates, and the change in leadership at the CDO, additional professional fees were incurred above and beyond the budgeted amount. For strategic initiatives, the CDO is embarking on ambitious but achievable activities from 2023-2025. College Staff and Council required the expertise of third party guidance to assist with its decision making prior to embarking on these activities. Council required the assistance of legal counsel to provide guidance on the recruitment and selection of a permanent Registrar. Finally, due to unprecedented changes as required by the Ontario Government on several regulatory initiatives, the College along with other health regulators incurred additional fees to process, implement, and operationalize these required changes.

Council and Committees: As noted in the 2022-2023 budget presentation, College Staff noted that this budget line item is expected to have one of the largest variances to date due to the uncertainty posed by the COVID-19 pandemic and its affect on in-person meetings. College Staff continue to believe that this line item will experience significant variances over the next couple of years until a "new normal" is settled and Council has clarity on the hosting of in-person events moving forward. As well, the Toronto Area reported approximately 6-7% increase in the Consumer Price Index. This will affect travel, catering, and accommodation costs for the CDO. College Staff will continue to monitor and evaluate this budget line item and make necessary adjustments for the proposed budget.

Complaints: While the CDO did not experience an increase in complaints year over year on average, the complaints that were before the ICRC Committee were significantly more complex than usual requiring greater legal assistance. This budget line item expenditure has doubled year over year as a result. Based on forecasting of the 2023-2024 year, College Staff do not recommend an increase to the base of this line item after a one year spike. College Staff will continue to review this line item next year and assess whether the budget is adequate or requires updating.

Strategic Initiatives Budget

The first expenses have been recorded against the Strategic Initiatives Budget as it relates to 50% of the costs of upgrading the CDO member portal and creation of an online application portal. The expenses recorded are as expected. There are no further items on this budget to note.

College of Denturists of Ontario

Income Statement (April 1, 2022-February 28, 2023)

YTD Budget to Actual	2022-2023 BUDGET	February 28/23 YTD Totals	YTD as Percentage of Budget	Projection to Year End March 31/23	Remainder or In Excess of Budgeted Amount*
REVENUE					
Professional Corporation Fees	\$ 65,000.00	\$ 87,150.00	134%	\$ 87,150.00	\$ 22,150.00*
Registration Fees	\$ 931,190.00	\$ 994,103.42	107%	\$ 994,103.42	\$ 62,913.42*
Other Fees	\$ 4,500.00	\$ 9,452.25	210%	\$ 9,452.25	\$ 4,952.25*
Qualifying Examination Fees	\$ 277,100.00	\$ 274,750.00	99%	\$ 274,750.00	\$ 2,350.00
Other Income	\$ 6,500.00	\$ 33,626.60	517%	\$ 33,626.60	\$ 27,126.60*
TOTAL REVENUE	\$ 1,284,290.00	\$ 1,399,082.27	109%	\$ 1,399,082.27	\$ 114,792.27*
EXPENDITURES					
Wages & Benefits	\$ 533,528.08	\$ 491,030.30	92%	\$ 533,528.08	\$ 42,497.78
Professional Development	\$ 30,000.00	\$ 17,362.46	58%	\$ 30,000.00	\$ 12,637.54
Professional Fees	\$ 140,000.00	\$ 150,927.85	108%	\$ 159,927.85	\$ 10,927.85*
Office & General	\$ 150,000.00	\$ 156,888.57	105%	\$ 163,888.57	\$ 6,888.57*
Rent	\$ 130,000.00	\$ 112,974.72	87%	\$ 130,000.00	\$ 17,025.28
Qualifying Examination	\$ 178,144.00	\$ 178,719.39	100%	\$ 240,719.39	\$ 575.39*
Council and Committees	\$ 15,000.00	\$ 26,318.71	175%	\$ 31,318.71	\$ 11,318.71*
Quality Assurance					
QA Panel A	\$ 6,000.00	\$ 1,681.00	28%	\$ 1,681.00	\$ 4,319.00
QA Panel B	\$ 4,000.00	\$ -	0%	\$ -	\$ 4,000.00
QA Assessments	\$ 35,000.00	\$ 13,056.34	37%	\$ 13,056.34	\$ 21,943.66
Complaints & Discipline					
Complaints	\$ 30,000.00	\$ 58,304.15	194%	\$ 63,428.89	\$ 28,304.15*
Discipline	\$ 25,000.00	\$ 8,186.50	33%	\$ 12,186.50	\$ 16,813.50
Capital Expenditures	\$ 15,000.00	\$ 1,847.18	12%	\$ 1,847.18	\$ 13,152.82
TOTAL EXPENDITURES	\$ 1,291,672.08	\$ 1,217,297.17	94%	\$ 1,381,582.51	\$ 74,374.91
NET INCOME	-\$ 7,382.08	\$ 181,785.10		\$ 17,499.76	

College of Denturists of Ontario

Strategic Initiatives (April 1, 2022-February 28, 2023)

YTD Budget to Actual	2022-2023 BUDGET	28-Feb-23 YTD Totals	Anticipated Costs	YTD as Percentage of Budget	Remainder or In Excess of Budgeted Amount*
STRATEGIC INITIATIVES					
	\$ 150,000.00				
Phase 1: Member Portal Upgrade - 50% Upfront Costs	\$	23,730.00		16%	\$ 126,270.00
Phase 2: Member Portal Upgrade - Remaining 50% Costs	\$	-	\$ 23,730.00	32%	\$ 102,540.00
Phase 3: Member Portal Upgrade - Compliance Centre	\$	-	\$ 27,120.00	50%	\$ 75,420.00
Governance Initiatives	\$	-	\$ 17,515.00	61%	\$ 57,905.00
Strategic Planning Workshop Expenses	\$	-	\$ 10,000.00	68%	\$ 47,905.00
TOTAL STRATEGIC INITIATIVES	\$ 150,000.00	\$ 23,730.00	\$ 78,365.00	68%	\$ 47,905.00



BRIEFING NOTE

To: **Council**

From: **Roderick Tom-Ying, Registrar & CEO**

Date: **March 10, 2023**

Subject: **General Election for Districts 3,4,5 & By-Election for District 7**

Public Interest Rationale

The public holds an interest in regulatory oversight organizations that have a clear focus on performance accountability and progressive accomplishment of organizational initiatives that align with the organization's mandate. General Elections and By-Elections and its associated processes are codified in the College's By-Laws. Elections are necessary in the routine processes of the CDO to ensure that it has a full complement of Professional Members of Council to govern effectively.

General Election – Districts 3, 4, 5

As per article 10.04 of the College By-Laws, there shall be regular elections for electoral districts 3, 4 and 5, in 2011 and every third year after. June 2023 represents the term expiry for Council Members representing districts 3, 4 and 5 necessitating a general election to be called in advance of June 2023.

The date of the election as specified in the College By-Laws shall be the first Wednesday in June with the exception of a holiday – June 7, 2023.

The terms of office for newly elected or returning Council members for the general election shall be three years with June 2023 being the handover between the outgoing Council member and incoming Council member.

The current incumbents for Districts 3, 4, 5 are as follows:

- District 3: Paul Karolidis, DD
- District 4: Christopher Reis, DD
- District 5: Garnett Pryce, DD

Based on the College By-Laws, College Staff have proposed the following timeline:

2023 Elections Dates – Districts 3, 4, 5

Election Date: Wednesday, June 7, 2023	First Wednesday in June (10.05)
Election Polling Opens: Monday, May 8, 2023	= election day – 30 days (16.01)
Last Day to Withdraw: Wednesday, May 3, 2023	= election day – 35 days (13.09)
Nomination Deadline: <u>Sunday</u> , April 23, 2023	= election day – 45 days (13.04)
Notice of Election: Thursday, March 9, 2023	= election day – 90 days (13.03)
Pull Eligibility List: Tuesday, February 7, 2023	= election day – 120 days (12.01 ii)

As this election is specified in the By-Laws, no formal motion from Council is required in order for the College to proceed with the election. This information is provided for reference only.

By-Election – Districts 7

Due to the new vacancy on Council for District 7, a by-election shall be called to elect a Professional Member to sit on Council for a one-year term ending June 2024.

The previous Council member for District 7 was first elected in 2021, and the next scheduled election for District 7 is June 2024. As this is more than twelve (12) months away, the CDO By-Laws (21.06) set out that, "if the seat of an elected Council member becomes vacant more than twelve (12) months before the expiry of the member's term of office, Council shall direct the Registrar to hold a by-election in accordance with this by-law."

Due to the timing between the vacancy, the requirement to call a By-Election, Council meeting on March 10, 2023, and the publishing of the Notice of Election on March 9, 2023 (day before Council meeting), to the membership – the Executive Committee exercised its statutory role of approving the By-Election for District 7 to occur alongside the General Election prior to today's Council Meeting.

As the Executive Committee passed a motion to hold the by-election, Council is now asked to ratify this decision.

Options

1. That Council ratify the decision of the Executive Committee dated February 23, 2023, to direct the Registrar to hold a By-Election for District 7 in accordance with the CDO By-Laws.
2. Other

Attachments

N/A



BRIEFING NOTE

To: **Council**

From: **Roderick Tom-Ying, Registrar & CEO**

Date: **March 10, 2023**

Subject: **2022 CPMF Report and Updated CPMF Action Items**

Public Interest Rationale

The public holds an interest in regulatory oversight organizations that have a clear focus on performance accountability and progressive accomplishment of organizational initiatives that align with the organization's mandate. The CPMF provides a framework for examining that accountability and unaccomplished items signal the direction in which the organization's resources need to be directed to align with health profession regulatory body expectations as articulated by the CPMF.

CPMF Background

The CPMF has been developed by the Ontario Ministry of Health in close collaboration with Ontario's health regulatory Colleges, subject matter experts and the public with the aim of answering the question "how well are Colleges executing their mandate which is to act in the public interest?"

This information will:

1. Strengthen accountability and oversight of Ontario's health regulatory Colleges
2. Help Colleges improve their performance

The CPMF report is generally provided in November of each year and must be submitted to the Ministry by March 31 of each year. The CPMF reporting period is from January 1 to December 31 of each year.

What has changed in 2022?

This year, eight pieces of Evidence have been highlighted within Part 1 of the Reporting Tool as '**Benchmarked Evidence**'. These pieces of evidence were identified as attributes of an excellent

regulator, and Colleges should meet, or work towards meeting these benchmarks. If a College does not meet, or partially meets expectations on a benchmark, it is required to provide an improvement plan that includes the steps it will follow, timelines and any barriers to implementing that benchmark. In subsequent CPMF reports, Colleges will be expected to report on their progress in meeting the benchmarked Evidence.

Where a College fully met Evidence in 2021 and 2022, the College may opt to respond with 'Met in 2021 and Continues to Meet in 2022'. In the instances where this is appropriate, this option appears in the dropdown menu. If that option is not there, Colleges are asked to fully respond to the Evidence or Standard. Colleges are also asked to provide additional detail (e.g., page numbers), when linking to, or referencing College documents.

CDO Update

The College has updated the CPMF action items, its plan for completion and a timeline for the proposed action items. The main action items that the CDO must move forward with relate to governance initiatives and have been highlighted in this year's CPMF report as benchmarked evidence. As key benchmarked evidence, the CDO must provide an improvement plan that includes timelines and specify any barriers to implementing that benchmark.

On February 13, 2023, a Special Council Meeting was held where Council approved a proposal to retain a consultant to assist the CDO with its governance initiatives and strategic planning. The retained consultant would complete the following:

- Project 1: Facilitate a strategic planning workshop to create a 2-year strategic plan for the CDO
- Project 2: Assist Council in its development of a skills and competency profile that sets out the identified mix of skills, expertise, and behavioral competencies required of individuals wishing to serve on Council and its Committees
- Project 3: Conducting an external, third-party assessment of the CDO Council's effectiveness within the expectations set out by the Ministry in the CPMF.

The list of action items identified in the CPMF report has been updated and attached. There are annotations identifying the progress on each of these items and suggested times for completion and consideration by Council.

College Staff are well underway in the completion of the CPMF report and will submit the report in time for the March 31, 2023, deadline.

CDO Completed Items in 2022

In calendar year 2022, the CDO completed the following CPMF specific related items:

- Council has developed and implemented a framework to regularly evaluate the effectiveness of Council meetings and Council. A post-Council meeting feedback survey is sent to all Council members following each Council meeting and its results are published at the subsequent Council meeting.
- Council approved the Personal Information and Privacy Policy at its December 9, 2022, meeting with immediate implementation. The drafting process began in 2021 with iterative copies reviewed by Council twice prior to final approval.

Options

None, for information only.

Attachments

1. CPMF List of Action Items
2. 2022 CPMF Report



College Performance Measurement Framework (CPMF)

Action Items

Domain: Standard: Measure: Evidence	Evidence Narrative	Action	Priority (H/M/L)	Timing	Status*	Next Step
1.1.1.a.i; 1.1.b.i	Professional members are eligible to stand for election to Council only after meeting pre-defined competency / suitability criteria Statutory Committee candidates have: met pre-defined competency / suitability criteria,	Council will develop and implement a competency criteria for Council and Committee members.	M	2023	In Progress	Council to consider Governance and Strategic Planning Consultant's Proposal for 2023 initiative start
1.2.b	The framework includes a third-party assessment of Council effectiveness at a minimum every three years.	Council will engage a third-party assessor to evaluate its effectiveness.	M	2023-2024	In Progress	CDO has joined HPRO's call for expressions of interest to retain a Project Consultant to create a framework and competency matrices for Council and Committee member positions. Council to consider Governance



						Consultant's Proposal for 2023 initiative start date with potential 2024 initial third-party assessment of Council
1.2.1.c	The College has a conflict of interest questionnaire that all Council members must complete annually.	Council will develop and introduce a conflict of interest questionnaire that can be utilized for Council and Committee meetings.	M	For June Council Meeting	Almost Completed	Legal has drafted a Conflict-of-Interest Questionnaire for Consideration by Council at its June 2023 Meeting (after elections)
3.3a. 3.3b.	<p>The DEI plan is reflected in the Council's strategic planning activities and appropriately resourced within the organization to support relevant operational initiatives (e.g. DEI training for staff).</p> <p>The College conducts Equity Impact Assessments to ensure that decisions are fair and that a policy, or program, or process is not discriminatory.</p>	The College has joined an Oral Health College's DEI working group to explore the creation of a decision-making framework with through the lens of DEI principles.	M	Ongoing	In Progress	<p>Council engaged the services of CCDI to deliver DEI training sessions throughout 2022 and 2023.</p> <p>Awaiting direction from HPRO's DEI working group and Executive Committee on the progress of this joint regulatory initiative.</p>



7.15.1.b	Council uses performance and risk information to regularly assess the College's progress against stated strategic objectives and regulatory outcomes.	The College will be developing a risk register to identify internal and external risks that may impact strategic objectives and regulatory outcomes.	M	Ongoing	In Progress	College Staff to explore the creation of a risk register
1.2.a.i,ii	Council has developed and implemented a framework to regularly evaluate the effectiveness of Council meetings and Council.	Council will develop a framework for regularly evaluating the effectiveness of Council and its meetings.	M	2022	Completed	Council reviews the feedback survey and comments received at each Council meeting. A post-Council feedback survey is sent to all Council members following each Council meeting.
1.2.1.d	Meeting materials for Council enable the public to clearly identify the public interest rationale (See Appendix A) and the evidence supporting a decision related to the College's strategic direction or regulatory processes and actions (e.g. the minutes include a link to a publicly available briefing note).	Briefing Notes will include a section that identifies the Public Interest in the matter at hand. This section will also include a more explicit explanation of the relationship of the agenda item to the College's strategic direction or regulatory processes.	H	Instituted September 2021	Completed	College Staff and other Briefing Note Authors to Include in Future Notes.



1.3.1.b	<p>The following information about Executive Committee meetings is clearly posted on the College's website (alternatively the College can post the approved minutes if it includes the following information).</p> <p>the meeting date;</p> <p>the rationale for the meeting; a report on discussions and decisions when Executive Committee acts as Council or discusses/deliberates on matters or materials that will be brought forward to or affect Council; and</p> <p>if decisions will be ratified by Council.</p>	<p>In the 2021 reporting period, the College will provide information regarding Executive Meetings, including the meeting date, rationale for the meeting, a report on discussions and decisions when the Committee acts as Council or discusses/deliberates on matter or materials that will be brought forward to Council, and if decisions will be ratified by Council.</p>	M	Instituted December 2021	Completed	College Staff to Post Summary Information on Website
4.8.1.a	<p>The College has and uses policies and processes to govern the collection, use, disclosure, and protection of information that is of a personal (both health and non-health) or sensitive nature that it holds</p>	<p>College staff will draft policies for the privacy of personal information and privacy breaches. They will be reviewed by Council during the 2021 reporting period.</p>	M	2022	Completed	Council approved the CDO's Personal Information and Privacy Policy at its December 9, 2022 meeting with immediate implementation.



7.15.1.a	Outline the College's KPI's, including a clear rationale for why each is important.	<p>In the next reporting cycle, the College will investigate KPIs that reflect specific performance targets and risks. For example, establishing benchmark timelines for processing registration, quality assurance and complaint files.</p> <p>Council considers feedback surveys (Council meetings, webinars, peer & practice assessments, peer circles etc.) and consultation reports to inform performance targets and identify risks. This information will be utilized to inform formal KPI development during the upcoming reporting period.</p>	M	To be completed in conjunction with Strategic Planning	Completed and Ongoing	<p>CDO Council developed and regularly reviews KPIs against its 2017-2020 Strategic Plan.</p> <p>CDO Council to conduct strategic planning workshop in 2023 to develop a 2-year strategic plan to include KPIs</p>
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College Performance Measurement Framework (CPMF) Reporting Tool

Reporting Year: January 2022 – December 2022

JANUARY – 2023

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Introduction

The College Performance Measurement Framework (CPMF)

The CPMF has been developed by the Ontario Ministry of Health (the ministry) in close collaboration with Ontario’s health regulatory Colleges (Colleges), subject matter experts and the public with the aim of answering the question “how well are Colleges executing their mandate which is to act in the public interest?” This information will:

- 1. Strengthen accountability and oversight of Ontario’s health regulatory Colleges;
- 2. Help Colleges improve their performance;

Each College will report on seven Domains with the support of six components, as illustrated in Table 1.

Table 1: CPMF Measurement Domains and Components

1	Measurement domains	→ Critical attributes of an excellent health regulator in Ontario that should be measured for the purpose of the CPMF.
2	Standards	→ Performance-based activities that a College is expected to achieve and against which a College will be measured.
3	Measures	→ More specific requirements to demonstrate and enable the assessment of how a College achieves a Standard.
4	Evidence	→ Decisions, activities, processes, or the quantifiable results that are being used to demonstrate and assess a College’s achievement of a standard.
5	Context measures	→ Statistical data Colleges report that will provide helpful context about a College’s performance related to a standard.
6	Planned improvement actions	→ Initiatives a College commits to implement over the next reporting period to improve its performance on one or more standards, where appropriate.

CPMF Model

The seven measurement domains shown in Figure 1 are the critical attributes that contribute to a College effectively serving and protecting the public interest. They relate to key statutory functions and organizational aspects that enable a College to carry out its functions well. The seven domains are interdependent and together lead to the outcomes that a College is expected to achieve as an excellent regulator.

Figure 1: CPMF Model for Measuring Regulatory Excellence

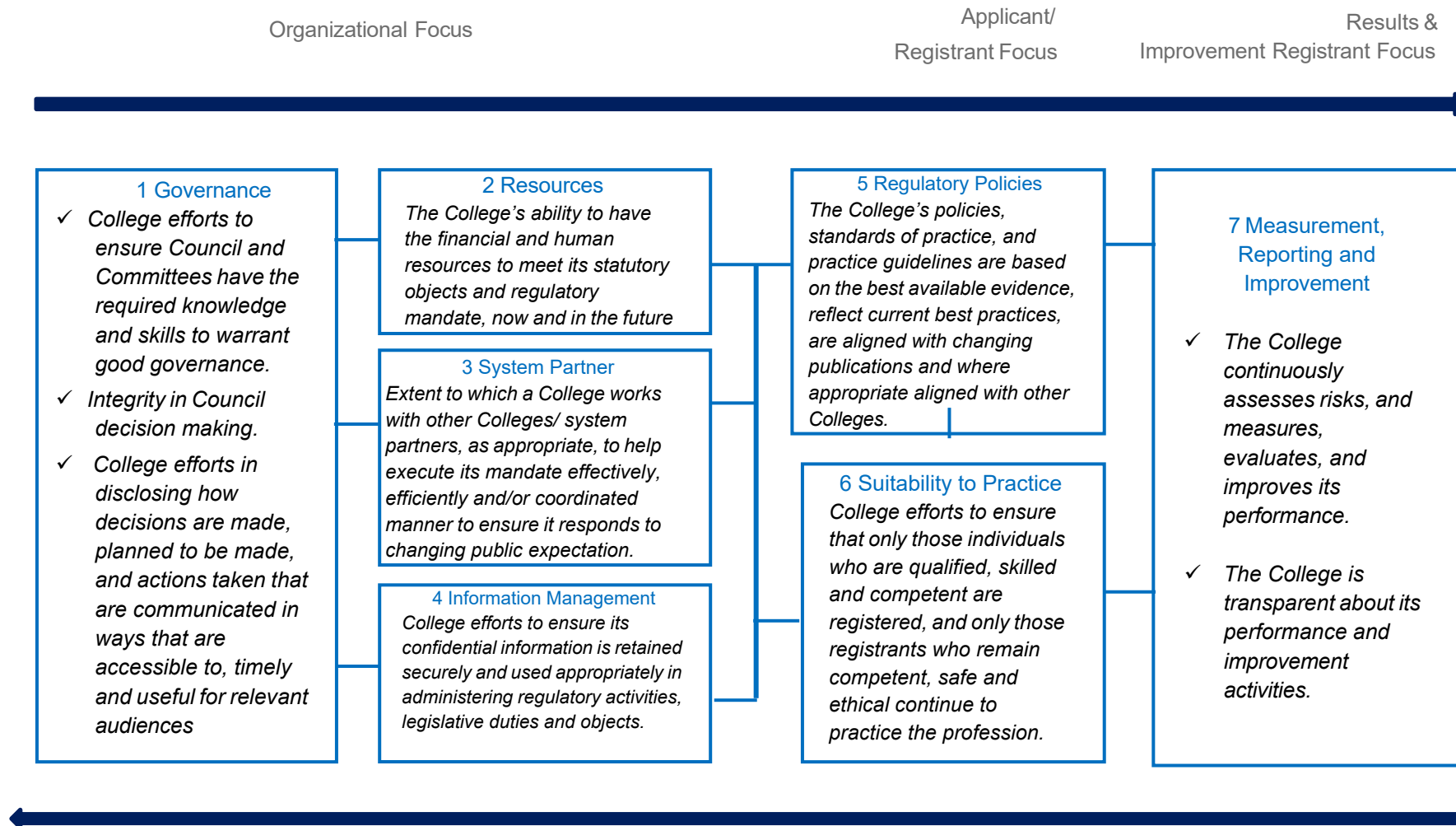


Figure 2: CPMF Domains and Standards

Domains	Standards
Governance	1. Council and statutory committee members have the knowledge, skills, and commitment needed to effectively execute their fiduciary role and responsibilities pertaining to the mandate of the College.
	2. Council decisions are made in the public interest.
	3. The College acts to foster public trust through transparency about decisions made and actions taken.
Resources	4. The College is a responsible steward of its (financial and human) resources.
System Partner	5. The College actively engages with other health regulatory Colleges and system partners to align oversight of the practice of the profession and support execution of its mandate.
	6. The College maintains cooperative and collaborative relationships responds in a timely and effective manner to changing public expectations.
Information Management	7. Information collected by the College is protected from unauthorized disclosure.
Regulatory Policies	8. Policies, standards of practice, and practice guidelines are based in the best available evidence, reflect current best practices, are aligned with changing public expectations, and where appropriate aligned with other Colleges.
Suitability to Practice	9. The College has processes and procedures in place to assess the competency, safety, and ethics of the people it registers.
	10. The College ensures the continued competence of all active registrants through its Quality Assurance processes. This includes an assessment of their competency, professionalism, ethical practice, and quality of care.
	11. The complaints process is accessible and supportive.
	12. All complaints, reports, and investigations are prioritized based on public risk, and conducted in a timely manner with necessary actions to protect the public.
	13. The College complaints process is coordinated and integrated.
Measurement, Reporting and Improvement	14. The College monitors, reports on, and improves its performance.

The CPMF Reporting Tool

The third iteration of the CPMF will continue to provide the public, the ministry, and other stakeholders with information respecting a College’s activities and processes regarding best practices of regulatory excellence and, where relevant, the College’s performance improvement commitments. At this time, the ministry will not assess whether a College meets or does not meet the Standards.

The information reported through the completed CPMF Reporting Tool may help to identify areas of improvement that warrant closer attention and potential follow-up. Furthermore, the reported results will help to lay a foundation upon which expectations for regulatory excellence can be refined and improved. Finally, the results may stimulate discussions about regulatory excellence and performance improvement among Council members and staff within a College, as well as between Colleges, the public, the ministry, college registrants/members, and other stakeholders.

Additionally, in 2022 the ministry developed a Summary Report highlighting key findings regarding the commendable practices Colleges already have in place, collective strengths, areas for improvement and the various commitments Colleges have made to improve their performance in serving and protecting the public as per their 2021 CPMF Reports. The focus of the Summary Report is on the performance of the regulatory system (as opposed to the performance of each individual College) and on areas where opportunities exist for colleges to learn from each other.

The ministry’s Summary Report will be posted in English and French and weblinks to the report will be shared with the Colleges once it is published.

For this reporting cycle, Colleges will be asked to report on:

- Their performance against the CPMF standards and updates on the improvements Colleges committed to undertake in their previous CPMF reports;
- Provide detailed improvement plans where they do not fully meet a benchmarked Evidence.

Completing the CPMF Reporting Tool

While the CPMF Reporting Tool seeks to clarify the information requested, it is not intended to direct College activities and processes or restrict the way a College fulfills its fiduciary duties. Where a term or concept is not explicitly defined in the CPMF Reporting Tool, the ministry relies on individual Colleges, as subject matter experts, to determine how a term should be appropriately interpreted given the uniqueness of the profession each College oversees.

In the spirit of continuous improvement, if the College plans to improve its actions or processes related to a respective Measure or Evidence, it is encouraged to highlight these planned activities and progress made on commitments from previous years.

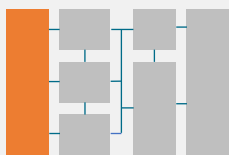
What has changed in 2022?

This year, eight pieces of Evidence have been highlighted within Part 1 of the Reporting Tool as ‘Benchmarked Evidence’. These pieces of evidence were identified as attributes of an excellent regulator, and Colleges should meet, or work towards meeting these benchmarks. If a College does not meet, or partially meets expectations on a benchmark, it is required to provide an improvement plan that includes the steps it will follow, timelines and any barriers to implementing that benchmark. In subsequent CPMF reports, Colleges will be expected to report on their progress in meeting the benchmarked Evidence.

Where a College fully met Evidence in 2021 and 2022, the College may opt to respond with ‘Met in 2021 and Continues to Meet in 2022’. In the instances where this is appropriate, this option appears in the dropdown menu. If that option is not there, Colleges are asked to fully respond to the Evidence or Standard. Colleges are also asked to provide additional detail (e.g., page numbers), when linking to, or referencing College documents.

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Part 1: Measurement Domains

		Measure: 1.1 Where possible, Council and Statutory Committee members demonstrate that they have the knowledge, skills, and commitment prior to becoming a member of Council or a Statutory Committee.	
DOMAIN 1: GOVERNANCE	STANDARD 1	Required Evidence	College Response
		a. Professional members are eligible to stand for election to Council only after: i. meeting pre-defined competency and suitability criteria; and <div><div></div><div>Benchmarked Evidence</div><div></div></div>	<div>The College fulfills this requirement:</div> <div>Choose an item.</div> <div><ul style="list-style-type: none">The competency and suitability criteria are public: Choose an item. If yes, please insert a link and indicate the page number where they can be found; if not, please list criteria.</div>
		<div>If the response is “partially” or “no”, describe the College’s plan to fully implement this measure. Outline the steps (i.e., drafting policies, consulting stakeholders, or reviewing/revising existing policies or procedures, etc.) the College will be taking, expected timelines and any barriers to implementation.</div>	

		ii. attending an orientation training about the College’s mandate and expectations pertaining to the member’s role and responsibilities.	The College fulfills this requirement:	Choose an item.	
			<ul style="list-style-type: none">Duration of orientation training.Please briefly describe the format of orientation training (e.g. in-person, online, with facilitator, testing knowledge at the end).Please insert a link and indicate the page number if training topics are public OR list orientation training topics.		
			<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i>		Choose an item.
			Additional comments for clarification (optional):		
		b. Statutory Committee candidates have: i. Met pre-defined competency and suitability criteria; and <div><div></div><div>Benchmarked Evidence</div><div></div></div>	The College fulfills this requirement:	Choose an item.	
			<ul style="list-style-type: none">The competency and suitability criteria are public: Choose an item.If yes, please insert a link and indicate the page number where they can be found; if not, please list criteria.		

			<i>If the response is “partially” or “no”, describe the College’s plan to fully implement this measure. Outline the steps (i.e., drafting policies, consulting stakeholders, or reviewing/revising existing policies or procedures, etc.) the College will be taking, expected timelines and any barriers to implementation.</i>	
		ii. attended an orientation training about the mandate of the Committee and expectations pertaining to a member’s role and responsibilities.	The College fulfills this requirement:	Choose an item.
			<ul style="list-style-type: none">• Duration of each Statutory Committee orientation training.• Please briefly describe the format of each orientation training (e.g., in-person, online, with facilitator, testing knowledge at the end).• Please insert a link and indicate the page number if training topics are public OR list orientation training topics for Statutory Committee.	
			<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i>	Choose an item.
			<i>Additional comments for clarification (optional):</i>	

		c. Prior to attending their first meeting, public appointments to Council undertake an orientation training course provided by the College about the College’s mandate and expectations pertaining to the appointee’s role and responsibilities.	The College fulfills this requirement:	Choose an item.
			<ul style="list-style-type: none">• Duration of orientation training.• Please briefly describe the format of orientation training (e.g., in-person, online, with facilitator, testing knowledge at the end).• Please insert a link and indicate the page number if training topics are public OR list orientation training topics.	
			<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i>	Choose an item.
			<i>Additional comments for clarification (optional):</i>	

Measure: 1.2 Council regularly assesses its effectiveness and addresses identified opportunities for improvement through ongoing education.			
Required Evidence		College Response	
a. Council has developed and implemented a framework to regularly evaluate the effectiveness of: i. Council meetings; and ii. Council.		The College fulfills this requirement:	Choose an item.
		<ul style="list-style-type: none">• Please provide the year when Framework was developed OR last updated.• Please insert a link to Framework OR link to Council meeting materials and indicate the page number where the Framework is found and was approved.• Evaluation and assessment results are discussed at public Council meeting: Choose an item.• <i>If yes, please insert a link to the last Council meeting and indicate the page number where the most recent evaluation results have been presented and discussed.</i>	
		If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?	Choose an item.
		Additional comments for clarification (optional)	

		b. The framework includes a third-party assessment of Council effectiveness at a minimum every three years.	The College fulfills this requirement:	Choose an item.
			<ul style="list-style-type: none">Has a third party been engaged by the College for evaluation of Council effectiveness? Choose an item.If yes, how often do they occur?Please indicate the year of last third-party evaluation.	
			If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?	Choose an item.
			Additional comments for clarification (optional)	

		<p>c. Ongoing training provided to Council and Committee members has been informed by:</p> <p>i. the outcome of relevant evaluation(s);</p> <p>ii. the needs identified by Council and Committee members; and/or</p>	<p>The College fulfills this requirement:</p>	<p>Choose an item.</p>
			<ul style="list-style-type: none">• Please insert a link to documents outlining how outcome evaluations have informed Council and Committee training and indicate the page numbers.• Please insert a link to Council meeting materials and indicate the page number where this information is found OR• Please briefly describe how this has been done for the training provided <u>over the last calendar year</u>.	
			<p><i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i></p>	<p>Choose an item.</p>
			<p><i>Additional comments for clarification (optional):</i></p>	

		<p>iii. evolving public expectations including risk management and Diversity, Equity, and Inclusion.</p> <p><u>Further clarification:</u></p> <p>Colleges are encouraged to define public expectations based on input from the public, their members, and stakeholders.</p> <p>Risk management is essential to effective oversight since internal and external risks may impact the ability of Council to fulfill its mandate.</p>	The College fulfills this requirement:	Choose an item.
			<ul style="list-style-type: none">• Please insert a link to documents outlining how evolving public expectations have informed Council and Committee training and indicate the page numbers.• Please insert a link to Council meeting materials and indicate the page number where this information is found OR• Please briefly describe how this has been done for the training provided <u>over the last calendar year</u>.	
			<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i>	Choose an item.
			<i>Additional comments for clarification (optional):</i>	

DOMAIN 1: GOVERNANCE	STANDARD 2	Measure:		
		2.1 All decisions related to a Council’s strategic objectives, regulatory processes, and activities are impartial, evidence-informed, and advance the public interest.		
		Required Evidence	College Response	
		a. The College Council has a Code of Conduct and ‘Conflict of Interest’ policy that is: i. reviewed at least every three years to ensure it reflects current legislation, practices, public expectations, issues, and emerging initiatives (e.g., Diversity, Equity, and Inclusion); and <u>Further clarification:</u> Colleges are best placed to determine the public expectations, issues and emerging initiatives based on input from their members, stakeholders, and the public. While there will be similarities across Colleges such as Diversity, Equity, and Inclusion, this is also an opportunity to reflect additional issues, expectations, and emerging initiatives unique to a College or profession.	The College fulfills this requirement:	Choose an item.
			<ul style="list-style-type: none">• Please provide the year when the Council Code of Conduct and ‘Conflict of Interest’ Policy was last evaluated/updated.• Please briefly describe any changes made to the Council Code of Conduct and ‘Conflict of Interest Policy’ resulting from the last review.	
			If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?	Choose an item.
Additional comments for clarification (optional)				

		ii. accessible to the public.	The College fulfills this requirement:		Choose an item.	
			<ul style="list-style-type: none">Please insert a link to the Council Code of Conduct and 'Conflict of Interest' Policy OR Council meeting materials where the policy is found and was last discussed and approved and indicate the page number.			
			If the response is "partially" or "no", is the College planning to improve its performance over the next reporting period?		Choose an item.	
			Additional comments for clarification (optional)			
		b. The College enforces a minimum time before an individual can be elected to Council after holding a position that could create an actual or perceived conflict of interest with respect their Council duties (i.e., cooling off periods). <u>Further clarification:</u> Colleges may provide additional methods not listed here by which they meet the evidence.	The College fulfills this requirement:		Choose an item.	
			<ul style="list-style-type: none">Cooling off period is enforced through: Choose an item.Please provide the year that the cooling off period policy was developed OR last evaluated/updated.Please provide the length of the cooling off period.How does the College define the cooling off period?<ul style="list-style-type: none">Insert a link to policy / document specifying the cooling off period, including circumstances where it is enforced and indicate the page number;Insert a link to Council meeting where cooling off period has been discussed and decided upon and indicate the page number; ORWhere not publicly available, please briefly describe the cooling off policy.			

			<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i>	Choose an item.	
		<i>Additional comments for clarification (optional)</i>			
		c. The College has a conflict-of-interest questionnaire that all Council members must complete annually. <u>Additionally:</u> i. the completed questionnaires are included as an appendix to each Council meeting package; ii. questionnaires include definitions of conflict of interest; iii. questionnaires include questions based on areas of risk for conflict of interest identified by Council that are specific to the profession and/or College; and iv. at the beginning of each Council meeting, members must declare any updates to their responses and any conflict of interest <u>specific to the meeting agenda</u> .	The College fulfills this requirement:	Choose an item.	
			<ul style="list-style-type: none">• Please provide the year when conflict of interest the questionnaire was implemented OR last evaluated/updated.• Member(s) note whether their questionnaire requires amendments at each Council meeting and whether they have any conflicts of interest based on Council agenda items: Choose an item.• Please insert a link to the most recent Council meeting materials that includes the questionnaire and indicate the page number.		
			<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i>	Choose an item.	
		<i>Additional comments for clarification (optional)</i>			

		d. Meeting materials for Council enable the public to clearly identify the public interest rationale and the evidence supporting a decision related to the College’s strategic direction or regulatory processes and actions (e.g., the minutes include a link to a publicly available briefing note).	The College fulfills this requirement:	Choose an item.
			<ul style="list-style-type: none">• Please briefly describe how the College makes public interest rationale for Council decisions accessible for the public.• Please insert a link to Council meeting materials that include an example of how the College references a public interest rationale and indicate the page number.	
			If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?	Choose an item.
			Additional comments for clarification (if needed)	

		<p>e. The College has and regularly reviews a formal approach to identify, assess, and manage internal and external risks. This approach is integrated into the College’s strategic planning and operations.</p> <p><u>Further clarification:</u> Formal approach refers to the documented method or which a College undertakes to identify, assess, and manage risk. This method or process should be regularly reviewed and appropriate.</p> <p>Risk management planning activities should be tied to strategic objectives of Council since internal and external risks may impact the ability of Council to fulfill its mandate, especially in the absence of mitigations.</p> <p>Internal risks are related to operations of the College and may impact its ability to meet its strategic objectives. External risks are economic, political and/or natural factors that happen outside of the organization.</p>	The College fulfills this requirement:		Choose an item.
			<ul style="list-style-type: none">• Please provide the year that the formal approach was last reviewed.• Please insert a link to the internal and external risks identified by the College OR Council meeting materials where the risks were discussed and integrated into the College’s strategic planning activities and indicate page number.		
			<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i>		Choose an item.
			<i>Additional comments for clarification (if needed)</i>		

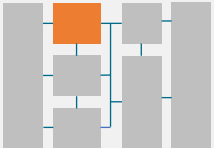
DOMAIN 1: GOVERNANCE	STANDARD 3	Measure:		
		3.1 Council decisions are transparent.		
		Required Evidence	College Response	
		a. Council minutes (once approved) and status updates on the implementation of Council decisions to date are accessible on the College’s website, or a process for requesting materials is clearly outlined.	The College fulfills this requirement:	Choose an item.
			<ul style="list-style-type: none">• Please insert a link to the webpage where Council minutes are posted.• Please insert a link to where the status updates on implementation of Council decisions to date are posted OR where the process for requesting these materials is posted.	
	If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?	Choose an item.		
	Additional comments for clarification (optional)			

		<div>b. The following information about Executive Committee meetings is clearly posted on the College’s website (alternatively the College can post the approved minutes if it includes the following information).<div><div>i. the meeting date;</div><div>ii. the rationale for the meeting;</div><div>iii. a report on discussions and decisions when Executive Committee acts as Council or discusses/deliberates on matters or materials that will be brought forward to or affect Council; and</div><div>iv. if decisions will be ratified by Council.</div></div></div>	The College fulfills this requirement:	Choose an item.
			<div><div><div></div></div><div>Please insert a link to the webpage where Executive Committee minutes/meeting information are posted.</div></div>	
			<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i>	Choose an item.
			<i>Additional comments for clarification (optional)</i>	

Measure: 3.2 Information provided by the College is accessible and timely.			
Required Evidence		College Response	
a. With respect to Council meetings: i. Notice of Council meeting and relevant materials are posted at least one week in advance; and ii. Council meeting materials remain accessible on the College's website for a minimum of 3 years, or a process for requesting materials is clearly outlined.		The College fulfills this requirement:	Choose an item.
		<ul style="list-style-type: none">Please insert a link to where past Council meeting materials can be accessed OR where the process for requesting these materials is clearly posted.	
		If the response is "partially" or "no", is the College planning to improve its performance over the next reporting period?	Choose an item.
		Additional comments for clarification (optional)	
b. Notice of Discipline Hearings are posted at least one month in advance and include a link to allegations posted on the public register.		The College fulfills this requirement:	Choose an item.
		<ul style="list-style-type: none">Please insert a link to the College's Notice of Discipline Hearings.	

			<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i>	Choose an item.	
		<i>Additional comments for clarification (optional)</i>			
		Measure:			
		3.3 The College has a Diversity, Equity, and Inclusion (DEI) Plan.			
		Required Evidence	College Response		
		a. The DEI plan is reflected in the Council’s strategic planning activities and appropriately resourced within the organization to support relevant operational initiatives (e.g., DEI training for staff).	The College fulfills this requirement:		Choose an item.
			<ul style="list-style-type: none">• Please insert a link to the College’s DEI plan.• Please insert a link to the Council meeting minutes where DEI was discussed as part of strategic planning and appropriate resources were approved and indicate page number.		
			<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i>		Choose an item.
			<i>Additional comments for clarification (optional)</i>		

		<p>b. The College conducts Equity Impact Assessments to ensure that decisions are fair and that a policy, or program, or process is not discriminatory.</p> <p><u>Further clarification:</u></p> <p>Colleges are best placed to determine how best to report on an Evidence. There are several Equity Impact Assessments from which a College may draw upon. The ministry encourages Colleges to use the tool best suited to its situation based on the profession, stakeholders, and patients it serves.</p>	<p>The College fulfills this requirement:</p>	<p>Choose an item.</p>
			<ul style="list-style-type: none">• Please insert a link to the Equity Impact Assessments conducted by the College and indicate the page number OR please briefly describe how the College conducts Equity Impact Assessments.• If the Equity Impact Assessments are not publicly accessible, please provide examples of the circumstances (e.g., applied to a policy, program, or process) in which Equity Impact Assessments were conducted.	
			<p><i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i></p>	<p>Choose an item.</p>
<p><i>Additional comments for clarification (optional)</i></p>				

		Measure: 4.1 The College demonstrates responsible stewardship of its financial and human resources in achieving its statutory objectives and regulatory mandate.	
DOMAIN 2: RESOURCES	STANDARD 4	Required Evidence	College Response
		a. The College identifies activities and/or projects that support its strategic plan including how resources have been allocated. <u>Further clarification:</u> A College’s strategic plan and budget should be designed to complement and support each other. To that end, budget allocation should depend on the activities or programs a College undertakes or identifies to achieve its goals. To do this, a College should have estimated the costs of each activity or program and the budget should be allocated accordingly.	The College fulfills this requirement: Choose an item.
			<ul style="list-style-type: none">• Please insert a link to Council meeting materials that include discussions about activities or projects to support the strategic plan AND a link to the most recent approved budget and indicate the page number.• Please briefly describe how resources were allocated to activities/projects in support of the strategic plan.
			<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i> Choose an item.
		<i>Additional comments for clarification (optional)</i>	

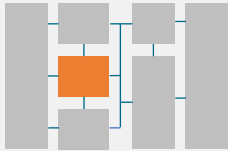
		<p>b. The College:</p> <p>i. has a “financial reserve policy” that sets out the level of reserves the College needs to build and maintain in order to meet its legislative requirements in case there are unexpected expenses and/or a reduction in revenue and</p> <p>ii. possesses the level of reserve set out in its “financial reserve policy”.</p>	The College fulfills this requirement:		Choose an item.
			<ul style="list-style-type: none">• Please insert a link to the “financial reserve policy” OR Council meeting materials where financial reserve policy has been discussed and approved and indicate the page number.• Please insert the most recent date when the “financial reserve policy” has been developed OR reviewed/updated.• Has the financial reserve policy been validated by a financial auditor? Choose an item.		
			If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?		Choose an item.
			Additional comments for clarification (if needed)		

		<p>c. Council is accountable for the success and sustainability of the organization it governs. This includes:</p> <p>i. regularly reviewing and updating written operational policies to ensure that the organization has the staffing complement it needs to be successful now and, in the future (e.g., processes and procedures for succession planning for Senior Leadership and ensuring an organizational culture that attracts and retains key talent, through elements such as training and engagement).</p> <div><div></div><div>Benchmarked Evidence</div><div></div></div>	The College fulfills this requirement:		Choose an item.	
			<ul style="list-style-type: none">• Please insert a link to the College’s written operational policies which address staffing complement to address current and future needs.• Please insert a link to Council meeting materials where the operational policy was last reviewed and indicate the page number. <p>Note: Colleges are encouraged to add examples of written operational policies that they identify as enabling a sustainable human resource complement to ensure organizational success.</p>			
			<p><i>If the response is “partially” or “no”, describe the College’s plan to fully implement this measure. Outline the steps (i.e., drafting policies, consulting stakeholders, or reviewing/revising existing policies or procedures, etc.) the College will be taking, expected timelines and any barriers to implementation.</i></p>			

		ii. regularly reviewing and updating the College’s data and technology plan to reflect how it adapts its use of technology to improve College processes in order to meet its mandate (e.g., digitization of processes such as registration, updated cyber security technology, searchable databases).	The College fulfills this requirement:		Choose an item.
			<ul style="list-style-type: none">Please insert a link to the College’s data and technology plan which speaks to improving College processes OR please briefly describe the plan.		
			If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?		Choose an item.
			Additional comments for clarification (optional)		

DOMAIN 3: SYSTEM PARTNER

STANDARD 5 and STANDARD 6



Measure / Required evidence: N/A

College response

Colleges are requested to provide a narrative that highlights their organization’s best practices for the following two standards. An exhaustive list of interactions with every system partner that the College engaged with is not required.

Colleges may wish to provide information that includes their key activities and outcomes for each best practice discussed with the ministry, or examples of system partnership that, while not specifically discussed, a College may wish to highlight as a result of dialogue.

The two standards under this domain are not assessed based on measures and evidence like other domains, as there is no ‘best practice’ regarding the execution of these two standards.

Instead, Colleges will report on key activities, outcomes, and next steps that have emerged through a dialogue with the ministry.

Beyond discussing what Colleges have done, the dialogue might also identify other potential areas for alignment with other Colleges and system partners.

Standard 5: The College actively engages with other health regulatory colleges and system partners to align oversight of the practice of the profession and support execution of its mandate.

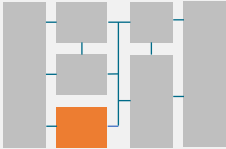
Recognizing that a College determines entry to practice for the profession it governs, and that it sets ongoing standards of practice for the profession it regulates and that the profession has multiple layers of oversight (e.g. by employers, different legislation, etc.), Standard 5 captures how the College works with other health regulatory colleges and other system partners to support and strengthen alignment of practice expectations, discipline processes, and quality improvement across all parts of the health system where the profession practices. In particular, a College is asked to report on:

- *How it has engaged other health regulatory Colleges and other system partners to strengthen the execution of its oversight mandate and aligned practice expectations? Please provide details of initiatives undertaken, how engagement has shaped the outcome of the policy/program and identify the specific changes implemented at the College (e.g., joint standards of practice, common expectations in workplace settings, communications, policies, guidance, website, etc.).*

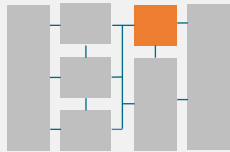
Standard 6: The College maintains cooperative and collaborative relationships and responds in a timely and effective manner to changing public/societal expectations.

The intent of Standard 6 is to demonstrate that a College has formed the necessary relationships with system partners to ensure that it receives and contributes information about relevant changes to public expectations. This could include both relationships where the College is asked to provide information by system partners, or where the College proactively seeks information in a timely manner.

- *Please provide examples of key successes and achievements from the reporting year where the College engaged with partners, including patients/public to ensure it can respond to changing public/societal expectations (e.g., COVID-19 Pandemic, mental health, labor mobility etc.). Please also describe the matters that were discussed with each of these partners and how the information that the College obtained/provided was used to ensure the College could respond to a public/societal expectation.*
- *In addition to the partners it regularly interacts with, the College is asked to include information about how it identifies relevant system partners, maintains relationships so that the College is able access relevant information from partners in a timely manner, and leverages the information obtained to respond (specific examples of when and how a College responded is requested in Standard 7).*

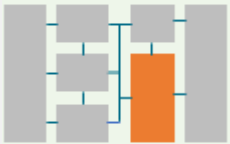
		Measure: 7.1 The College demonstrates how it protects against and addresses unauthorized disclosure of information.	
DOMAIN 4: INFORMATION MANAGEMENT	STANDARD 7	Required Evidence	College Response
		a. The College demonstrates how it: i. uses policies and processes to govern the disclosure of, and requests for information;	<div>The College fulfills this requirement:</div> <div>Choose an item.</div> <div><ul style="list-style-type: none">Please insert a link to policies and processes OR please briefly describe the respective policies and processes that addresses disclosure and requests for information.</div>
			<div>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</div> <div>Choose an item.</div>
			<div>Additional comments for clarification (optional)</div>

		<div>ii. uses cybersecurity measures to protect against unauthorized disclosure of information; and</div> <div>iii. uses policies, practices and processes to address accidental or unauthorized disclosure of information.</div> <div><div></div><div>Benchmarked Evidence</div><div></div></div>	<div>The College fulfills this requirement:</div> <div>Choose an item.</div>
			<div><ul style="list-style-type: none">Please insert a link to policies and processes OR please briefly describe the respective policies and processes to address cybersecurity and accidental or unauthorized disclosure of information.</div>
			<div>If the response is “partially” or “no”, describe the College’s plan to fully implement this measure. Outline the steps (i.e., drafting policies, consulting stakeholders, or reviewing/revising existing policies or procedures, etc.) the College will be taking, expected timelines and any barriers to implementation.</div>

		Measure: 8.1 All policies, standards of practice, and practice guidelines are up to date and relevant to the current practice environment (e.g., where appropriate, reflective of changing population health needs, public/societal expectations, models of care, clinical evidence, advances in technology).	
DOMAIN 5: REGULATORY POLICIES	STANDARD 8	Required Evidence	College Response
		a. The College regularly evaluates its policies, standards of practice, and practice guidelines to determine whether they are appropriate, or require revisions, or if new direction or guidance is required based on the current practice environment. <div><div></div><div>Benchmarked Evidence</div><div></div></div>	<div><div>The College fulfills this requirement:</div><div><ul style="list-style-type: none">Please insert a link to document(s) that outline how the College evaluates its policies, standards of practice, and practice guidelines to ensure they are up to date and relevant to the current practice environment and indicate the page number(s) OR please briefly describe the College’s evaluation process (e.g., what triggers an evaluation, how often are evaluations conducted, what steps are being taken, which stakeholders are being engaged in the evaluation and how are they involved).</div></div> <div><div>If the response is “partially” or “no”, describe the College’s plan to fully implement this measure. Outline the steps (i.e., drafting policies, consulting stakeholders, or reviewing/revising existing policies or procedures, etc.) the College will be taking, expected timelines and any barriers to implementation.</div></div>

		<p>b. Provide information on how the College takes into account the following components when developing or amending policies, standards and practice guidelines:</p> <ul style="list-style-type: none">i. evidence and data;ii. the risk posed to patients / the public;iii. the current practice environment;iv. alignment with other health regulatory Colleges (where appropriate, for example where practice matters overlap);v. expectations of the public; andvi. stakeholder views and feedback. <div><div></div><div>Benchmarked Evidence</div><div></div></div>	<p>The College fulfills this requirement:</p> <div><ul style="list-style-type: none">Please insert a link to document(s) that outline how the College develops or amends its policies, standards of practice, and practice guidelines to ensure they address the listed components and indicate the page number(s) OR please briefly describe the College’s development and amendment process.</div>	<p>Choose an item.</p>
			<p><i>If the response is “partially” or “no”, describe the College’s plan to fully implement this measure. Outline the steps (i.e., drafting policies, consulting stakeholders, or reviewing/revising existing policies or procedures, etc.) the College will be taking, expected timelines and any barriers to implementation.</i></p>	

		c. The College's policies, guidelines, standards and Code of Ethics should promote Diversity, Equity, and Inclusion (DEI) so that these principles and values are reflected in the care provided by the registrants of the College.	The College fulfills this requirement:	Choose an item.
			<ul style="list-style-type: none">• Please briefly describe how the College reviews its policies, guidelines, standards and Code of Ethics to ensure that they promote Diversity, Equity and Inclusion.• Please highlight some examples of policies, guidelines, standards or the Code of Ethics where Diversity, Equity and Inclusion are reflected.	
			If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?	Choose an item.
Additional comments for clarification (optional)				

		Measure: 9.1 Applicants meet all College requirements before they are able to practice.	
DOMAIN 6: SUITABILITY TO PRACTICE	STANDARD 9	Required Evidence	College Response
		a. Processes are in place to ensure that those who meet the registration requirements receive a certificate to practice (e.g., how it operationalizes the registration of members, including the review and validation of submitted documentation to detect fraudulent documents, confirmation of information from supervisors, etc.) ¹ .	<div>The College fulfills this requirement:</div> <div><div>Choose an item.</div><div><ul style="list-style-type: none">• Please insert a link that outlines the policies or processes in place to ensure the documentation provided by candidates meets registration requirements and indicate page number OR please briefly describe in a few words the processes and checks that are carried out.• Please insert a link and indicate the page number OR please briefly describe an overview of the process undertaken to review how a College operationalizes its registration processes to ensure documentation provided by candidates meets registration requirements (e.g., communication with other regulators in other jurisdictions to secure records of good conduct, confirmation of information from supervisors, educators, etc.).</div></div>

¹ This measure is intended to demonstrate how a College ensures an applicant meets every registration requirement set out in its registration regulation prior to engaging in the full scope of practice allowed under any certificate of registration, including whether an applicant is eligible to be granted an exemption from a particular requirement.

			<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i>	Choose an item.
			<i>Additional comments for clarification (optional)</i>	
		b. The College periodically reviews its criteria and processes for determining whether an applicant meets its registration requirements, against best practices (e.g., how a College determines language proficiency, how Colleges detect fraudulent applications or documents including applicant use of third parties, how Colleges confirm registration status in other jurisdictions or professions where relevant etc.).	The College fulfills this requirement:	Choose an item.
			<ul style="list-style-type: none">• Please insert a link that outlines the policies or processes in place for identifying best practices to assess whether an applicant meets registration requirements (e.g., how to assess English proficiency, suitability to practice etc.), a link to Council meeting materials where these have been discussed and decided upon and indicate page numbers OR please briefly describe the process and checks that are carried out.• Please provide the date when the criteria to assess registration requirements was last reviewed and updated.	
			<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i>	Choose an item.
			<i>Additional comments for clarification (optional)</i>	

Measure: 9.2 Registrants continuously demonstrate they are competent and practice safely and ethically.				
	c. A risk-based approach is used to ensure that currency ² and other competency requirements are monitored and regularly validated (e.g., procedures are in place to verify good character, continuing education, practice hours requirements etc.).	The College fulfills this requirement:	Choose an item.	
		<ul style="list-style-type: none">• Please briefly describe the currency and competency requirements registrants are required to meet.• Please briefly describe how the College identified currency and competency requirements.• Please provide the date when currency and competency requirements were last reviewed and updated.• Please briefly describe how the College monitors that registrants meet currency and competency requirements (e.g., self-declaration, audits, random audit etc.) and how frequently this is done.		
		If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?		Choose an item.
		Additional comments for clarification (optional)		

² A ‘currency requirement’ is a requirement for recent experience that demonstrates that a member’s skills or related work experience is up to date. In the context of this measure, only those currency requirements assessed as part of registration processes are included (e.g., during renewal of a certificate of registration, or at any other time).

		Measure:									
		9.3 Registration practices are transparent, objective, impartial, and fair.									
		a. The College addressed all recommendations, actions for improvement and next steps from its most recent Audit by the Office of the Fairness Commissioner (OFC).	<table><tr><td>The College fulfills this requirement:</td><td>Choose an item.</td></tr><tr><td colspan="2"><ul style="list-style-type: none">Please insert a link to the most recent assessment report by the OFC OR please provide a summary of outcome assessment report.Where an action plan was issued, is it: Choose an item.</td></tr><tr><td><i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i></td><td>Choose an item.</td></tr><tr><td colspan="2"><i>Additional comments for clarification (if needed)</i></td></tr></table>	The College fulfills this requirement:	Choose an item.	<ul style="list-style-type: none">Please insert a link to the most recent assessment report by the OFC OR please provide a summary of outcome assessment report.Where an action plan was issued, is it: Choose an item.		<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i>	Choose an item.	<i>Additional comments for clarification (if needed)</i>	
		The College fulfills this requirement:	Choose an item.								
<ul style="list-style-type: none">Please insert a link to the most recent assessment report by the OFC OR please provide a summary of outcome assessment report.Where an action plan was issued, is it: Choose an item.											
<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i>	Choose an item.										
<i>Additional comments for clarification (if needed)</i>											

DOMAIN 6: SUITABILITY TO PRACTICE	STANDARD 10	Measure: 10.1 The College supports registrants in applying the (new/revised) standards of practice and practice guidelines applicable to their practice.		
		Required Evidence	College Response	
		a. Provide examples of how the College assists registrants in implementing required changes to standards of practice or practice guidelines (beyond communicating the existence of new standard, FAQs, or supporting documents). <u>Further clarification:</u> Colleges are encouraged to support registrants when implementing changes to standards of practice or guidelines. Such activities could include carrying out a follow-up survey on how registrants are adopting updated standards of practice and addressing identifiable gaps.	The College fulfills this requirement:	
			Choose an item.	
			<ul style="list-style-type: none">Please briefly describe a recent example of how the College has assisted its registrants in the uptake of a new or amended standard:<ul style="list-style-type: none">Name of StandardDuration of period that support was providedActivities undertaken to support registrants% of registrants reached/participated by each activityEvaluation conducted on effectiveness of support providedDoes the College always provide this level of support: Choose an item. <i>If not, please provide a brief explanation:</i>	
If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?		Choose an item.		
		Additional comments for clarification (optional)		

Measure: 10.2 The College effectively administers the assessment component(s) of its QA Program in a manner that is aligned with right touch regulation ³ .			
	a. The College has processes and policies in place outlining: i. how areas of practice that are evaluated in QA assessments are identified in order to ensure the most impact on the quality of a registrant’s practice;	The College fulfills this requirement:	Choose an item.
		<ul style="list-style-type: none">• Please list the College’s priority areas of focus for QA assessment and briefly describe how they have been identified OR please insert a link to the website where this information can be found and indicate the page number.• Is the process taken above for identifying priority areas codified in a policy: Choose an item.• <i>If yes, please insert link to the policy.</i>	
		<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i>	
		<i>Additional comments for clarification (optional)</i>	

³ “Right touch” regulation is an approach to regulatory oversight that applies the minimal amount of regulatory force required to achieve a desired outcome. (Professional Standards Authority Right Touch Regulation. <https://www.professionalstandards.org.uk/publications/right-touch-regulation>).

		ii. details of how the College uses a right touch, evidence informed approach to determine which registrants will undergo an assessment activity (and which type of multiple assessment activities); and	The College fulfills this requirement:		Choose an item.
			<ul style="list-style-type: none">Please insert a link to document(s) outlining details of right touch approach and evidence used (e.g., data, literature, expert panel) to inform assessment approach and indicate page number(s). OR please briefly describe right touch approach and evidence used.Please provide the year the right touch approach was implemented OR when it was evaluated/updated (if applicable). <i>If evaluated/updated, did the college engage the following stakeholders in the evaluation:</i><ul style="list-style-type: none"><i>Public</i> Choose an item.<i>Employers</i> Choose an item.<i>Registrants</i> Choose an item.<i>other stakeholders</i> Choose an item.		
			<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i>		Choose an item.
			<i>Additional comments for clarification (optional)</i>		
		iii. criteria that will inform the remediation activities a registrant must undergo based on the QA assessment, where necessary.	The College fulfills this requirement:		Choose an item.
			<ul style="list-style-type: none">Please insert a link to the document that outlines criteria to inform remediation activities and indicate page number OR list criteria.		
		<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i>	Choose an item.		

		<i>Additional comments for clarification (optional)</i>										
		Measure: 10.3 The College effectively remediates and monitors registrants who demonstrate unsatisfactory knowledge, skills, and judgement.										
		a. The College tracks the results of remediation activities a registrant is directed to undertake as part of any College committee and assesses whether the registrant subsequently demonstrates the required knowledge, skill and judgement while practicing.	<table><tr><td>The College fulfills this requirement:</td><td>Choose an item.</td></tr><tr><td colspan="2"><ul style="list-style-type: none">• Please insert a link to the College’s process for monitoring whether registrant’s complete remediation activities OR please briefly describe the process.• Please insert a link to the College’s process for determining whether a registrant has demonstrated the knowledge, skills and judgement following remediation OR please briefly describe the process.</td></tr><tr><td colspan="2"><i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i></td><td>Choose an item.</td></tr><tr><td colspan="2"><i>Additional comments for clarification (if needed)</i></td></tr></table>	The College fulfills this requirement:	Choose an item.	<ul style="list-style-type: none">• Please insert a link to the College’s process for monitoring whether registrant’s complete remediation activities OR please briefly describe the process.• Please insert a link to the College’s process for determining whether a registrant has demonstrated the knowledge, skills and judgement following remediation OR please briefly describe the process.		<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i>		Choose an item.	<i>Additional comments for clarification (if needed)</i>	
		The College fulfills this requirement:	Choose an item.									
		<ul style="list-style-type: none">• Please insert a link to the College’s process for monitoring whether registrant’s complete remediation activities OR please briefly describe the process.• Please insert a link to the College’s process for determining whether a registrant has demonstrated the knowledge, skills and judgement following remediation OR please briefly describe the process.										
<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i>		Choose an item.										
<i>Additional comments for clarification (if needed)</i>												

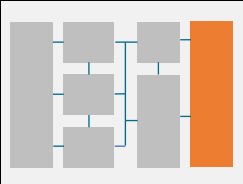
DOMAIN 6: SUITABILITY TO PRACTICE	STANDARD 11	Measure 11.1	
		The College enables and supports anyone who raises a concern about a registrant.	
		Required Evidence	College Response
		a. The different stages of the complaints process and all relevant supports available to complainants are: i. supported by formal policies and procedures to ensure all relevant information is received during intake at each stage, including next steps for follow up; ii. clearly communicated directly to complainants who are engaged in the complaints process, including what a complainant can expect at each stage and the supports available to them (e.g., funding for sexual abuse therapy); and;	The College fulfills this requirement: <ul style="list-style-type: none">Please insert a link to the College’s website that clearly describes the College’s complaints process including, options to resolve a complaint, the potential outcomes associated with the respective options and supports available to the complainant.Please insert a link to the policies/procedures for ensuring all relevant information is received during intake OR please briefly describe the policies and procedures if the documents are not publicly accessible.
			<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i>
			<i>Additional comments for clarification (optional)</i>

		iii. evaluated by the College to ensure the information provided to complainants is clear and useful.	The College fulfills this requirement:		Choose an item.	
			<ul style="list-style-type: none">Please provide details of how the College evaluates whether the information provided to complainants is clear and useful.			
		<div>Benchmarked Evidence</div>		If the response is “partially” or “no”, describe the College’s plan to fully implement this measure. Outline the steps (i.e., drafting policies, consulting stakeholders, or reviewing/revising existing policies or procedures, etc.) the College will be taking, expected timelines and any barriers to implementation.		
		b. The College responds to 90% of inquiries from the public within 5 business days, with follow-up timelines as necessary.	The College fulfills this requirement:			Choose an item.
			Please insert rate (see Companion Document: Technical Specifications for Quantitative CPMF Measures).			
			If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?			Choose an item.
Additional comments for clarification (optional)						

		c. Demonstrate how the College supports the public during the complaints process to ensure that the process is inclusive and transparent (e.g., translation services are available, use of technology, access outside regular business hours, transparency in decision-making to make sure the public understand how the College makes decisions that affect them etc.).	The College fulfills this requirement:	Choose an item.
			<ul style="list-style-type: none">Please list supports available for the public during the complaints process.Please briefly describe at what points during the complaints process that complainants are made aware of supports available.	
			<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i>	
			<i>Additional comments for clarification (optional)</i>	
		Measure: 11.2 All parties to a complaint and discipline process are kept up to date on the progress of their case, and complainants are supported to participate effectively in the process.		
		a. Provide details about how the College ensures that all parties are regularly updated on the progress of their complaint or discipline case, including how complainants can contact the College for information (e.g., availability and accessibility to relevant information, translation services etc.).	The College fulfills this requirement:	Choose an item.
			<ul style="list-style-type: none">Please insert a link to document(s) outlining how complainants can contact the College during the complaints process and indicate the page number(s) OR please provide a brief description.Please insert a link to document(s) outlining how complainants are supported to participate in the complaints process and indicate the page number(s) OR please provide a brief description.	
			<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i>	
			Choose an item.	

DOMAIN 6: SUITABILITY TO PRACTICE	STANDARD 12		Additional comments for clarification (optional)	
		Measure: 12.1 The College addresses complaints in a right touch manner.		
		a. The College has accessible, up-to-date, documented guidance setting out the framework for assessing risk and acting on complaints, including the prioritization of investigations, complaints, and reports (e.g., risk matrix, decision matrix/tree, triage protocol).	The College fulfills this requirement:	Choose an item.
			<ul style="list-style-type: none">Please insert a link to guidance document and indicate the page number OR please briefly describe the framework and how it is being applied.Please provide the year when it was implemented OR evaluated/updated (if applicable).	
			If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?	Choose an item.
		Additional comments for clarification (optional)		

DOMAIN 6: SUITABILITY TO PRACTICE	STANDARD 13	Measure:												
		13.1 The College demonstrates that it shares concerns about a registrant with other relevant regulators and external system partners (e.g. law enforcement, government, etc.).												
		a. The College’s policy outlining consistent criteria for disclosure and examples of the general circumstances and type of information that has been shared between the College and other relevant system partners, within the legal framework, about concerns with individuals and any results.	<table><tr><td>The College fulfills this requirement:</td><td>Choose an item.</td></tr><tr><td colspan="2"><ul style="list-style-type: none">• Please insert a link to the policy and indicate page number OR please briefly describe the policy.• Please provide an overview of whom the College has shared information with over the past year and the purpose of sharing that information (i.e., general sectors of system partner, such as ‘hospital’, or ‘long-term care home’).</td></tr><tr><td colspan="2"><i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i></td><td>Choose an item.</td></tr><tr><td colspan="2"><i>Additional comments for clarification (if needed)</i></td><td colspan="2"></td></tr></table>	The College fulfills this requirement:	Choose an item.	<ul style="list-style-type: none">• Please insert a link to the policy and indicate page number OR please briefly describe the policy.• Please provide an overview of whom the College has shared information with over the past year and the purpose of sharing that information (i.e., general sectors of system partner, such as ‘hospital’, or ‘long-term care home’).		<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i>		Choose an item.	<i>Additional comments for clarification (if needed)</i>			
		The College fulfills this requirement:	Choose an item.											
<ul style="list-style-type: none">• Please insert a link to the policy and indicate page number OR please briefly describe the policy.• Please provide an overview of whom the College has shared information with over the past year and the purpose of sharing that information (i.e., general sectors of system partner, such as ‘hospital’, or ‘long-term care home’).														
<i>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</i>		Choose an item.												
<i>Additional comments for clarification (if needed)</i>														

		Measure: 14.1 Council uses Key Performance Indicators (KPIs) in tracking and reviewing the College’s performance and regularly reviews internal and external risks that could impact the College’s performance.	
DOMAIN 7: MEASUREMENT, REPORTING & IMPROVEMENT	STANDARD 14	Required Evidence	College Response
		a. Outline the College’s KPIs, including a clear rationale for why each is important.	<div>The College fulfills this requirement:</div> <div>Choose an item.</div> <div><ul style="list-style-type: none">Please insert a link to a document that list College’s KPIs with an explanation for why these KPIs have been selected (including what the results the respective KPIs tells, and how it relates to the College meeting its strategic objectives and is therefore relevant to track), a link to Council meeting materials where this information is included and indicate page number OR list KPIs and rationale for selection.</div>
			<div>If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?</div> <div>Choose an item.</div>

			Additional comments for clarification (if needed)	
		b. The College regularly reports to Council on its performance and risk review against: i. stated strategic objectives (i.e., the objectives set out in a College’s strategic plan); ii. regulatory outcomes (i.e., operational indicators/targets with reference to the goals we are expected to achieve under the RHPA); and iii. its risk management approach.	The College fulfills this requirement:	Choose an item.
			<ul style="list-style-type: none">Please insert a link to Council meeting materials where the College reported to Council on its progress against stated strategic objectives, regulatory outcomes and risks that may impact the College’s ability to meet its objectives and the corresponding meeting minutes and indicate the page number.	
			If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?	Choose an item.
			Additional comments for clarification (if needed)	

		Measure:		
		14.2 Council directs action in response to College performance on its KPIs and risk reviews.		
		a. Council uses performance and risk review findings to identify where improvement activities are needed. <div>Benchmarked Evidence</div>	The College fulfills this requirement:	Choose an item.
			<ul style="list-style-type: none">Please insert a link to Council meeting materials where the Council used performance and risk review findings to identify where the College needs to implement improvement activities and indicate the page number.	
			If the response is “partially” or “no”, describe the College’s plan to fully implement this measure. Outline the steps (i.e., drafting policies, consulting stakeholders, or reviewing/revising existing policies or procedures, etc.) the College will be taking, expected timelines and any barriers to implementation.	
		Measure:		
		14.3 The College regularly reports publicly on its performance.		
		a. Performance results related to a College’s strategic objectives and regulatory outcomes are made public on the College’s website.	The College fulfills this requirement:	Choose an item.
			<ul style="list-style-type: none">Please insert a link to the College’s dashboard or relevant section of the College’s website.	
If the response is “partially” or “no”, is the College planning to improve its performance over the next reporting period?	Choose an item.			
Additional comments for clarification (if needed)				

Part 2: Context Measures

The following tables require Colleges to provide **statistical data** that will provide helpful context about a College’s performance related to the standards. The context measures are non-directional, which means no conclusions can be drawn from the results in terms of whether they are ‘good’ or ‘bad’ without having a more in-depth understanding of what specifically drives those results.

In order to facilitate consistency in reporting, a recommended method to calculate the information is provided in the companion document “Technical Specifications for Quantitative College Performance Measurement Framework Measures.” However, recognizing that at this point in time, the data may not be readily available for each College to calculate the context measure in the recommended manner (e.g., due to differences in definitions), a College can report the information in a manner that is conducive to its data infrastructure and availability.

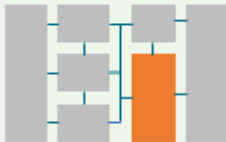
In those instances where a College does not have the data or the ability to calculate the context measure at this point in time it should state: ‘Nil’ and indicate any plans to collect the data in the future.

Where deemed appropriate, Colleges are encouraged to provide additional information to ensure the context measure is properly contextualized to its unique situation. Finally, where a College chooses to report a context measure using a method other than the recommended method outlined in the following Technical Document, the College is asked to provide the method in order to understand how the information provided was calculated.

The ministry has also included hyperlinks of the definitions to a glossary of terms for easier navigation.

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Table 1 – Context Measure 1

DOMAIN 6: SUITABILITY TO PRACTICE			
STANDARD 10			
Statistical data collected in accordance with the recommended method or the College's own method: Choose an item. <i>If a College method is used, please specify the rationale for its use:</i>			
Context Measure (CM)			
CM 1. Type and distribution of QA/QI activities and assessments used in CY 2022*		<p><i>What does this information tell us? Quality assurance (QA) and Quality Improvement (QI) are critical components in ensuring that professionals provide care that is safe, effective, patient-centred and ethical. In addition, health care professionals face a number of ongoing changes that might impact how they practice (e.g., changing roles and responsibilities, changing public expectations, legislative changes).</i></p> <p><i>The information provided here illustrates the diversity of QA activities the College undertook in assessing the competency of its registrants and the QA and QI activities its registrants undertook to maintain competency in CY 2022. The diversity of QA/QI activities and assessments is reflective of a College’s risk-based approach in executing its QA program, whereby the frequency of assessment and activities to maintain competency are informed by the risk of a registrant not acting competently. Details of how the College determined the appropriateness of its assessment component of its QA program are described or referenced by the College in Measure 10.2(a) of Standard 10.</i></p>	
Type of QA/QI activity or assessment:	#		
i. <Insert QA activity or assessment>			
ii. <Insert QA activity or assessment>			
iii. <Insert QA activity or assessment>			
iv. <Insert QA activity or assessment>			
v. <Insert QA activity or assessment>			
vi. <Insert QA activity or assessment>			
vii. <Insert QA activity or assessment>			
- <Insert QA activity or assessment>			
viii. <Insert QA activity or assessment>			
ix. <Insert QA activity or assessment>			
x. <Insert QA activity or assessment>			

<p><i>* Registrants may be undergoing multiple QA activities over the course of the reporting period. While future iterations of the CPMF may evolve to capture the different permutations of pathways registrants may undergo as part of a College’s QA Program, the requested statistical information recognizes the current limitations in data availability today and is therefore limited to type and distribution of QA/QI activities or assessments used in the reporting period.</i></p> <p><u>NR</u></p>	
<p><i>Additional comments for clarification (if needed)</i></p>	

Table 2 – Context Measures 2 and 3

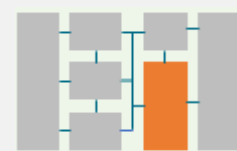
DOMAIN 6: SUITABILITY TO PRACTICE				
STANDARD 10				
Statistical data collected in accordance with the recommended method or the College own method: Choose an item.				
If a College method is used, please specify the rationale for its use:				
Context Measure (CM)				
		#	%	What does this information tell us? If a registrant’s knowledge, skills, and judgement to practice safely, effectively, and ethically have been assessed or reassessed and found to be unsatisfactory or a registrant is non-compliant with a College’s QA Program, the College may refer them to the College’s QA Committee. The information provided here shows how many registrants who underwent an activity or assessment as part of the QA program where the QA Committee deemed that their practice is unsatisfactory and as a result have been directed to participate in specified continuing education or remediation program as of the start of CY 2022, understanding that some cases may carry over.
CM 2.	Total number of registrants who participated in the QA Program CY 2022			
CM 3.	Rate of registrants who were referred to the QA Committee as part of the QA Program where the QA Committee directed the registrant to undertake remediation in CY 2022.			
NR				
Additional comments for clarification (if needed)				

Table 3 – Context Measure 4

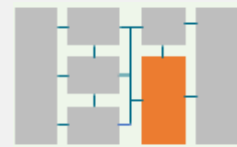
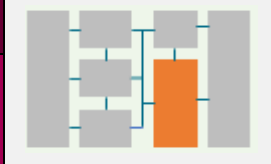
DOMAIN 6: SUITABILITY TO PRACTICE				
STANDARD 10				
Statistical data collected in accordance with the recommended method or the College’s own method: Choose an item.				
If a College method is used, please specify the rationale for its use:				
Context Measure (CM)				
CM 4. Outcome of remedial activities as at the end of CY 2022:**		#	%	What does this information tell us? This information provides insight into the outcome of the College’s remedial activities directed by the QA Committee and may help a College evaluate the effectiveness of its “QA remediation activities”. Without additional context no conclusions can be drawn on how successful the QA remediation activities are, as many factors may influence the practice and behaviour registrants (continue to) display.
I. Registrants who demonstrated required knowledge, skills, and judgement following remediation*				
II. Registrants still undertaking remediation (i.e., remediation in progress)				
NR * This number may include registrants who were directed to undertake remediation in the previous year and completed reassessment in CY 2022. **This measure may include any outcomes from the previous year that were carried over into CY 2022.				
Additional comments for clarification (if needed)				
-				

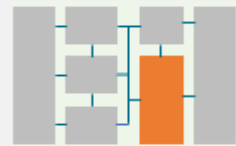
Table 4 – Context Measure 5

DOMAIN 6: SUITABILITY TO PRACTICE					
STANDARD 12					
Statistical data is collected in accordance with the recommended method or the College’s own method: Choose an item. <i>If a College method is used, please specify the rationale for its use:</i>					
Context Measure (CM)					
CM 5. Distribution of formal complaints and Registrar’s Investigations by theme in CY 2022		Formal received	Complaints	Registrar initiated	Investigations
Themes:		#	%	#	%
I. Advertising					
II. Billing and Fees					
III. Communication					
IV. Competence / Patient Care					
V. Intent to Mislead including Fraud					
VI. Professional Conduct & Behaviour					
VII. Record keeping					
VIII. Sexual Abuse					
IX. Harassment / Boundary Violations					
X. Unauthorized Practice					
XI. Qther <please specify>					
Total number of formal complaints and Registrar’s Investigations**			100%		100%
What does this information tell us? This information facilitates transparency to the public, registrants and the ministry regarding the most prevalent themes identified in formal complaints received and Registrar’s Investigations undertaken by a College.					

Formal Complaints NR Registrar’s Investigation <i>**The requested statistical information (number and distribution by theme) recognizes that formal complaints and Registrar’s Investigations may include allegations that fall under multiple themes identified above, therefore when added together the numbers set out per theme may not equal the total number of formal complaints or Registrar’s Investigations.</i>	
<i>Additional comments for clarification (if needed)</i>	

-

Table 5 – Context Measures 6, 7, 8 and 9

DOMAIN 6: SUITABILITY TO PRACTICE			
STANDARD 12			
Statistical data collected in accordance with the recommended method or the College’s own method: Choose an item.			
If a College method is used, please specify the rationale for its use:			
Context Measure (CM)			
CM 6. Total number of formal complaints that were brought forward to the ICRC in CY 2022			What does this information tell us? The information helps the public better understand how formal complaints filed with the College and Registrar’s Investigations are disposed of or resolved. Furthermore, it provides transparency on key sources of concern that are being brought forward to the College’s Inquiries, Complaints and Reports Committee.
CM 7. Total number of ICRC matters brought forward as a result of a Registrar’s Investigation in CY 2022			
CM 8. Total number of requests or notifications for appointment of an investigator through a Registrar’s Investigation brought forward to the ICRC that were approved in CY 2022			
CM 9. Of the formal complaints and Registrar’s Investigations received in CY 2022**:	#	%	
I. Formal complaints that proceeded to Alternative Dispute Resolution (ADR)			
II. Formal complaints that were resolved through ADR			
III. Formal complaints that were disposed of by ICRC			
IV. Formal complaints that proceeded to ICRC and are still pending			
V. Formal complaints withdrawn by Registrar at the request of a complainant			
VI. Formal complaints that are disposed of by the ICRC as frivolous and vexatious			

VII. Formal complaints and Registrar’s Investigations that are disposed of by the ICRC as a referral to the Discipline Committee			
<div><div><div>ADR</div><div>Disposal</div><div>Formal Complaints</div><div>Formal Complaints withdrawn by Registrar at the request of a complainant</div><div>NR</div><div>Registrar’s Investigation</div></div><div><div># May relate to Registrar’s Investigations that were brought to the ICRC in the previous year.</div><div>** The total number of formal complaints received may not equal the numbers from 9(i) to (vi) as complaints that proceed to ADR and are not resolved will be reviewed at the ICRC, and complaints that the ICRC disposes of as frivolous and vexatious and a referral to the Discipline Committee will also be counted in total number of complaints disposed of by the ICRC.</div></div></div>			
<div>Additional comments for clarification (if needed)</div>			

Table 6 – Context Measure 10

DOMAIN 6: SUITABILITY TO PRACTICE							
STANDARD 12							
Statistical data collected in accordance with the recommended method or the College’s own method: Choose an item.							
If a College method is used, please specify the rationale for its use:							
Context Measure (CM)							
CM 10. Total number of ICRC decisions in 2022							
Distribution of ICRC decisions by theme in 2022*	# of ICRC Decisions++						
Nature of Decision	Take no action	Proves advice or recommendations	Issues a caution (oral or written)	Orders a specified continuing education or remediation program	Agrees to undertaking	Refers specified allegations to the Discipline Committee	Takes any other action it considers appropriate that is not inconsistent with its governing legislation, regulations, or by-laws.
I. Advertising							
II. Billing and Fees							
III. Communication							
IV. Competence / Patient Care							
V. Intent to Mislead Including Fraud							
VI. Professional Conduct & Behaviour							
VII. Record Keeping							
VIII. Sexual Abuse							
IX. Harassment / Boundary Violations							

X.	Unauthorized Practice						
XI.	Other <please specify>						

• Number of decisions are corrected for formal complaints ICRC deemed frivolous and vexatious AND decisions can be regarding formal complaints and registrar’s investigations brought forward prior to 2022.
 ++ The requested statistical information (number and distribution by theme) recognizes that formal complaints and Registrar’s Investigations may include allegations that fall under multiple themes identified above, therefore when added together the numbers set out per theme may not equal the total number of formal complaints or registrar’s investigations, or decisions.

[NR](#)

What does this information tell us? This information will help increase transparency on the type of decisions rendered by ICRC for different themes of formal complaints and Registrar’s Investigation and the actions taken to protect the public. In addition, the information may assist in further informing the public regarding what the consequences for a registrant can be associated with a particular theme of complaint or Registrar investigation and could facilitate a dialogue with the public about the appropriateness of an outcome related to a particular formal complaint.

Additional comments for clarification (if needed)

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Table 7 – Context Measure 11

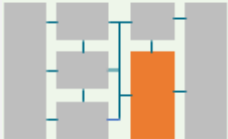
DOMAIN 6: SUITABILITY TO PRACTICE		
STANDARD 12		
Statistical data collected in accordance with the recommended method or the College own method: Choose an item.		
If College method is used, please specify the rationale for its use:		
Context Measure (CM)		
CM 11. 90 th Percentile disposal of:	Days	What does this information tell us? This information illustrates the maximum length of time in which 9 out of 10 formal complaints or Registrar’s investigations are being disposed by the College.
I. A formal complaint in working days in CY 2022		The information enhances transparency about the timeliness with which a College disposes of formal complaints or Registrar’s investigations. As such, the information provides the public, ministry, and other stakeholders with information regarding the approximate timelines they can expect for the disposal of a formal complaint filed with, or Registrar’s investigation undertaken by, the College.
II. A Registrar’s investigation in working days in CY 2022		
Disposal		
Additional comments for clarification (if needed)		
-		

Table 8 – Context Measure 12

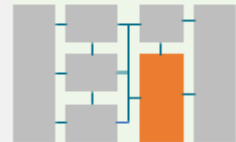
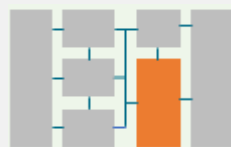
DOMAIN 6: SUITABILITY TO PRACTICE		
STANDARD 12		
Statistical data collected in accordance with the recommended method or the College’s own method: Choose an item. <i>If a College method is used, please specify the rationale for its use:</i>		
Context Measure (CM)		
CM 12. 90th Percentile disposal of:	Days	What does this information tell us? This information illustrates the maximum length of time in which 9 out of 10 uncontested discipline hearings and 9 out of 10 contested discipline hearings are being disposed. The information enhances transparency about the timeliness with which a discipline hearing undertaken by a College is concluded. As such, the information provides the public, ministry, and other stakeholders with information regarding the approximate timelines they can expect for the resolution of a discipline proceeding undertaken by the College.
I. An uncontested discipline hearing in working days in CY 2022		
II. A contested discipline hearing in working days in CY 2022		
Disposal Uncontested Discipline Hearing Contested Discipline Hearing		
Additional comments for clarification (if needed) -		

Table 9 – Context Measure 13

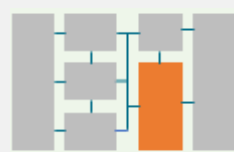
DOMAIN 6: SUITABILITY TO PRACTICE		
STANDARD 12		
Statistical data collected in accordance with the recommended method or the College’s own method: Choose an item.		
If College method is used, please specify the rationale for its use:		
Context Measure (CM)		
CM 13. Distribution of Discipline finding by type*		What does this information tell us? This information facilitates transparency to the public, registrants and the ministry regarding the most prevalent discipline findings where a formal complaint or Registrar’s Investigation is referred to the Discipline Committee by the ICRC.
Type	#	
I. Sexual abuse		
II. Incompetence		
III. Fail to maintain Standard		
IV. Improper use of a controlled act		
V. Conduct unbecoming		
VI. Dishonourable, disgraceful, unprofessional		
VII. Offence conviction		
VIII. Contravene certificate restrictions		
IX. Findings in another jurisdiction		
X. Breach of orders and/or undertaking		
XI. Falsifying records		
XII. False or misleading document		
XIII. Contravene relevant Acts		

** The requested statistical information recognizes that an individual discipline case may include multiple findings identified above, therefore when added together the number of findings may not equal the total number of discipline cases.*

[NR](#)

Additional comments for clarification (if needed)

Table 10 – Context Measure 14

DOMAIN 6: SUITABILITY TO PRACTICE			
STANDARD 12			
Statistical data collected in accordance with the recommended method or the College own method: Choose an item.			
If a College method is used, please specify the rationale for its use:			
Context Measure (CM)			
CM 14. Distribution of Discipline orders by type*		What does this information tell us? This information will help strengthen transparency on the type of actions taken to protect the public through decisions rendered by the Discipline Committee. It is important to note that no conclusions can be drawn on the appropriateness of the discipline decisions without knowing intimate details of each case including the rationale behind the decision.	
Type	#		
I. Revocation			
II. Suspension			
III. Terms, Conditions and Limitations on a Certificate of Registration			
IV. Reprimand			
V. Undertaking			
* The requested statistical information recognizes that an individual discipline case may include multiple findings identified above, therefore when added together the numbers set out for findings and orders may not equal the total number of discipline cases.			
Revocation			
Suspension			
Terms, Conditions and Limitations			
Reprimand			
Undertaking			
NR -			
Additional comments for clarification (if needed)			

Glossary

Alternative Dispute Resolution (ADR): Means mediation, conciliation, negotiation, or any other means of facilitating the resolution of issues in dispute.

Return to:-[Table 5](#)

Contested Discipline Hearing: In a contested hearing, the College and registrant disagree on some or all of the allegations, penalty and/or costs.

Return to: [Table 8](#)

Disposal: The day upon which all relevant decisions were provided to the registrant by the College (i.e., the date the reasons are released and sent to the registrant and complainant, including both liability and penalty decisions, where relevant).

Return to: [Table 5](#), [Table 7](#), [Table 8](#)

Formal Complaint: A statement received by a College in writing or in another acceptable form that contains the information required by the College to initiate an investigation. This excludes complaint inquiries and other interactions with the College that do not result in a formally submitted complaint.

Return to: [Table 4](#), [Table 5](#)

Formal Complaints withdrawn by Registrar at the request of a complainant: Any formal complaint withdrawn by the Registrar prior to any action being taken by a Panel of the ICRC, at the request of the complainant, where the Registrar believed that the withdrawal was in the public interest.

Return to: [Table 5](#)

NR: Non-reportable: Results are not shown due to < 5 cases (for both # and %). This may include 0 reported cases.

Return to: [Table 1](#), [Table 2](#), [Table 3](#), [Table 4](#), [Table 5](#), [Table 6](#), [Table 9](#), [Table 10](#)

Registrar’s Investigation: Under s.75(1)(a) of the *Regulated Health Professions Act, 1991*, (RHPA) where a Registrar believes, on reasonable and probable grounds, that a registrant has committed an act of professional misconduct or is incompetent, they can appoint an investigator which must be approved by the Inquiries, Complaints and Reports Committee (ICRC). Section 75(1)(b) of the RHPA, where the ICRC receives information about a member from the Quality Assurance Committee, it may request the Registrar to conduct an investigation. In situations where the Registrar determines that the registrant exposes, or is likely to expose, their patient to harm or injury, the Registrar can appoint an investigator immediately without ICRC approval and must inform the ICRC of the appointment within five days.

Return to: [Table 4](#), [Table 5](#)

Revocation: Of a member or registrant’s Certificate of Registration occurs where the discipline or fitness to practice committee of a health regulatory College makes an order to “revoke” the certificate which terminates the registrant’s registration with the College and therefore their ability to practice the profession.

Return to: [Table 10](#)

Suspension: A suspension of a registrant’s Certificate of Registration occurs for a set period of time during which the registrant is not permitted to:

- Hold themselves out as a person qualified to practice the profession in Ontario, including using restricted titles (e.g., doctor, nurse),
- Practice the profession in Ontario, or
- Perform controlled acts restricted to the profession under the Regulated Health Professions Act, 1991.

Return to: [Table 10](#)

Reprimand: A reprimand is where a registrant is required to attend publicly before a discipline panel of the College to hear the concerns that the panel has with their practice.

Return to: [Table 10](#)

Terms, Conditions and Limitations: On a Certificate of Registration are restrictions placed on a registrant’s practice and are part of the Public Register posted on a health regulatory College’s website.

Return to: [Table 10](#)

Uncontested Discipline Hearing: In an uncontested hearing, the College reads a statement of facts into the record which is either agreed to or uncontested by the Respondent. Subsequently, the College and the respondent may make a joint submission on penalty and costs or the College may make submissions which are uncontested by the Respondent.

Return to: [Table 8](#)

Undertaking: Is a written promise from a registrant that they will carry out certain activities or meet specified conditions requested by the College committee.

Return to: [Table 10](#)



BRIEFING NOTE

To: **Council**

From: **Roderick Tom-Ying, Registrar & CEO**

Date: **March 10, 2023**

Subject: **By-Law Amendments – Registration Year End & Common Expenses**

Public Interest Rationale

The College of Denturists of Ontario's mandate is to protect the public by ensuring Registered Denturists provide safe, ethical, and competent denturism care and service in Ontario. As part of that mandate, Council must demonstrate responsible stewardship of its human resources and implement governance best practices to achieve its statutory objectives and regulatory mandate. This can be achieved by regularly reviewing its By-Laws and making any necessary updates to ensure harmony with overarching legislation and staying current with its remuneration framework.

Background

Within the proposed by-law amendments are three separate matters that will be addressed: aligning the annual renewal registration year end with the College's fiscal year end, updating the common expenses found in Schedule 5 & 6 of the College By-Laws, and reviewing the Presidential and Vice-Presidential term limits.

College Staff have received legal guidance from the College Legal Counsel that a 60-day public consultation is not mandated to amend Schedule 5 & 6, and presidential term limits. However, in order to amend the registration year, a 60-day public consultation will be required as per section 94(2) of Schedule II of the *Regulated Health Professions Act, 1991*.

Proposed Amendment 1: Registration Year End

Upon completion of the 2022 Annual Audit, the College's independent third-party auditors (Hilborn LLP) routinely provides CDO management with a debrief of their findings and provide any post-audit commentary.

It was suggested that the CDO should consider aligning its registration year end – the annual renewal cycle for Denturists with the CDO’s fiscal year end. This was also mentioned by Hilborn LLP at the December 2022 Council meeting when Council approved the drafted audited financial statements for 2022 year end.

Current Registration Year – From April 15th to April 14th of the following year. Denturists must renew their Certificate of Registration (license) by April 14th of each year.

Fiscal Year – From March 31st to April 1st of the following year.

Proposed Registration Year – From March 31st to April 1st of the following year.

Benefits

Alignment between the registration year and fiscal year will provide the following benefits:

- Harmony and increased clarity between the two important dates.
- Less complex accounting processes and greater streamlined efficiencies due to simplification of liabilities (deferred registration fees).
 - Renewal fees collected between fiscal year end of March 31st with renewal year end of April 14th must be recorded as a liability and accounted for on the CDO’s balance sheet.
 - While it is a moderately simple accounting task to record liabilities from deferred registration fees due to the size of CDO membership, it would be considered best practice for alignment to occur.
- Alignment with proposed Registration Regulation amendments that specify a March 31st renewal deadline for Certificates of Registration issued under the Emergency Class. It would add complexity should the Ministry approve CDO’s proposed Registration Regulation and there is misalignment between the various classes of certificates and their renewal deadlines.

Implications

The alignment between the registration year and fiscal year requires moving the registration renewal year up by two weeks or 14 days. Based on College Staff’s analysis, the implications for Denturists would be moving their renewal deadline up by 14 days. Annual renewal opens March 1st each year and Denturists have until April 14th to renew their Certificates of Registration (license).

Renewal consists of signing on to their online profiles, updating their contact information, completing the online application form, and submitting payments by either credit card or cheques.

To mitigate the shortened renewal period, the College is proposing the following:

- Implementing the change in renewal period for 2024 onwards – to begin in 2024.

- Opening renewal earlier by two weeks to account for the loss of two weeks.
- Provide advance notice of the changes through a publication campaign of various reminders and newsletters.
- Waiving late renewal fees for the 2024 renewal period up to April 14, 2024. This grace period would cover up to the previous renewal year end. Any late fee decisions after April 14, 2024, would continue to be on a case-by-case basis.

Proposed Amendment 2: Updating Common Valid Expenses

Schedule 6 of the CDO By-Laws specifies the maximum dollar amount for various common valid expenses incurred by persons carrying out duties on behalf of the CDO. It is customary practice to review and make updates (if necessary) to Schedule 6 to ensure that the CDO has an effective remuneration framework to support the work of the College and those that carry out its duties.

Due to the increase in the consumer price index in the Greater Toronto Area and provincially, many of the maximum listed amounts found on Schedule 6 do not reflect accurate amounts for goods and services that can be obtained presently.

Schedule 5 of the CDO By-Laws specifies the honoraria rates as well as teleconference rates. Currently, members undertaking work for the CDO are remunerated for teleconference calls at 50 cents per minute, the proposal today is to update it to \$1 per minute.

Table of Historical Changes to Schedule 6 of CDO By-Laws

Activity	Last Updated	Change
Air Travel	July 2008	"And ground transportation to and from airport" removed
Train or Bus Travel	October 2012	Changed from First Class to Coach Class
Automobile Travel	October 2012	Mileage changed from 40¢ to 45¢ per kilometre, Parking changed from \$20 to \$30 max
Accommodation	September 2013	Changed from CDO negotiated rates to FHRCO rates
Meals	July 2008	Changed from daily max of \$50 for all meals to current rates
Other	July 2008	Added as a section

Cost Implications to Operating Budget:

College Staff have projected an increase of approximately \$15,000 year over year should the proposed updates below be implemented based on 2022-2023 actual costs data.

This was calculated with the following proposed updates as follows:

Teleconference rate: From 50 cents per minute to \$1.00 per minute or 100% YOY.

Milage: From 45 cents to 55 cents or 20% YOY.

Meals: Increase from \$50 daily maximum to \$90 daily maximum or 80% YOY.

Accommodations: No increase expected as the CDO continues to book rooms at market rate year over year

Total expenditures for teleconference rates, travel (milage), accommodations, and meals in 2022-2023 = \$36,932.42.

Total expenditures for teleconference rates (doubled), travel (milage from .45 cents to .54 cents), accommodations, and meals (daily max of \$90 from \$50) with proposed new rates = \$51,994.15.

Difference year over year = \$15,061.73 or 40% YOY increase.

This additional \$15,061.73 has been accounted for in the proposed 2023-2024 budget.

Environmental Scan of Other Health Regulators and Proposed Updates

Based on an environmental scan of other health regulators, College Staff are proposing the following updates below to ensure alignment in remuneration framework for common and valid expenses. The updates proposed are reflected in the 2023-2024 draft budget.

	Current CDO	Proposed CDO	Rationale
Teleconference Rates	50 cents per minute	\$1 per minute	Persons participating in CDO meetings are remunerated by the minute for teleconferences. Recommend an increase to provide effective and reasonable remuneration for participation on important College activities conducted remotely

Air Travel (with prior approval)	Best economy class fare for the most direct flight	No changes proposed	-
Train or bus travel	Coach class by the most direct route	Coach class (Via 1 included) by the most direct route	Alignment with other health regulators
Automobile travel	45 cents per km by the most direct route \$30 parking expense per day maximum	55 cents per km by the most direct route Self-parking expenses included.	Recommend an increase in mileage rates to average remuneration amount
Accommodation	The amount available through the FHRCO negotiated rate at the time or an amount up to a maximum total cost, including taxes of \$195.00 per night	The amount available through the HPRO negotiated rate at the time or an amount up to a maximum rate of \$250.00 per night (excluding taxes and fees). \$60 per night for private accommodation *Cannot be claimed if event is in your city of residence	Recommend an increase in accommodation maximum total cost in alignment with other regulators. Creation of an expensable amount for private accommodation.
Breakfast expense	\$10.00 maximum	\$40 maximum up to daily maximum of \$90 for all meals.	Recommend a change in remuneration framework to provide flexibility and alignment with other regulators for a daily maximum of \$90
Lunch expense	\$15.00 maximum	\$40 maximum up to daily maximum of \$90 for all meals.	Same as above
Dinner expense	\$25.00 maximum	\$50 maximum up to daily maximum of \$90 for all meals.	Same as above
Telephone calls	Actual cost of call related to College business (e.g., not proportional cost of monthly flat fee)	No changes proposed	-

Other expenses	Actual cost if related directly to College business	No changes proposed	-
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Proposed Amendment 3: Presidential and Vice-Presidential Term Limits

Currently, the CDO By-Laws (last updated July 27, 2020) specify the following for Presidential and Vice-Presidential term limits:

5. OFFICERS – GENERAL

5.01 Officers of the College

The officers of the College shall be the President, Vice-President and such other officers as Council may determine from time-to-time.

5.02 Term of Office

The term of office for each officer of the College shall commence immediately following their election as an officer and shall continue for approximately one (1) year until the next election for officers.

5.03 Maximum Term

The maximum term in one office is two (2) consecutive, full-year terms.

The Denturism Act stipulates that for the positions of the President and Vice-President, there should be bi-annual (every two year) elections. While it may have been necessary in the context of CDO's history to implement a one-year term, the organization has now evolved past those issues, and we are now seeking stability on both the operations side and the governance side. Moving to a two-year term would seek realignment with the governing legislation and provide continuity of leadership, oversight, and hold the Registrar accountable.

There is a significant onboarding of presidential and vice-presidential duties including familiarizing their duties and roles, setting the strategic direction of CDO, acting as Council Chair, financial budgeting and approving of expenses. Longer presidential terms will lessen the administrative burden of providing onboarding activities while providing the President and Council with the capacity and opportunity to focus on longer term objectives.

It is important to note that the CDO Council informally, through its election results, generally vote a President for two consecutive one-year terms. This change in the By-Laws would only solidify the unspoken precedent. Legal Counsel has been asked to explore the feasibility of this option and their preliminary comments noted that the Denturism Act specifies directly a 2-year term.

The provision for the removal of a President or Vice-President should remain intact of course. (By Council's 2/3rds majority vote)

For Discussion:

- Should Council choose to implement the by-law revisions for Presidential and Vice-Presidential Term limits, should the current 2022-2023 presidential and vice-presidential term served count towards the new term limit?
 - Or should new term limits be implemented after the June 2023 officer elections?

Options

1. Approve the By-Law amendments as **presented** for Schedule 6: Common Valid Expenses and Schedule 5, amendments to President and Vice-President's Term Limits, and to circulate for 60-day public consultation the proposed amendments to the registration year end.
2. Approve the By-Law amendments as **amended** for Schedule 6: Common Valid Expenses and Schedule 5, amendments to President and Vice-President's Term Limits, and to circulate for 60-day public consultation the proposed amendments to the registration year end.
3. Other.

Attachments

1. HPRO Remuneration Comparison
2. Draft By-Law Amendments
3. Denturism Act, 1991

HPRO Remuneration Framework Comparison

	CDO (Current)	CDO (Proposed)	CDHO	RCDSO	Dental Technologist	Occupational Therapists	Speech Language Pathologists and Audiologists	Chiropodists	Chiropractor	Medical Radiation and Imaging Specialist	Optometrist	Physiotherapist	Government of Ontario
Last Updated	2013	-	2022	2021	2020	2023	2022	2023	2022	2020, next review 2023	2022	2021	2020, (three year update cycle approx.)
Teleconference Rate	50 cents per minute	\$1 per minute	-	-	-	-	-	-	-	-	-	-	-
Air Travel	Best economy class fare for the most direct flight	No changes proposed	Same as CDO	Same as CDO, with pre-selection of seats reimbursed. If flying time is greater than 4 hours, business class travel by most direct flight	Same as CDO	Same as CDO	-	-	-	Same as CDO	Economy (under 3 hours), Premium Economy (over 3 hours)	Same as CDO	Same as CDO
Train or Bus Travel	Coach class by the most direct route	Coach class (Via 1 included) by the most direct route	First class (Via 1) by the most direct route	First class (Via 1) by the most direct route	-	Coach class (Via 1 included) by the most direct route	-	-	Coach class by the most direct route	-	-	First class train fare for trips greater than 2 hours	-
Automobile Travel	45 cents per km by the most direct route. Parking daily maximum of \$30	55 cents per km by the most direct route. Self-parking expenses included.	Milage paid at current Provincial Government Rate	55 cents per km by the most direct route up to 5000 km per year	40 cents per km for distances over 40 km.	61 cents per km	-	50 cents per km. Travel time also renumerated at quarter daily per diem rates for over 40km	CRA rate - 68 cents per km	40 cents per km.	61cents per km	40 cents per km.	40 - 41 cents per km up to 4000km per year, depends on geographic location
Accommodation	The amount available through the FHRCO negotiated rate at the time or an amount up to a maximum total cost, including taxes of \$195.00 per night	The amount available through the HPRO negotiated rate at the time or an amount up to a maximum rate of \$250.00 per night (excluding taxes and fees). \$60 per night for private accommodation	\$250 maximum rate per night (excluding taxes and fees)	\$350 maximum rate per night (excluding taxes and fees)	Most economical option. \$30 per night for private accommodation	Booked by the College	-	\$200 maximum rate per night with Registrar's approval for higher rate. \$25 per night for private accommodation	As reasonable as possible	Most economical option. \$60 per night for private accommodation	\$275 maximum rate per night (excluding taxes)	Booked by the College or other hotel accommodation, paid lessor of either rate. \$40 per night for private accommodation	No maximum amounts listed, approved with prior approval
Breakfast Expense	\$10.00 maximum	\$40 maximum up to daily maximum of \$90 for all meals.	\$40 maximum up to daily maximum of \$90 for all meals.	\$15.00 maximum	\$10.00 maximum	\$90 maximum daily for all meals	\$8.75 up to daily maximum of \$40 for all meals	\$10.00 maximum	\$25.00 maximum	\$45.00 daily maximum	\$30.00 maximum excluding taxes	\$25.00 maximum	\$10.00 maximum

HPRO Remuneration Framework Comparison

Lunch Expense	\$15.00 maximum	\$40 maximum up to daily maximum of \$90 for all meals.	\$40 maximum up to daily maximum of \$90 for all meals.	\$25.00 maximum	\$15.00 maximum	\$90 maximum daily for all meals	\$11.25 up to daily maximum of \$40 for all meals	\$15.00 maximum	\$35.00 maximum	\$45.00 daily maximum	\$30.00 maximum excluding taxes	\$35.00 maximum	\$12.50 maximum
Dinner Expense	\$25.00 maximum	\$50 maximum up to daily maximum of \$90 for all meals.	\$50 maximum up to daily maximum of \$90 for all meals.	\$50.00 maximum	\$22.00 maximum for events past 4:00 pm and return trip exceeds two hours, or as approved	\$90 maximum daily for all meals	\$20.00 up to daily maximum of \$40 for all meals	\$30.00 maximum	\$50.00 maximum	\$45.00 daily maximum	\$60.00 maximum excluding taxes	\$60.00 maximum	\$22.50 maximum
Telephone Calls	Actual cost of call related to College business (e.g., not proportional cost of monthly flat fee)	No changes proposed	-	-	-	-	-	-	-	-	-	-	-
Other Expenses	Actual cost of call related to College business	No changes proposed	-	-	-	-	-	-	-	-	-	-	-



COLLEGE OF
DENTURISTS
OF ONTARIO

BY-LAWS OF THE COLLEGE OF DENTURISTS OF ONTARIO

July 27, 2020

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By-laws of the College of Denturists of Ontario

1. INTERPRETATION

1.01 Definitions

In these by-laws, unless otherwise defined or required by the context,

“Act”	means the <i>Denturism Act, 1991</i> and includes the regulations made under it;
“Auditor”	means the chartered accountant or firm of chartered accountants appointed by Council under article 4.12;
“Code”	means the <i>Health Professions Procedural Code</i> , being Schedule 2 to the <i>Regulated Health Professions Act, 1991</i> ;
“College”	means the College of Denturists of Ontario;
“Committee”	means a committee of the College and includes statutory, standing and ad hoc committees and any committee established by Council under these by-laws;
“Council”	means the Council established under subsection 6(1) of the Act;
“Member”	means a person registered with the College;
“Professional Association”	means an organized group of Members who promote and advocate for the interests of the profession, but does not include a school whose sole purpose is to educate;
“Public Member”	means a person described in clause 6(1)(b) of the Act;
“Registrar”	means the person appointed by Council as Registrar for the College. The “Registrar” includes any person appointed as an Interim, Deputy, Assistant or Acting Registrar; and
“RHPA”	means the <i>Regulated Health Professions Act, 1991</i> and includes the regulations made under it.

1.02 Singular and Plural / Masculine and Feminine

In these and all by-laws of the College, the singular shall include the plural, the plural shall include the singular, the masculine shall include the feminine and the feminine shall include the masculine

1.03 Legislative References

Any reference in these and all by-laws of the College to a statute, a regulation or a section of a statute or regulation shall be deemed to apply to any re-enactment or amendment of that statute, regulation or section, as the case may be.

1.04 Consistency with RHPA and Act

All provisions of these and all by-laws of the College shall be interpreted in a manner consistent with the RHPA and the Act and where any inconsistency is found to exist, the inconsistent provision shall, where practical, be severed from the by-law.

1.05 Calculating Time

A reference to the number of days between two events means calendar days and excludes the day on which the first event happens and includes the day on which the second event happens.

1.06 Holidays

A time limit that would otherwise expire on a holiday or a weekend is extended to include the next day that is not a holiday or a weekend

2. GENERAL

2.01 Head Office

The head office of the College shall be in the Province of Ontario, at such place as Council may determine from time to time.

2.02 Forms

Certificates of registration and other documentation issued by the College shall be in such form as the Registrar shall provide, from time to time.

3. EXECUTION OF CONTRACTS AND OTHER DOCUMENTS

3.01 General Signing Authority

Documents requiring execution by the College, such as a contract, may be signed by the Registrar together with one of the President, Vice-President or other such person as Council may designate, and all documents so signed are binding upon the College without further authorization or formality

3.02 Other Signing Authority

Instead of, or in addition to, the persons specified in article 3.01, Council may appoint from time to time, any one or more officers or other persons to sign contracts, documents and instruments in writing on behalf of the College, whether generally or in relation to specific contracts, documents or instruments in writing.

3.03 Seal

The seal, an impression of which is depicted below, shall be the seal of the College.



3.04 Use of Seal

The seal of the College shall be affixed to any document that requires the College seal by a person authorized to sign the document on behalf of the College.

4. BANKING AND FINANCE

4.01 Fiscal Year

The fiscal year of the College shall commence on the first day of April and conclude on the last day of March the following year.

4.02 Appointed Bank

Council shall appoint, from time to time, one or more Canadian banks chartered under the *Bank Act* (Canada) for the use of the College.

4.03 Authorized Signatories for Amounts Less than \$5,000

Subject to article 3.02, all cheques, drafts, notes, or orders for payment of money and all notes and acceptances and bills of exchange in an amount less than \$5,000 may be signed by the Registrar.

4.04 Authorized Signatories for Amounts of \$5,000 or More

Subject to article 3.02, all cheques, drafts, notes, or orders for payment of money and all notes and acceptances and bills of exchange in an amount of \$5,000 or more shall be signed by the Registrar or a staff person designated by the Registrar and one of the President, Vice-President or such other person as Council may designate.

4.05 Borrowing

Subject to any limitation set out in these or any other by-laws of the College, Council may, by resolution,

- (i) borrow money on the credit of the College;
- (ii) limit or increase the amount or amounts that may be borrowed;
- (iii) issue, sell or pledge debt obligations of the College, including, but not limited to, bonds, debentures, notes or other liabilities, whether secured or unsecured; and
- (iv) charge, mortgage, hypothecate or pledge all or any of the real or personal property of the College, including book debts, rights, powers, franchises and undertakings, to secure any such securities or any money borrowed, or other debt, or any other obligation or liability of the College.

4.06 Budget

Council shall approve annually,

- (i) an operating expense and revenue budget for the College for each fiscal year; and
- (ii) a capital budget for the College for each fiscal year.

4.07 Expenses

The President, Vice-President and the Registrar may approve purchases or leasing of goods and acquisition of services in accordance with the following,

- (i) the Registrar may authorize expenses not exceeding \$25,000 if the expenditure has previously been approved as an item in the College budget;
- (ii) the Registrar and one of the President, or Vice-President may authorize expenses in excess of \$25,000 if the expenditure has previously been approved as an item in the College budget;
- (iii) the Registrar may authorize expenses not exceeding \$10,000 if the expenditure has not previously been approved as an item in the College budget if the Registrar believes that the expenditure is necessary for the operations of the College; and
- (iv) the Executive Committee shall review any proposed expense exceeding \$10,000 if the item is not an expenditure in the College budget and make recommendations to Council for approval. If immediate action is required, the Executive Committee may approve the expenditure.

4.08 Grants

The Executive Committee may negotiate the obtaining of a grant on behalf of the College but such agreements shall be approved by Council before they are finalized.

4.09 Investments

Funds not immediately required by the College may be invested by the College in accordance with policies established by Council.

4.10 Safekeeping

Securities and other financial documents will be held for safekeeping in the name of the College at its bank.

4.11 Indemnification

Every Council member, Committee member and officer or employee or appointee of the College, including assessors, investigators and inspectors, and each of his or her heirs, executors and administrators and estate, respectively, shall from time to time and at all times be indemnified and saved harmless out of the funds of the College from and against,

- (i) all costs, charges, expenses, awards and damages whatsoever that he or she sustains or incurs in any action, suit or proceeding that is brought, commenced or prosecuted against him or her in respect of any act, deed, matter or thing whatsoever made, done or permitted by him or her in or about the execution of the duties of his or her office; and
- (ii) all other reasonable costs, charges, expenses, awards and damages that he or she sustains or incurs in or about or in relation to the affairs of the College;

except such costs, charges, expenses, awards or damages as are occasioned by his or her own willful neglect or default. Where the person is a commercial service provider (e.g., a private investigator hired to conduct an investigation), the College has discretion as to whether or not to provide indemnity.

4.12 Appointment of Auditor

Council shall appoint a chartered accountant or a firm of chartered accountants to audit the accounts of the College and to prepare financial statements for each fiscal year.

4.13 Term of Office

The Auditor shall remain in office until removed by Council.

4.14 Audited Financial Statements and Report

The audited financial statements of the College, together with a signed and certified copy of the Auditor's report, shall be presented annually to Council.

4.15 Deadline for Report

The report of the Auditor shall be prepared within one hundred and twenty (120) days of the close of the fiscal year for presentation to Council.

5. OFFICERS – GENERAL

5.01 Officers of the College

The officers of the College shall be the President, Vice-President and such other officers as Council may determine from time-to-time.

5.02 Term of Office

The term of office for each officer of the College shall commence immediately following their election as an officer and shall continue for approximately one (1) year until the next election for officers.

Proposed: The term of office for each officer, with the exception of the President and Vice-President, of the College shall commence immediately following their election as an officer and

shall continue for approximately one (1) year until the next election for officers.

Proposed: 5.02.01 Term of Office for the President and Vice-President

The term of office for the position of President and Vice-President of the College shall commence immediately following their election as an officer and shall continue for approximately two (2) years until the next election for President and Vice-President.

5.03 Maximum Term

The maximum term in one office is two (2) consecutive, full-year terms.

Proposed: The maximum term in one office is two (2) consecutive terms.

6. ELECTION OF OFFICERS

6.01 Eligibility for Nomination

Only a member of Council is eligible for nomination or election as an officer of the College, and only a member of Council who has been appointed by the Lieutenant Governor in Council is eligible for nomination or election as President.

6.02 Election Procedure

At the first regular Council meeting after the elections for Council members, Council shall elect by secret ballot from among those members of Council eligible for election the President, Vice-President and any other officer positions, in accordance with this by-law and the "Process for Election of Officers" set out in Schedule 1.

6.03 Filling Vacancies (President)

In the event that the President is removed from office, resigns or dies or the position of President becomes vacant for any reason, the Vice-President shall become the President for the remaining term of the office and the office of the Vice-President shall become vacant.

6.04 Filling Vacancies (Vice-President)

In the event that the Vice-President is removed from office, resigns or dies or the position of Vice-President becomes vacant for any reason, Council may elect a new Vice-President to hold office for the remainder of the term.

6.05 Removal of President or Vice-President

In addition to the provisions of article 21.01 and 26.02, Council may remove the President or the Vice-President from office by a two-thirds vote of those present and voting where the President or Vice-President has lost the confidence of the Council.

7. DUTIES OF OFFICERS

7.01 Duties of the President

The President shall,

- (i) if present, preside as Chair at all meetings of the Council unless the Council designates an alternate Chair, including persons not on Council who would act as a non-voting Chair, for all or any portion of the meeting;
- (ii) serve as Chair of the Executive Committee;
- (iii) perform those duties assigned to the President in the by-laws;
- (iv) perform other duties and responsibilities as may be decided by Council; and

- (v) report to Council at each Council meeting on all material actions taken since the President's last report.

7.02 Duties of the Vice-President

The Vice-President shall,

- (i) perform the duties of the President in the event that the President is unable to perform those duties;
- (ii) perform those duties assigned to the Vice-President in the by-laws;
- (iii) serve on the Executive Committee; and
- (iv) perform all duties and responsibilities as may be decided by Council.

8. THE REGISTRAR

8.01 Appointment of the Registrar

The Registrar shall be appointed by Council and, despite subsection 12(1) of the Code, the Executive Committee shall not exercise the authority of Council under this article. Where a supervisor is appointed under section 5.0.1, the supervisor is the Registrar unless the appointment of the supervisor or a direction of the supervisor provides otherwise.

8.02 Duties of the Registrar

The Registrar shall be the Chief Executive Officer of the College and shall have such duties and responsibilities as are conferred by the Act, the RHPA, the by-laws and the policies of the College as well as such duties and responsibilities assigned to the position by Council.

8.03 Acting Registrar

If a vacancy occurs in the office of the Registrar, the Executive Committee or Council shall appoint an Acting Registrar until a Registrar is appointed, and during extended absences, the Registrar may appoint, in writing, a senior staff member to serve as the Acting Registrar during the Registrar's absence.

8.04 Annual Performance Appraisal of Registrar

Council shall develop a process for evaluating the performance of the Registrar annually. The process may include, among other things, soliciting feedback from Council members, staff members and stakeholders.

9. COUNCIL – GENERAL

9.01 Authority of Council

Council shall perform the functions assigned to it under the Act and the Code.

9.02 Composition of Council

Council shall be composed of eight (8) Members and as many Public Members as are appointed by Lieutenant Governor in Council in accordance with subsection 6(1) of the Act. Despite this provision, Council remains properly constituted despite any vacancy that leaves only seven (7) Members on the Council.

9.03 Term of Office

The term of office of an elected member of Council shall commence at the first Council meeting immediately after the election and shall continue for approximately three (3) years until his or her successor takes office in accordance with these by-laws, or until he or she resigns his or her

office or is removed from Council, or until such other time designated by Council, whichever occurs first.

10. ELECTION OF COUNCIL MEMBERS

10.01 Definitions

In this article, "election" means an election of a Member to the Council for an electoral district and includes a regular election and a by-election, and "elected" has a corresponding meaning.

For the purposes of this article, a Member becomes "the subject of proceedings" when a Committee makes a referral for a hearing in respect of the Member.

10.02 Electoral Districts

The following electoral districts are established for the purpose of the election of Members to the Council. The Registrar may assign any new or missing postal codes to the district he or she believes is most appropriate.

Electoral district 1, composed of the south western Ontario communities served by the postal codes: N0J, N0K, N0L, N0M, N0N, N0P, N0R, N4G, N4S, N4T, N4V, N4X, N4Z, N5A, N5C, N5H, N5L, N5P, N5R, N5V, N5W, N5X, N5Y, N5Z, N6A, N6B, N6C, N6E, N6G, N6H, N6J, N6K, N6L, N6M, N6N, N6P, N7A, N7G, N7L, N7M, N7S, N7T, N7V, N7W, N7X, N8A, N8H, N8M, N8N, N8P, N8R, N8S, N8T, N8V, N8W, N8X, N8Y, N9A, N9B, N9C, N9E, N9G, N9H, N9J, N9K, N9V and N9Y;

Electoral district 2, composed of the south western Ontario communities served by the postal codes: L0R, L0S, L2A, L2E, L2G, L2H, L2J, L2M, L2N, L2P, L2R, L2S, L2T, L2V, L2W, L3B, L3C, L3K, L3M, L8B, L8E, L8G, L8H, L8J, L8K, L8L, L8M, L8N, L8P, L8R, L8S, L8T, L8V, L8W, L9A, L9B, L9C, L9G, L9H, L9K, N0A, N0E, N0S, N1A, N3L, N3P, N3R, N3S, N3T, N3V, N3W, N3Y and N4B;

Electoral district 3, composed of the central western communities served by the postal codes: L0N, L0P, L4T, L4V, L4W, L4X, L4Y, L4Z, L5A, L5B, L5C, L5E, L5G, L5H, L5J, L5K, L5L, L5M, L5N, L5P, L5R, L5S, L5T, L5V, L5W, L6H, L6J, L6K, L6L, L6M, L6P, L6R, L6S, L6T, L6V, L6W, L6X, L6Y, L6Z, L7A, L7C, L7E, L7G, L7J, L7K, L7L, L7M, L7N, L7P, L7R, L7S, L7T, L9E, L9T, L9V, L9W, N0B, N0C, N0G, N0H, N1C, N1E, N1G, N1H, N1K, N1L, N1M, N1P, N1R, N1S, N1T, N2A, N2B, N2C, N2E, N2G, N2H, N2J, N2K, N2L, N2M, N2N, N2P, N2R, N2T, N2V, N2Z, N3A, N3B, N3C, N3E, N3H, N4K, N4L, N4N and N4W;

Electoral district 4, composed of the portions of greater Toronto area communities served by the postal codes: L0J, L4C, L4H, L4K, L4L, L6A, M3J, M3L, M3M, M3N, M6H, M6J, M6K, M6L, M6M, M6N, M6P, M6R, M6S, M8V, M8W, M8X, M8Y, M8Z, M9A, M9B, M9C, M9L, M9M, M9N, M9P, M9R, M9V and M9W;

Electoral district 5, composed of the portions of greater Toronto area communities served by the postal codes: L3T, L4J, M2M, M2N, M2P, M2R, M3H, M3K, M4N, M4R, M4T, M4V, M4W, M4X, M4Y, M5A, M5B, M5C, M5E, M5G, M5H, M5J, M5K, M5L, M5M, M5N, M5P, M5R, M5S, M5T, M5V, M5W, M5X, M6A, M6B, M6C, M6E and M6G;

Electoral district 6, composed of the portions of greater Toronto area served by the postal codes: L3P, L3R, L3S, L4B, L6B, L6C, L6E, L6G, M1B, M1C, M1E, M1G, M1H, M1J, M1K, M1L, M1M, M1N, M1P, M1R, M1S, M1T, M1V, M1W, M1X, M2H, M2J, M2K, M2L, M3A, M3B, M3C, M4A, M4B, M4C, M4E, M4G, M4H, M4J, M4K, M4L, M4M, M4P and M4S;

Electoral district 7, composed of the eastern Ontario communities served by the postal codes:

K0A, K0B, K0C, K0E, K0G, K0H, K0J, K0K, K0L, K0M, K1B, K1C, K1E, K1G, K1H, K1J, K1K, K1L, K1M, K1N, K1P, K1R, K1S, K1T, K1V, K1W, K1X, K1Y, K1Z, K2A, K2B, K2C, K2E, K2G, K2H, K2J, K2K, K2L, K2M, K2P, K2R, K2S, K2T, K2V, K2W, K4A, K4B, K4C, K4K, K4M, K4P, K4R, K6A, K6H, K6J, K6K, K6T, K6V, K7A, K7C, K7G, K7H, K7K, K7L, K7M, K7N, K7P, K7R, K7S, K7V, K8A, K8B, K8H, K8N, K8P, K8R, K8V, K9A, K9H, K9J, K9K, K9L, K9V, L0A, L0B, L0C, L0H, L1A, L1B, L1C, L1E, L1G, L1H, L1J, L1K, L1L, L1M, L1N, L1P, L1R, L1S, L1T, L1V, L1W, L1X, L1Y, L1Z, L9L and L9P; and

Electoral district 8, composed of the central and northern Ontario communities served by the postal codes: L0E, L0G, L0K, L0L, L0M, L3V, L3X, L3Y, L3Z, L4A, L4E, L4G, L4M, L4N, L4P, L4R, L4S, L7B, L9J, L9M, L9N, L9R, L9S, L9X, L9Y, L9Z, N4P, P0A, P0B, P0C, P0E, P0G, P0H, P0J, P0K, P0L, P0M, P0N, P0P, P0R, P0S, P0T, P0V, P0W, P0X, P0Y, P1A, P1B, P1C, P1H, P1L, P1P, P2A, P2B, P2N, P3A, P3B, P3C, P3E, P3G, P3L, P3N, P3P, P3Y, P4N, P4P, P4R, P5A, P5E, P5N, P6A, P6B, P6C, P7A, P7B, P7C, P7E, P7G, P7J, P7K, P7L, P8N, P8T, P9A and P9N.

10.03 Number of Members per Electoral District

One Member shall be elected to the Council for each electoral district.

10.04 When Elections are Held

There shall be a regular election:

- (i) for electoral districts 1 and 2, in 2013 and every third year after;
- (ii) for electoral districts 3, 4 and 5, in 2011 and every third year after; and
- (iii) for electoral districts 6, 7 and 8, in 2012 and every third year after.

10.05 Election Dates

Except as otherwise provided in this By-Law, a regular election shall be held on the first Wednesday in June but, if the first Wednesday in June is a holiday, the election shall be held on the first day afterwards that is not a holiday.

10.06 Interruptions of Mail Service

If there is an interruption in mail service during the nomination or election process, the Registrar may extend the holding of nominations and the election for such period of time as the Registrar considers necessary to compensate for the interruption.

11. TERM OF OFFICE

11.01 Term of Office

The term of office of a Member elected at a regular election is approximately three (3) years, commencing with the first regular meeting of the Council after the election and expiring, subject to article 11.02, at the first regular meeting of the Council after the regular election three (3) years later.

11.02 Expiry of Term of Office

The term of office of a Member elected at a regular election held after the date required by article 10.05 expires as if he or she had been elected on the required date.

11.03 Expiry of Term of Office due to Disqualification

The term of office of a Member whose office becomes vacant by reason of the Member's disqualification expires upon the declaration of the vacancy and the term of office of a Member elected in a by-election or appointed to replace a Member whose office is vacant expires when his or her predecessor's office would have expired under article 11.01.

12. ELIGIBILITY TO VOTE

12.01 Eligibility to Vote

A Member is entitled to vote in an election if,

- (i) on election day, the Member is a registered Member of the College;
- (ii) on the one hundred and twentieth day immediately preceding the election,
 - (a) the Member practices or resides in Ontario, and
 - (b) the Member's registered address is in the electoral district for which the election is being held; and
- (iii) no fees are owing by the Member to the College on the day that the ballots (or equivalent if voting is done electronically) are distributed.

12.02 Disputes

Disputes as to whether a Member is entitled to vote in an election shall be determined by the Registrar.

13. NOMINATIONS

13.01 Eligibility to Run for Election

A Member is eligible to run for election to the Council for an electoral district if,

- (i) the Member is entitled to vote in the election;
- (ii) at all times between the one hundred and twentieth day immediately preceding the election and the election;
 - (a) the Member's registered address continues to be in the electoral district, for which the election is being held,
 - (b) the Member is not in default of any obligation to the College under a regulation or the by-Laws,
 - (c) the Member is not the subject of proceedings for incompetence, professional misconduct or incapacity,
 - (d) the Member's certificate of registration is not subject to a term, condition or limitation other than one prescribed by regulation,
 - (e) the Member is not bankrupt or a subject of a consumer proposal, and has not declared bankruptcy or made a consumer proposal over the past five (5) years,
 - (f) the Member is not, and has not for a period of at least one (1) year been, a director, officer or employee of any Professional Association relating to denturism,
 - (g) where the Member has not been disqualified from sitting on the council under article 21.01 during the previous six (6) years;
- (iii) the Member's certificate of registration has not been revoked or suspended at any time in the six (6) years immediately preceding the election; and
- (iv) if the Member has previously served as an elected Council member for nine (9) consecutive years, at least three (3) years have passed.

13.02 Disputes

Disputes as to whether a Member is eligible to run for election shall be determined by the Elections Committee. If an Elections Committee has not been appointed, the Registrar shall determine disputes.

13.03 Notice of Election and Nominations

At least ninety (90) days before the date of an election, the Registrar shall notify every Member of the date of the election and of the nomination procedure, including the deadline for submitting

nominations to the College.

13.04 Nomination Deadline

The nomination of a candidate for election as a member of Council shall be in writing and shall be received by the Registrar at least forty-five (45) days before the date of the election.

13.05 Signed Nominations

The nomination shall be signed by at least three (3) Members who are entitled to vote in the election and who support the nomination, and shall also be signed by the nominee as a signal of his or her consent to the nomination.

13.06 Candidate Must Advise if Becomes Ineligible to Run for Election

A candidate for election to the Council shall advise the Registrar immediately in the event that he or she becomes ineligible to run for election.

13.07 Completing Declaration

The Registrar shall request every nominee to complete and return a declaration form which, among other things, sets out that the nominee:

- (a) understands the public protection mandate of the College,
- (b) is not aware of any potential conflict of interest, and
- (c) agrees to campaign only in accordance with the public interest objects of the College as set out in the Code.

Any nominee who fails to complete and return the declaration by the deadline set by the Registrar and in a form acceptable to the Elections Committee shall not be eligible for election.

13.08 Personal Statement

The Registrar shall invite every nominee to provide a biography and personal statement by the deadline established by the Registrar, and any biography and personal statement that is not submitted by the deadline set by the Registrar and in the form acceptable to the Elections Committee, shall not be included with the materials sent to Members under article 16.01.

13.09 Withdrawal of Candidacy

A candidate in an election may withdraw his or her candidacy by notifying the Registrar of the withdrawal in writing. If the notice in writing is received at least thirty-five (35) days before the date of the election, the candidate's name shall not be placed on the ballot (or equivalent if voting is done electronically). In all other cases, the Registrar shall make reasonable efforts to notify Members eligible to vote that the candidate has withdrawn from the election.

13.10 Conduct

Each candidate shall conduct themselves during the election with honour and dignity. No candidate shall engage in conduct during the electoral process that would tend to bring the profession into disrepute or would tend to taint the electoral process. No candidate shall make verbal or written election statements that are inappropriate or unprofessional.

13.11 Consequences for Inappropriate Conduct

If it appears to the Elections Committee, after appropriate investigation, that a candidate is not conducting himself or herself appropriately during the election, the Elections Committee may take action that it deems appropriate to ensure that the election is as fair as possible, including warning the candidate about his or her conduct and notifying Members entitled to vote about apparently incorrect or inappropriate statements that may have been made. However, the Elections Committee is not required to take corrective measures.

14. ACCLAMATION

14.01 Declaration of Acclamation

If there is only one candidate for an electoral district who is eligible for election, the Registrar shall inform the President in writing and the Registrar shall declare the candidate elected to the Council by acclamation for that electoral district.

14.02 Where There Are No Candidates

If there are no candidates for an electoral district who are eligible for election, the Registrar shall, as soon as possible call a by-election for that electoral district.

15. ADMINISTRATION

15.01 Chief Returning Officer

The Registrar shall be the chief returning officer for the election.

15.02 Duties of Registrar

The Registrar shall supervise and administer the election of candidates and, without limiting the generality of the above, the Registrar may, subject to these by-laws,

- (i) appoint returning officers and scrutineers;
- (ii) establish procedures and any necessary deadlines including procedures and deadlines relating to the receipt of nominations, biographies and personal statements and ballots (or equivalent if voting is done electronically);
- (iii) retain third party service providers to assist with administering the election;
- (iv) ensure electronic communications and voting processes are reliable and secure;
- (v) establish procedures for the opening and counting of ballots (or equivalent if voting is done electronically);
- (vi) provide for the notification of the results of the election to all candidates and members;
- (vii) provide for the destruction of ballots (or equivalent if voting is done electronically) following an election; and
- (viii) do anything else that the Registrar deems necessary and appropriate to ensure that the election is fair and effective.

16. VOTING

16.01 Ballots

No later than thirty (30) days before the date of an election, the Registrar shall send every Member eligible to vote in the election a list of the eligible candidates, the biography and/or personal statement of every eligible candidate who has submitted one by the deadline established by the Registrar, a ballot (or equivalent if voting is done electronically) and an explanation of the voting process.

16.02 Contents of Ballots

Each ballot (or equivalent if voting is done electronically) shall contain, in alphabetical order of surname, the name of each candidate, and any other information entered in the register that the Registrar directs be included to identify the candidates.

16.03 Voting Secret

Voting shall be secret and conducted so that no person knows for whom any Member voted.

16.04 Proxy Voting

A Member cannot vote in an election by means of a proxy.

16.05 Number of Votes Cast

A Member may cast as many votes on a ballot (or equivalent if voting is done electronically) in an election of Members to Council as there are Members to be elected from that electoral district, but shall not cast more than one (1) vote for any candidate.

16.06 Ballot Verification

Ballots (or equivalent if voting is done electronically) must be received in the manner specified at or before the date and time specified for the election in order to be counted in the vote.

17. COUNTING VOTES

17.01 Ties

If two (2) or more candidates receive the same number of votes in an election, the Registrar shall select one of the candidates by lot who shall be deemed to have received the greatest number of votes in the election.

17.02 Decisions by Registrar

All questions arising in the counting of ballots (or equivalent if voting is done electronically), the recording of results or the determination of the result shall be decided by the Registrar who shall record the reason for any decision made with respect to those questions.

17.03 Candidate Entitled to be Present

A candidate is entitled, in person or by an agent appointed for the purpose by the candidate in writing, to be present and see the Registrar discharge his or her duties on election day.

18. DOCUMENTATION

18.01 Election Results

As soon as practicable after the ballots (or equivalent if voting is done electronically) have been counted, the Registrar shall advise Council and the membership of the results of the election, and shall advise each eligible candidate of the results of the election, the number of votes he or she received and the candidate's right to request a recount in accordance with article 19.

18.02 Registrar's Declarations

The Registrar shall make all declarations in respect of an election in writing, keep them in the records of the College and include a copy of each declaration in the next package of materials sent to the Council after making it.

18.03 Destruction of Ballots

Unless a candidate has requested a recount or otherwise challenged an election or its results, the Registrar shall, thirty-one (31) days after the return of an election destroy all ballots (or equivalent if voting is done electronically) and other material from the election.

19. RECOUNTS

19.01 Requesting Recount within Thirty (30) Days

Upon written direction to the Registrar received within thirty (30) days after the date of the return and payment to the College as prescribed by these by-laws, a candidate may require a recount.

19.02 Recount Process

The Registrar shall hold a recount no more than fifteen (15) days after receiving a written request and the recount shall be conducted in as transparent a manner as the voting system reasonably permits.

19.03 Results of Recount

If the result of the recount is that the candidate who required the recount is declared elected to the Council for the electoral district, the candidate is entitled to repayment without interest of the required recount fee described in article 19.01.

19.04 Registrar's Report to Council

The Registrar shall report to the Council at its first meeting following any recount the procedures and results of the recount.

20. INQUIRY

20.01 Referral of Disputes to Elections Committee

If the Council is of the opinion that there is a reasonable ground for doubt or dispute as to the validity of the election of any member of the Council, it shall direct the Elections Committee to initiate an inquiry.

20.02 Report and Recommendations of Elections Committee

Where the Elections Committee initiates an inquiry under article 20.01, it shall hold an inquiry into the validity of the election of the member of Council in question and, following the inquiry, shall make a report and recommendation to Council.

20.03 Options Available to Council

Council may, after reviewing the report and recommendation of the Elections Committee and subject to article 19.02, do one of the following:

- (i) declare the election result in question to be valid; or
- (ii) declare the election result in question to be invalid; and either
 - (a) declare another candidate to have been elected; or
 - (b) direct that another election be held.

20.04 Minor Irregularities Not Fatal

Council shall not declare an election result to be invalid solely on the basis of a minor irregularity regarding the requirements of these by-laws or a procedure established by the Registrar or the Elections Committee.

21. VACANCIES

21.01 Disqualification of Elected Members

Council shall disqualify an elected member of Council, if the member,

- (i) resigns from Council or otherwise ceases to hold a certificate of registration;
- (ii) ceases to have a registered address in the electoral district for which the member was elected and there is more than one (1) year left in the person's term;
- (iii) is in default of payment of any fee prescribed by College by-law for a period of more than sixty (60) days;
- (iv) is found to have committed professional misconduct or to be incompetent by a panel

of the Discipline Committee;

- (v) is found to be incapacitated by a panel of the Fitness to Practice Committee;
- (vi) retains or obtains a responsible position such as director, owner, board member or officer or retains employment or becomes an employee of any Professional Association relating to denturism;
- (vii) becomes a member of a council of any other college regulated under the RHPA;
- (viii) fails, without reasonable cause, to attend three (3) meetings of Council in a calendar year, three (3) meetings of any Committee on which he or she serves in a calendar year or one (1) hearing or a review by a panel to which he or she has been appointed;
- (ix) is convicted of a criminal offence which, in the opinion of Council, is of a nature that warrants disqualification;
- (x) acts in a manner inconsistent with a provision of this by-law applicable to Council or Committee members;
- (xi) advocates or makes a public statement (other than at a Council meeting) against a position taken by the Council;
- (xii) initiates or joins a legal proceeding against the College or any Committee or representative of the College; or
- (xiii) fails, in the opinion of Council, to discharge properly or honestly any office to which he or she has been elected or appointed.

21.02 Registrar's Receipt of Information

If the Registrar receives information which suggests that an elected member of Council meets one or more of the criteria for disqualification set out in article 21.01, the Registrar shall follow the procedure set out in article 26.02. Where the Registrar has reasonable and probable grounds to believe that a member of Council meets the criteria for disqualification and no one else has made a complaint, the Registrar shall make a complaint in writing.

21.03 Effect of Disqualification

An elected Council member who is disqualified by Council ceases to be a member of Council in accordance with article 11.03 and ceases to be a member of any Committee or working group of which he or she is a member.

21.04 Eligibility following Disqualification

Where an elected Member of the Council has been disqualified from sitting on the Council under article 21.01, the Member shall not be eligible to run for election for six (6) years.

21.05 Filling Vacancies

If the seat of an elected Council member becomes vacant less than twelve (12) months before the expiry of the member's term of office, Council may,

- (i) leave the seat vacant;
- (ii) appoint as an elected Council member a Member who meets the criteria for eligibility for election set out in article 13.01; or
- (iii) direct the Registrar to hold a by-election in accordance with this by-law.

21.06 By-Election

If the seat of an elected Council member becomes vacant more than twelve (12) months before the expiry of the member's term of office, Council shall direct the Registrar to hold a by-election in accordance with this by-law.

21.07 Manner of Holding By-Elections

A by-election ordered by Council shall be held in the same manner and shall be subject to the

22. COUNCIL MEETINGS

22.01 Location and Frequency of Meetings

A Council meeting shall, wherever possible, be held at a place and on a date set in advance and shall occur at regular intervals and at such frequency as necessary for Council to conduct its business but shall, in any event, occur at least three (3) times per year.

22.02 Notice of Meetings

The Registrar shall notify Council members of the meeting, setting out the date, time and place of the meeting and the general nature of the business to be transacted at least ten (10) days before the date of the meeting.

22.03 Waiver of Notice

A Council member may, at any time, waive the requirement for notice of a meeting to that Council member.

22.04 Business at Meetings

Council may only consider or transact at a regular meeting,

- (i) matters on the agenda;
- (ii) matters brought by the Executive Committee or the Registrar;
- (iii) reports from the Registrar and the President;
- (iv) recommendations and reports by Committees;
- (v) matters for which notice was given by a member of Council at the preceding meeting or where written notice has been given at least thirty (30) days in advance of the meeting; and
- (vi) such other matters, not included on the agenda, as the majority of members in attendance agree to be of an urgent nature that cannot wait a reasonable time for background information to be prepared.

22.05 Secretary

The Registrar serves as the Secretary of Council or appoints someone to act as the Secretary of Council.

22.06 Chair

The President acts as Chair of Council unless the Council has designated an alternate Chair, including a person not on Council who would act as a non-voting Chair, for all or any portion of the meeting. In the event that the President is absent and has not designated an alternate Chair, the Vice-President acts as the Chair of Council, failing which Council shall elect, from amongst their number, a Council member to serve as Chair at that meeting.

22.07 Manner of Meeting

Any meeting of Council, other than a hearing that must be held in person, may be conducted by means of teleconference or any other means that permits all persons participating in the meeting to communicate with each other simultaneously and instantaneously (including audio or video conferencing), and persons participating in the meeting by such means are deemed to be present at the meeting.

22.08 Quorum

Unless specifically provided for otherwise under the Act, the RHPA or the by-laws, a simple majority of Council members shall constitute a quorum for the purpose of a meeting.

22.09 Simple Majority

Unless specifically provided for otherwise under the Act, the RHPA or the by-laws, every motion which properly comes before Council shall be decided by a simple majority of the votes cast at the meeting by the Council members present.

22.10 Chair Votes

If the Chair is a member of Council, he or she may participate in the discussion of a matter before Council but shall not vote unless there is a tie vote and the Chair's vote would break the tie, unless the Chair wishes to vote against a motion and the Chair's vote would create a tie that would defeat the motion, or unless there is a roll call vote (e.g., to enact a regulation).

22.11 Tie Votes

In the event of a tie vote, the motion is defeated.

22.12 Unanimous By-laws

A resolution approving a new or amended by-law, signed by all members of Council, including a resolution where all or some of the members have signed by facsimile or email, is valid and effective as if passed at a meeting of Council held for the purpose.

22.13 Rules

Except where inconsistent with the RHPA, the Act or the by-laws, the rules of order for meetings of Council are set out in Schedule 2.

22.14 Minutes

The Registrar shall ensure that accurate minutes of all Council meetings are recorded, approved and maintained at the College office.

22.15 Adjournments

Whether or not a quorum is present, the presiding Chair may, from time to time, with the consent of the majority of Council members present and voting, adjourn any properly called meeting to a fixed time and place, and any matter brought before the original meeting may be considered and transacted at a reconvened meeting provided that a quorum is present.

22.16 Calling Special Meetings

The President may call and convene a special meeting of Council,

- (i) where the President and the Registrar agree there is a need to consider a matter that cannot await the next scheduled Council meeting;
- (ii) upon receipt of the written request of any six (6) members of Council; or
- (iii) if a request is received from the Executive Committee under article 26.02.

22.17 Notice of Special Meetings

Subject to article 22.18, the Registrar shall notify Council members of the special meeting, setting out the date, time and place of the meeting and the general nature of the business to be transacted, at least five (5) days prior to the date of the meeting. Council may only consider or transact at a special meeting those items of business contained in the notice.

22.18 Special Meetings Without Notice

A special meeting may also be held without notice at any date, time and place provided that all members of Council are present in person or in a manner that allows them to participate in discussion simultaneously and instantaneously, including audio or video conferencing, or if all the absent Council members have consented, in writing or electronically, to the holding of such a special meeting.

23. COMMITTEES – GENERAL

23.01 Duties and Responsibilities

The duties and responsibilities of each Committee shall be those set out in the RHPA, the Act, the by-laws and the terms of reference for that Committee, as approved by Council, where applicable.

23.02 Non-Statutory Committees

In addition to the statutory Committees required by the Code, the Council may establish and maintain any additional Committee or working groups deemed necessary for the efficient functioning of the College including an Elections Committee and a Nominating Committee. Unless Council directs otherwise, the Nominating Committee will consist of the Past President, the Vice-President and a Public Member.

23.03 Composition of Committees

Unless stated otherwise in the Code or the by-laws, every Committee of the College shall be composed of at least three (3) persons and shall include at least one (1) member of Council who is also a Member and at least one (1) Public Member.

23.04 Vacancies

Despite anything in these by-laws, a Committee is properly constituted despite any vacancy so long as there are sufficient Members to form a quorum of the Committee or a panel of the Committee.

23.05 Quorum

The quorum of any Committee is three (3) members unless otherwise provided in the Act or unless the Committee is composed of only three (3) members, in which case, the quorum for such a Committee shall be two (2) members.

23.06 Panels

A committee may meet in panels selected by the Chair of the Committee.

24. SPECIFIC COMPOSITION AND SELECTION OF COMMITTEES

24.01 Executive Committee

The Executive Committee shall be composed of the President, the Vice-President and at least three (3) other members of Council. At least three (3) members of the Executive Committee shall be Members and at least two (2) members of the Executive Committee shall be Public Members. However, where a supervisor is appointed under section 5.0.1 of the RHPA, the supervisor shall perform the functions of the Executive Committee unless the appointment of the supervisor or a direction of the supervisor provides otherwise.

24.02 Registration Committee

The Registration Committee shall be composed of,

- (i) at least two (2) Members who are members of Council;
- (ii) at least one (1) Public Member who is a member of Council; and
- (iii) one (1) or more Members, or persons, who are not members of Council where Council so wishes.

24.03 Inquiries, Complaints and Reports Committee

The Inquiries, Complaints and Reports Committee shall be composed of,

- (i) at least two (2) Members who are members of Council;
- (ii) at least two (2) Public Members who are members of Council; and
- (iii) one (1) or more Members, or persons, who are not members of Council where Council so wishes.

24.04 Discipline Committee

The Discipline Committee shall be composed of every member of Council and one (1) or more Members who are not members of Council where Council so wishes.

24.05 Fitness to Practise Committee

The Fitness to Practise Committee shall be comprised of every member of Council and one (1) or more Members who are not members of Council where Council so wishes.

24.06 Quality Assurance Committee

The Quality Assurance Committee shall be composed of,

- (i) at least two (2) Members who are members of Council;
- (ii) at least one (1) Public Member who is a member of Council;
- (iii) at least two (2) or more Members who are not members of Council; and
- (iv) one (1) or more persons, who are not members of Council where Council so wishes.

24.07 Patient Relations Committee

The Patient Relations Committee shall be composed of,

- (i) at least two (2) Members who are members of Council;
- (ii) at least two (2) Public Members who are members of Council; and
- (iii) one (1) or more Members, or persons, who are not members of Council where Council so wishes.

24.08 Appointment of Committee Members and Members of Working Groups

Unless otherwise stated in the by-laws or the Code, the Nominating Committee shall put forward to Council for approval a proposed slate of every Committee member and every member of a working group, including persons and Members who are not members of Council with the exception of the Executive Committee, whose members shall be elected to office.

24.09 Appointment of Non-Council Members

Subject to any specific composition requirements in these by-laws or the Code, the Executive Committee may, where vacancies arise during the Council year, appoint Members, including members of Council, and persons, to any Committee or working group and report such appointment(s) to Council.

24.10 Terms of Office of Committee Members

The term of office of a Committee member shall commence immediately after the appointment and shall continue for approximately one (1) year.

24.11 Chairs

Unless stated otherwise in these by-laws, the Chair or Chairs of each Statutory and Non-Statutory Committee shall be appointed by the Council.

24.12 Decisions Regarding Appointments

In making an appointment under article 24.08 or 24.09, Council and the Executive Committee shall take into consideration the location of practice, if applicable, as well as the experience, expertise, availability and other qualifications and characteristics of the Member or other person, in order to complement the attributes of the other Committee members or members of the working group.

24.13 Eligibility for Appointment

A Member is eligible for appointment to a Committee or a working group if, on the date of the appointment,

- (i) the Member holds a certificate of registration;
- (ii) the Member is not in default of payment of any fees prescribed by College by-law;
- (iii) the Member is not the subject of any disciplinary or incapacity proceeding;

- (iv) the Member has not been the subject of any professional misconduct, incompetence or incapacity finding in the preceding three (3) years;
- (v) the Member's certificate of registration has not been revoked or suspended in the preceding six (6) years for any reason other than non-payment of fees;
- (vi) the Member's certificate of registration is not subject to a term, condition, or limitation imposed by either the Discipline Committee or the Fitness to Practise Committee;
- (vii) the Member is not holding, and has not for a period of at least one (1) year held, a responsible position, such as director, owner, board member, officer or employee, with any Professional Association relating to denturism;
- (viii) the Member has not been disqualified from Council or a Committee within the preceding six (6) years;
- (ix) the Member is not a member of a council of any other college regulated under the RHPA;
- (x) the Member is not an employee of the College; and
- (xi) the Member is not in any default of returning any required form or information to the College.

25. COMMITTEE MEETINGS

25.01 Location and Frequency of Meetings

Committee meetings shall, wherever possible, be held at a place and on a date set in advance and shall occur at regular intervals and at such frequency as necessary for the Committee to conduct its business.

25.02 Manner of Meeting

Any meeting of a Committee, other than a hearing that must be held in person, may be conducted by means of teleconference or any other means that permit all persons participating in the meeting to communicate with each other simultaneously and instantaneously (including audio or video conferencing), and persons participating in the meeting by such means are deemed to be present at the meeting.

25.03 Chair

In the event that the Chair of the Committee is unable or unwilling to preside at the meeting, the Committee members shall select, from amongst their number, a Committee member to serve as Chair for the purposes of that meeting, which event shall be recorded in the minutes.

25.04 Minutes

The Chair of each Committee shall ensure that accurate minutes of all Committee meetings and proceedings are recorded, approved and maintained at the College office.

25.05 Simple Majority

Unless specifically provided for otherwise under the Code or the by-laws, every motion which properly comes before a Committee shall be decided by a simple majority of the votes cast at the meeting by the Committee members present.

25.06 Chair Votes

The Chair of the Committee may participate in discussion of a matter before the Committee but shall not vote unless there is a tie vote and the Chair's vote would break the tie, the Chair wishes to vote against a motion and the Chair's vote would create a tie that would defeat the motion, the Committee is conducting a hearing, or there is a roll call vote.

25.07 Tie Votes

In the event of a tie vote, the motion is defeated.

26. DUTIES OF COUNCIL AND COMMITTEE MEMBERS

26.01 Expectations and Duties

Every member of Council and every Committee member shall, in the performance of his or her duties:

- (i) familiarize himself or herself with the Act, the RHPA, the by-laws and any policies of the College;
- (ii) familiarize himself or herself with any other records, documents and guidelines that may be necessary for the performance of his or her duties;
- (iii) comply with the provisions of the Act, the RHPA, the by-laws, any policies of the College and rules that are adopted by Council, from time to time;
- (iv) regularly attend meetings on time and participate constructively in discussions;
- (v) ensure that confidential matters coming to his or her attention as a member of Council or as a member of a Committee or working group are not disclosed by him or her, except as required for the performance of his or her duties or as permitted by the RHPA;
- (vi) conduct himself or herself in an appropriate manner with College staff, other members of Council or members of the Committees, Members and members of the public;
- (vii) comply with the College's Code of Conduct, as set out in the College's governance policies established by Council;
- (viii) avoid, or where that is not possible, declare all conflicts of interest in the manner set out in the by-law;
- (ix) step down from his or her position as Council and / or Committee member and / or working group member in the event that allegations regarding his or her conduct, competence or capacity are referred to the Discipline Committee or Fitness to Practise Committee until such time as the matter has been finally disposed of; and
- (x) perform the duties associated with his or her position conscientiously and with integrity and diligence in a manner that serves and protects the public interest.

26.02 Removal of Council or Committee Member

The following procedure shall be followed in the event that a Council or Committee member is alleged to have contravened the duties of a Council or Committee member or meets the criteria for disqualification set out in article 21.01:

- (i) a written complaint shall be filed with the Registrar. A complaint can be made by a member of the public, a Member of the College, a Council or Committee member or the Registrar. If a member of Council or a Committee receives such a complaint, he or she shall immediately file it with the Registrar;
- (ii) the Registrar shall report the complaint to the Executive Committee if he or she believes that the complaint may warrant formal action;
- (iii) if the Executive Committee, after any investigation it deems appropriate, believes that the complaint warrants formal action, it shall request a meeting of the Council. Council shall determine whether there has been a breach of duties or whether the criteria for disqualification have been met and, if so, impose the appropriate sanction. The appropriate sanction can include one or more of the following:
 - (a) censure of the member verbally or in writing,

- (b) removal of the member from any Committee and / or working group on which he or she serves, or
- (c) disqualification of an elected member of Council from the Council, or a report requesting removal of the member concerned from the Council to the Public Appointments Secretariat;
- (iv) a decision finding that there has been a breach of duties or that a Council or Committee member meets the criteria for disqualification set out in article 21.01, and a decision to impose a particular sanction must be approved by a majority affirmative vote of the Council members present and voting; and
- (v) the Council or Committee member whose conduct is the subject of concern shall not take part in the deliberation or vote, however, he or she will be given a reasonable opportunity to respond to the allegation prior to deliberation or vote.

27. CONFLICTS OF INTEREST

27.01 Duty to Avoid Conflicts of Interest

All Council and Committee members have a duty to carry out their responsibilities in a manner that serves and protects the interest of the public. As such, they must not engage in any activities or in decision-making concerning any matters where they have a direct or indirect personal or financial interest. All Council and Committee members have a duty to uphold and further the intent of the Act to regulate the practice and profession of denturism in Ontario, and not to represent the views of advocacy or special interest groups.

27.02 Recognition of Conflict

Council and Committee members recognize that a conflict of interest or an appearance of a conflict of interest by a member of Council or its Committees,

- (i) could bring discredit to the College;
- (ii) could amount to a breach of the fiduciary obligation of the person to the College; and
- (iii) could create liability for either the College and / or the person involved.

27.03 Conflicts Relating to Involvement with a Professional Association

A member of Council or a Committee member shall be perceived to have conflict of interest in a matter and should not serve on Council or its Committees at all if he or she holds a responsible position such as director, owner, board member or officer in or is an employee of any Professional Association relating to denturism.

27.04 Conflicts Relating to Position in Other Organizations

A member of Council or a Committee member would be perceived to have a conflict of interest in a matter and should refrain from participating in any discussion or voting if he or she holds a responsible position such as director, owner, board member or officer in, or is an employee of, another organization where his or her duties may be seen by a reasonable person as influencing his or her judgment in the matter under consideration by the Council or its Committees. For example, an educator in a school should not participate in any decisions relating to the status of that school, its program(s) or the acceptability for registration of graduates from that school.

27.05 Declaration Forms

Upon appointment or election, and annually thereafter if requested, every Council and Committee

member and every member of a working group shall fully complete and deliver to the Registrar a form, available from the Registrar, declaring his or her current and recent affiliations with Professional Associations and other organizations to facilitate compliance with the above provisions.

27.06 Litigation Against College

A Council or Committee member shall resign from all positions with the College before initiating or joining a legal proceeding against the College or any Committee or representative of the College.

27.07 Interests of Related Persons

For the purposes of this by-law, the direct or indirect personal or financial interests of a parent, spouse, child or sibling of a Council or Committee member are interpreted to be the interests of the Council or Committee member. Here, the term “spouse” includes a common-law spouse and a same-sex partner of the person.

27.08 Where a Conflict May Exist

Where a Council or Committee member believes that he or she may have a conflict of interest in any matter which is the subject of deliberation or action by the Council or its Committees, he or she shall,

- (i) consult, as needed, with the President, the Chair of the Committee, the Registrar and / or legal counsel;
- (ii) if there is any doubt about whether he or she may have or be perceived to have a conflict, prior to any consideration of the matter, declare the potential conflict to the Council or the Committee and accept the President’s or Chair of the Committee’s ruling as to whether there is an appearance of a conflict, subject to any appeal or reconsideration by the Council or the Committee itself;
- (iii) where there appears to be a conflict of interest, not take part in the discussion of, or vote on, any question in respect of the matter;
- (iv) where there appears to be a conflict of interest, leave the room for the portion of any meeting relating to the matter;
- (v) where there appears to be a conflict of interest, not attempt in any way to influence the voting or do anything that might be perceived as attempting to influence the decision of other members on the matter; and
- (vi) upon returning to the room, be informed of the outcome of the vote but no further details of the discussion or the details of the vote.

27.09 Conflicts Recorded in Minutes

Every declaration of a conflict of interest shall be recorded in the minutes of the meeting together with a description of the nature of the conflict.

27.10 Use of College Information or Property

A member of Council or a Committee member shall not use College property or information of any kind to advance his or her own interests, direct or indirect.

27.11 Staff or Other Positions

A member of Council or a Committee member may not hold any other employment or appointment with the College while serving as a member of Council or its Committees. This includes, but is not

limited to, positions as peer assessor, investigator, inspector, examiner or staff. Where a member of Council or a Committee wishes to be considered for any such position or appointment, he or she must first resign their position and agree to an undertaking not to seek election to Council or appointment to a Committee for a period of one (1) year after they cease to be employed or appointed by the College or one (1) year from the date they are informed in the event that they are unsuccessful in their application for employment or appointment by the College. Despite this provision, a member of a Committee who is not on the Council or who is not the Chair of a Committee may serve as an examiner so long as the person does not serve on a Committee that is involved in the examination or registration process.

28. CONFIDENTIALITY

28.01 Duty of Confidentiality

Members of the Council and Committees, staff and persons retained or appointed by the College are required to maintain confidentiality of information that comes before them in the course of discharging their duties unless disclosure is authorized by the Council or is otherwise permitted under subsection 36(1) of the RHPA.

28.02 Subsection 36(1) of the RHPA

Subsection 36(1) of the RHPA states, in part, as follows,

36. (1) Every person employed, retained or appointed for the purposes of the administration of this Act, a health profession Act or the *Drug and Pharmacies Regulation Act* and every Member of a Council or committee of a College shall keep confidential all information that comes to his or her knowledge in the course of his or her duties and shall not communicate any information to any other person

28.03 Disclosure Under the RHPA

Subsection 36(1) of the RHPA permits disclosure in a number of specific circumstances. Members of the Council and Committees, staff and persons retained or appointed by the College are expected to understand when those exceptions apply and seek advice if they are in doubt.

28.04 Confidentiality Agreement

Council and Committee members, staff and persons retained or appointed by the College are required to sign, annually, the confidentiality or fiduciary agreement approved by Council.

29. COMMUNICATIONS

29.01 Media Contacts

All media contact shall be channelled and coordinated through the Registrar's office. Any Council or Committee member or any member of a working group being asked by media representatives to provide interviews, respond to inquiries or to comment on issues concerning the regulation of the profession or the operation of the College shall not provide any such communication and shall instead refer them to the Registrar's office.

29.02 College Communications

The Registrar, the President or, in the absence of the President, the Vice-President,

- (i) are the authorized spokespersons of the College but either of them may request a member of Council or staff to perform this function, as appropriate, under the circumstances; and
- (ii) may communicate with the media to provide interviews, respond to inquiries or comment on issues concerning regulation of the profession or the operation of the

College. A member of Council or a Committee member shall not perform such Communications unless authorized by the Registrar, the President or, in the absence of the President, the Vice-President.

29.03 Consistent Messaging

All messages to the media and to the public must be consistent with the approved policies and positions of the College. Any member of Council or Committee member shall resign all positions with the Council and its Committees prior to expressing public disagreement with a decision, policy or position of the College or its Committees and even then, shall only do so in a manner consistent with his or her ongoing fiduciary duties towards the College.

29.04 Invitations for Speaking Engagements

All requests inviting the President, the Registrar or members of Council, Committees or working groups to speak in his or her capacity as a representative of the College must be submitted, in writing, to the Registrar's office with details of the date, time and place of the speaking engagement as well as the topic and anticipated length of the presentation.

29.05 Acceptance of Invitations for Speaking Engagements

The Registrar, in consultation with the President, where possible, will review all requests inviting Council, Committee or working group members to speak and shall determine whether to accept the invitation and the appropriate representative to address the topic. Other than as described above, no member of Council, a Committee or working group shall accept any request to make representations or speak on behalf of the College or in his or her capacity as a representative of the College.

29.06 Presentation Content

The content of every presentation must be consistent with the approved policies and positions of the College and shall be submitted at least five (5) days before the date of the presentation to the Registrar or a person designated by the Registrar for approval.

29.07 No Compensation

No person speaking in his or her capacity as a representative of the College shall receive any payment or benefit related to the presentation or, if the payment or gift cannot in the circumstances be gracefully declined, it shall immediately be turned over to the Registrar. However, mementoes of nominal value (\$50.00 or less) may be accepted and retained.

30. HONORARIA

30.01 Application

This section applies to members of the College who are Councillors or Committee members. It does not apply to Councillors or Committee members appointed by the Lieutenant Governor in Council.

30.02 Purpose of Honoraria

The honoraria set out in this article are not intended as re-imbursement of the professional income that could be earned. Members of Council, Committees and working groups are essentially volunteers.

30.03 Honoraria Amounts

The honorarium and payable expenses for attending a Council or Committee meeting are set out in Schedule 5 and Schedule 6 to these by-Laws.

30.04 Payment of Honoraria

The following principles apply to the payment of honoraria:

- (i) except as set out below, only actual attendance time may be claimed for an honorarium for attendance at a meeting;
- (ii) a maximum of one (1) Full Day honorarium may be claimed for a calendar day despite the number or length of meetings held that day;
- (iii) honoraria may be claimed for an in-person meeting where the meeting is cancelled with less than two (2) business days' notice;
- (iv) where a meeting does not take the scheduled time, the member may claim the honoraria for the scheduled length of the meeting so long as the member arrived on time and did not leave early;
- (v) all claims must be recorded on the forms established by the College and must be submitted within sixty (60) days of the meeting date or the claim will be forfeited; and
- (vi) any disputes about a claim for an honorarium and any request for special consideration shall be determined by the Registrar in consultation with the President.

31. FEES

31.01 Registration Year

The registration year for Members shall be from April 15th to April 14th of the following year.

Proposed: The registration year for Members shall be from March 31st to April 1st of the following year.

31.02 Renewal Process

The annual registration is due on or before April 14th of each year. At least forty-five (45) days before the annual fees are due, the Registrar shall send to each Member a notice stating that the annual fees are due, setting out the amount of the annual fee for each category of registration and a request for information required under the regulations and the by-laws of the College. The obligation to pay the annual fee continues even if the Registrar fails to provide the notice or the Member fails to receive such notice.

31.03 Fee Amounts

Schedule 7, as the same may be amended from time to time, sets out the applicable fees and penalties that a Member or person shall pay to the College. Where no fee has been set out in the Schedule, a Member or person shall pay to the College the fee set by the Registrar for anything that the Registrar is required or authorized to do.

31.04 Payment of Fees set by Registrar

The late payment fee for the late renewal of a certificate of registration becomes payable at 12:01 a.m. on the day after the renewal fee is due to be paid to the College.

31.05 Fee Increases

Each year each fee described in Schedule 7 shall be increased by the percentage increase in the Consumer Price Index for goods and services in Canada as published by Statistics Canada or any successor organization unless Council decides to waive a fee increase for that year.

32. PROFESSIONAL LIABILITY INSURANCE

32.01 Mandatory Insurance Coverage

- 1) A member, other than an Inactive member who has purchased any run-off coverage (sometimes called enduring or tail coverage) contemplated by these by-laws, must carry professional liability insurance with the following characteristics:
 - (i) a minimum of no less than \$1,000,000 per occurrence;
 - (ii) annual aggregate coverage of no less than \$5,000,000;
 - (iii) a deductible of no more than \$1,000 per occurrence;
 - (iv) run-off coverage (sometimes called enduring or tail coverage) for a minimum of three (3) years; and
 - (v) provided by an insurer licensed with the Financial Services Commission of Ontario, the office of the Superintendent of Financial Institutions Canada or a body outside of Ontario that the Registrar considers substantially equivalent to the Financial Services Commission of Ontario.

- 2) An Inactive Member who has practised in Ontario within the previous two years must carry professional liability run off coverage (sometimes called enduring or tail coverage) for a minimum of three (3) years since the Member last practised in Ontario provided by an insurer licensed with the Financial Services Commission of Ontario, the office of the Superintendent of Financial Institutions Canada or a body outside of Ontario that the Registrar considers substantially equivalent to the Financial Services Commission of Ontario.

32.02 Proof of Insurance

A practising Member must, upon request, provide to the College proof of professional liability insurance in a form acceptable to the Registrar which must include the following information:

- (i) policy number;
- (ii) name of the insured that matches the name of the Member;
- (iii) address of the insured;
- (iv) policy period; and
- (v) coverage details.

32.03 Declaration of Eligibility of Insurance

An applicant for registration must provide a declaration that he or she is eligible for professional liability insurance coverage and that he or she shall submit proof of insurance to the Registrar no less than 30 days after his or her registration is approved. The Registrar shall not issue the certificate of registration until actual proof of coverage is received.

32.04 Relying on Employer's Insurance Coverage

A member may rely on the insurance coverage provided by his or her employer so long as the insurance coverage complies with the requirements of these by-laws including the ability to provide proof of coverage of the Member by the Member's name.

33. THE REGISTER

33.01 Name in Register

Subject to article 33.02 a Member's name in the register shall be the full name indicated on the document used to support the Member's initial registration with the College.

33.02 Change of Name

The Registrar may enter a name other than the name referred to in article 33.01 in the register if the Registrar,

- (i) has received a written request from the Member;

- (ii) is satisfied that the Member has legally changed his or her name; and
- (iii) is satisfied that the name change is not for any improper purpose.

33.03 Business Address

A Member's primary business address in the register shall be,

- (i) the address of the location in Ontario where the Member is employed or self-employed as a Denturist;
- (ii) in the event that the Member is employed or self-employed as a Denturist in more than one location in Ontario, the location where the Member generally works, or anticipates to work, the most hours; and
- (iii) in the event that the Member is not employed or self-employed in Ontario as a Denturist, the location designated by the Member or any other address approved by the Registrar.

33.04 Business Telephone Number

A Member's business telephone number shall be,

- (i) the telephone number of the location in Ontario where the Member is employed or self-employed as a Denturist;
- (ii) in the event that the Member is employed or self-employed as a Denturist in more than one location in Ontario, the telephone number of the Member's primary business address; and
- (iii) in the event that the Member is not employed or self-employed in Ontario as a Denturist, the telephone number designated by the Member or any other telephone number approved by the Registrar.

33.05 Duty of Registrar

The Registrar shall maintain a register in accordance with section 23 of the Code.

33.06 Additional Information

In addition to the information set out in subsection 23(2) of the Code, the register shall contain the following information, which is designated as public information, with respect to each Member:

- (i) names other than the proper legal name of the Member including any nicknames or abbreviations that the Member uses in any place of practice;
- (ii) the name, address and telephone number of every employer for whom the Member is employed as a Denturist and, if the Member is self-employed as a Denturist the address and telephone number of the locations where the Member practises other than addresses of individual clients; In the event that the Member has not indicated a business address, the Registrar shall enter as the Member's business address any other location for the Member known by the College which could include the Member's home address. Members who have a current certificate of registration for Inactive class will not require an address for the register;
- (iii) if there have been any changes to the Member's name since the date of the member's initial application for registration, the former names of the Member;
- (iv) the Member's registration number;
- (v) if the Member ceased to be a Member, a notation specifying the reason for the termination of membership and the date upon which the Member ceased to be a Member;
- (vi) where, on or after September 23, 2016, a panel of the Inquiries, Complaints and Reports Committee requires a Member to appear before a panel of the Committee to be cautioned,
 - (a) a notation of that fact;
 - (b) a summary of the caution;

- (c) the date of the panel's decision; and
 - (d) if applicable, a notation that the panel's decision is subject to a review and therefore not yet final, which notation shall be removed and the review and any reconsideration by the Committee is finally disposed of.
- (vii) where, on or after September 23, 2016, a panel of the Inquiries, Complaints and Reports Committee requires a Member to complete a specified continuing education or remediation program (SCERP),
 - (a) a notation of that fact;
 - (b) a summary of the specified continuing education or remediation program;
 - (c) the date of the panel's decision; and
 - (d) if applicable, a notation that the panel's decision is subject to a review and therefore not yet final, which notation shall be removed and the review and any reconsideration by the Committee is finally disposed of.
- (viii) notwithstanding paragraphs (vii and viii), where after a review, the Inquiries, Complaints and Reports Committee has been required to remove or vary the appearance for a caution or a specified continuing education or remediation program, may be removed once the Committee makes its new decision. Where the original requirement to appear for a caution or to complete a specified continuing education or remediation program has been varied, the Registrar may enter a summary of the process leading up to and the results of the variation.
- (ix) where a decision of the Discipline Committee has been published by the College with the Member's name or former name included:
 - (a) a notation of that fact; and
 - (b) identification of the specific publication of the College which contains the information;
- (x) where the Member's certificate of registration is subject to an interim order:
 - (a) notation of that fact;
 - (b) the nature of the order; and
 - (c) the date that the order took effect;
- (xi) where the Member's certificate of registration is subject to a suspension for failure to pay a fee, the reason for the suspension and the date of the suspension in addition to the fact of that suspension;
- (xii) for every matter that has been referred by the Inquiries, Complaints and Reports Committee to the Discipline Committee under section 26 of the Code and has not been finally resolved, until the matter has been resolved:
 - (a) a notation of that fact, including the date of the referral;
 - (b) a summary of each specified allegation;
 - (c) a copy of the notice of hearing;
 - (d) any hearing dates, including dates for the continuation of the hearing; and
 - (e) if the hearing of evidence and arguments is completed and the parties are awaiting a decision of the panel of the Discipline Committee, a statement of that fact;
- (xiii) a notation, including the date of the referral, for every matter that has been referred by the Inquiries, Complaints and Reports Committee to the Fitness to Practise Committee under section 61 of the Code and has not been finally resolved, until the matter has been resolved;

- (xiv) any information jointly agreed to be placed on the register by the Member;
- (xv) in addition to the name of every health profession corporation of which the Member is a shareholder, the business address, business telephone number, business e-mail address, if there is one, and any operating names of the health profession corporation(s);
- (xvi) where the College is aware that a member is or was registered or licensed to practise a profession inside or outside of Ontario, a notation of that fact;
- (xvii) the date of the Member's initial registration with the College;
- (xviii) where the College is aware that a finding of professional misconduct or incompetence or similar finding has been made against the Member by a body that governs a profession, inside or outside of Ontario, and that finding has not been reversed on appeal and the Registrar believes that it is relevant to the Member's suitability to practise:
 - (a) a notation of that fact;
 - (b) the name of the governing body that made the finding;
 - (c) the date the finding was made, if available;
 - (d) a brief summary of the facts on which the finding was made, if available; and
 - (e) information regarding any appeals of the finding or order, if available;
- (xix) where the College is aware that a finding of incapacity or similar finding has been made against a Member registered or licensed to practise a profession inside or outside of Ontario, and that finding has not been reversed on appeal and the Registrar believes it is relevant to the Member's suitability to practise,
 - (a) a notation of the finding;
 - (b) the name of the governing body that made the finding;
 - (c) the date the finding was made if available;
 - (d) a summary of any order made if available; and
 - (e) information regarding any appeals of the finding or order if available;
- (xx) where the College is aware that a pending allegation of professional misconduct or incompetence or a similar allegation has been referred to a discipline type of hearing against a Member registered or licensed to practise a profession inside or outside of Ontario and the Registrar believes that it is relevant to the Member's suitability to practise,
 - (a) a notation of that fact;
 - (b) the name of the governing body that made the referral;
 - (c) the date of the referral if available;
 - (d) a brief summary of each allegation if available; and
 - (e) the notice of hearing if available.
- (xxi) a summary (including date, place, fact and content) of any currently existing charges against a Member, of which the College is aware, in respect of a federal, provincial or other offence, which the Registrar believes is relevant to the Member's suitability to practice unless the charge is pursuant to the Criminal Code of Canada or the Controlled Drug and Substance Act in which case it shall be posted.

The information placed on the register as a result of section 33.06 (xxi) shall be

removed once the charges are no longer outstanding;

- (xxii) a summary of any currently existing conditions, terms, orders, directions or agreements relating to the custody or release of the member in respect of provincial or federal offence processes of which the College is aware and that the Registrar believes is relevant to the member's suitability to practise;
- (xxiii) a summary of any findings of guilt of which the College is aware if made by a court or other lawful authority, in respect of a federal or provincial offence and the person against whom the finding was made was a member at the time of the finding that the Registrar believes is relevant to the Member's suitability to practise, unless the charge is pursuant to the Criminal Code of Canada or the Controlled Drug and Substance Act in which case it shall be posted, including,
 - (a) the date of and a summary of the finding;
 - (b) the date of and the sentence imposed, if any; and
 - (c) where a finding is under appeal, a notation to that effect;
- (xxiv) for every application to the Discipline Committee or the Fitness to Practice Committee for reinstatement that has not been finally resolved, until that matter has been resolved,
 - (a) a notation of that fact, including the date of the application;
 - (b) a copy of the notice of hearing notice;
 - (c) the anticipated date of the, if the hearing date has been set or the next scheduled date for the continuation of the hearing if the hearing has commenced;
 - (d) if the hearing has been adjourned and no future date has been set, the fact of that adjournment, and;
 - (e) if the decision is under reserve, that fact; and
- (xxv) if an application for reinstatement has been decided by a panel of the Discipline Committee, or the Fitness to Practice Committee, the outcome of the hearing including the date of the decision and any order made.

33.07 Information Requests from College

If requested, a Member shall immediately provide the College with the following information, in the form requested by the College:

- (i) information required to be maintained in the register in accordance with subsection 23(2) of the Code and article 33.06 of these by-laws;
- (ii) information for the purpose of compiling statistical data;
- (iii) information establishing the Member's electoral district, for the purposes of elections to the Council;
- (iv) the Member's areas of practice, including but not necessarily limited to the categories of clients seen;
- (v) the Member's previous employers and previous practice locations;
- (vi) the Member's email address;
- (vii) information pertaining to the Member's professional liability insurance coverage;
- (viii) the Member's date of birth and languages in which they provide services; and
- (ix) information pertaining to the Member's compliance with the College's Quality Assurance program.

33.08 Automatic Notification of the College

The Member shall notify the College, in writing, of any changes to the following information within thirty (30) days of the effective date of the change,

- (i) the Member's name;
- (ii) any nicknames or abbreviations that the Member uses in any place of practice;
- (iii) the address and telephone number of the Member's primary residence in Ontario and, if the Member does not reside in Ontario, the address and telephone number of the Member's primary residence;
- (iv) the Member's email addresses;
- (v) the Member's electoral district, for the purposes of elections to the Council;
- (vi) information regarding the Member's employment, including:
 - (a) the Member's title and position;
 - (b) a description of the Member's role, duties and responsibilities; and
 - (c) the Member's employment category and status;
- (vii) information about the Member's registration with any other body that governs a profession, whether inside or outside of Ontario, including the name of the governing body, the Member's registration or licence number and the date the Member first became registered;
- (viii) the Member's business address or business telephone number;
- (ix) the name, address or telephone number of any employer for whom the Member is employed as a Denturist and, if the Member is self-employed as a Denturist, any changes to the address or telephone number of the location where the Member practises other than addresses of individual clients;
- (x) the name of the educational institution where the Member obtained any certificates, diplomas or degrees in denturism, the type of certificates, diplomas or degrees obtained and the date each was issued; and
- (xi) the names of any graduates of denturist training that the Member supervises as part of his or her practice.

33.08.01 Immediate Notification of the College

Notwithstanding Article 33.08, a Member shall immediately provide the particulars of any information required under sections 33.06(xix) and (xx).

- (i) information about any finding of professional misconduct or incompetence or similar finding that has been made against the Member by a body that governs a profession, inside or outside of Ontario, where that finding has not been reversed on appeal, including:
 - (a) the finding;
 - (b) the name of the governing body that made the finding;
 - (c) a brief summary of the facts on which the finding was based;
 - (d) the penalty and any other orders made relative to the finding;
 - (e) the date the finding was made; and
 - (f) information regarding any appeals of the finding;
- (ii) information about any finding of incapacity or similar finding that has been made against the Member by a body that governs a profession, inside or outside of Ontario, where that finding has not been reversed on appeal, including:
 - (a) the finding;
 - (b) the name of the governing body that made the finding;
 - (c) the date the finding was made;
 - (d) a summary of any order made; and
 - (e) information regarding any appeals of the finding;

33.09 Safety Concerns

All of the information in the register is information designated to be withheld from the public pursuant to subsection 23(6) of the Code such that the Registrar may refuse to disclose to an individual or post on the College's website any or all of that information if the Registrar has reasonable grounds to believe that disclosure of that information may jeopardize the safety of an individual.

34. PROFESSIONAL CORPORATIONS

34.01 Duty to Provide Information

Every Member shall, for every professional corporation of which the Member is a shareholder, provide in writing the following information on the application and annual renewal forms for a Certificate of Authorization, upon the written request of the Registrar, within thirty (30) days and upon any change in the information within thirty (30) days of the change:

- (i) the name of the professional corporation as registered with the Ministry of Government Services;
- (ii) any business names used by the professional corporation;
- (iii) the name, as set out in the register, business address and business telephone number and registration number of each shareholder of the professional corporation;
- (iv) the name, as set out in the register, of each officer and director of the professional corporation, and the title or office held by each officer and director;
- (v) the principal practice address, telephone number, facsimile number and email address of the professional corporation;
- (vi) the address and telephone number of all other locations, other than residences of clients, at which the professional services offered by the professional corporation are provided; and
- (vii) a brief description of the professional activities carried out by the professional corporation.

35. FUNDING FOR THERAPY AND COUNSELLING FOR SEXUAL ABUSE

35.01 Therapist/Counsellor Confirmation

The College shall require a therapist or counsellor who is providing therapy or counselling that is funded through the Patient Relations Program under section 85.7 of the Code to provide a written statement signed by him/her containing details of his/her training and experience and confirming that the therapy or counselling is being provided and that the funds received are being devoted only to that purpose.

35.02 Patient Acknowledgment

The College shall require a person who is receiving therapy or counselling that is funded through the Patient Relations Program under section 85.7 of the Code to provide a written statement signed by him/her acknowledging that he/she is aware of the details of the training and experience of the therapist or counsellor and confirming that the therapy or counselling is being provided and that the funds received are being devoted only to that purpose.

36. CODE OF ETHICS

The mission of the College of Denturists of Ontario is to regulate and govern the profession of denturism in the public interest.

36.01 Preamble

Denturists are self-regulated professionals. This status obliges them to act competently and ethically in the practice of their profession. They shall maintain recognized standards of care while observing professional values.

Denturists are valuable members of the oral-health team who uphold high standards of ethical behaviours when working with team members, colleagues and members of the public. Denturists value self-governance and recognize the importance of maintaining public trust and respect

through engagement in ethical practice.

36.02 Core Values

Core values are principles that form the foundation for ethical practice. They guide denturists' decision-making and conduct and are characteristics that define the profession.

The profession's core values are: accountability, beneficence, transparency, dignity, integrity, professionalism, and respect. Each principle is defined below.

(i) Accountability

Taking responsibility for own actions and services and intervening when patient safety and competent and/or ethical care is at risk. Maintaining professional obligations by adhering to legislation, regulations and standards of practice; and meeting registration and quality assurance program requirements.

(ii) Beneficence

Maximizing benefits and minimizing harm for the welfare of the patient.

(iii) Transparency

Sharing current and accurate information, professional opinions, professional title, limitations, risks, benefits, and scope of practice in a way that is meaningful and enables informed decision-making.

(iv) Dignity

Acting with compassion, empathy, respect and understanding for the patient's quality of life, wishes and right to make an informed decision.

(v) Integrity

Demonstrating honesty and reliability in all professional relations, communications and business practices.

(vi) Professionalism

Maintaining a professional image in all interactions with the public, colleagues and peers.

(vii) Respect

Demonstrating respect for the patient's choice, time, financial resources, privacy and right to confidentiality, as well as respect for colleagues and peers.

37. BY-LAWS AND AMENDMENT

37.01 Effective Date

These by-laws shall become effective as soon as they have been approved by Council.

37.02 Amendments

The by-laws of the College or any section thereof may be enacted, amended, or revoked by a two-thirds majority of the Council members present and voting at a meeting of Council called for that purpose.

38. RETIRED MEMBERS

38.01 Designation of Retired Members

Upon receiving a request, the Registration Committee may designate a Member a Retired Member if,

- (i) at the time of making the request, the Member is in good standing; and
- (ii) the Member has retired from the practice of Denturism and agrees not to engage in the practice of Denturism.

38.02 Entitlements of Retired Members

A Retired Member is entitled to,

- (i) remain on the register of the College as a Retired Member;
- (ii) use the title Denturist (Retired), Registered Denturist (Retired) or DD (Ret); and
- (iii) participate in the activities of the College; however, a Retired Member is not entitled to vote in the election of the Council or to hold elected office.

38.03 Termination of Retired Membership Status

A Retired Member status shall terminate if the Registrar has reasonable grounds to believe that the person,

- (i) has been found to be in default of any obligation to the College under the regulations or the by-laws;
- (ii) practises the profession or uses the protected title without first obtaining a certificate of registration from the College; or
- (iii) acts in a manner that is inconsistent with an ongoing association with the College.

SCHEDULE 1 TO THE BY-LAWS

Process for Election of Officers

The elections will be supervised by the Registrar. The Registrar may be assisted by scrutineers.

Before the first regular meeting of the newly elected Council each year or any other Council meeting designated for the purpose by Council resolution, the Registrar shall send an invitation to all Council members requesting any person wishing to stand for election to the offices of the President, Vice-President (if applicable) and Executive Committee members at large to indicate so, in writing, to the Registrar.

A Member's written intent must be returned to the Registrar no later than 4:00 p.m. on the day before the meeting of Council when the election of officers shall take place. However, nominations can still be made from the floor even if the written intent has not been returned to the Registrar.

At the meeting of Council when the election of officers shall take place, the Registrar shall present the names of eligible candidates who have indicated their interest for the position of President.

Where there is only one nominee for a position, that person shall be elected by acclamation. In the event that there is more than one candidate for the office, the voting will be conducted by ballot, with the result being tabulated and then recorded and reported by the Registrar. Before the vote, candidates shall be given the opportunity to speak briefly (order to be determined alphabetically by last name). The election of a candidate shall be confirmed by a majority vote of those present and voting. Where no candidate receives a majority vote, the candidate receiving the fewest votes shall be disqualified and Council shall, by ballot, vote on the remaining candidates until one candidate receives a majority vote.

Where no candidate is nominated for a position or, in the case of Executive Committee members at large, where there are insufficient nominations for the number of positions available, nominations from the floor will be permitted.

In the event of a tie, a second ballot will take place. Candidates will have an opportunity to speak briefly before the vote. If the second ballot also results in a tie, the winning candidate will be determined by lot.

The results of each election will be tabulated by the scrutineers and reported by the Registrar, with the number of votes accorded to each candidate to remain confidential.

Each officer will be elected in the manner described above.

~~Once the President is elected, the Vice-President shall be nominated and elected in a similar manner. Once the Vice-President has been elected, the remaining Executive Committee positions shall be filled in a similar manner ensuring that there are an appropriate number of Members and Public Members.~~

Once the election is completed, the Registrar shall call for a motion to destroy the ballots. The elected members of the Executive Committee may then speak briefly.

SCHEDULE 2 TO THE BY-LAWS

Rules of Order of the Council

1. In this Schedule, "Member" means a Member of the Council.
2. The presiding officer will ask for each agenda topic to be introduced briefly by the person or Committee Chair or other representative raising it. Members may ask questions of clarification, then the person introducing the matter shall make a motion and another Member must second the motion before it can be debated.
3. When any Member wishes to speak, he or she shall so indicate by raising his or her hand and, after being invited to do so by the presiding officer, shall address the presiding officer and confine himself or herself to the matter under discussion.
4. Staff persons and consultants with expertise in a matter may be permitted by the presiding officer to answer specific questions about the matter.
5. Observers at a Council meeting are not allowed to speak to address Council unless such address has previously been approved.
6. A Member may not speak again on the debate of a matter until every other Member who wishes to speak to it has been given an opportunity to do so. The only exception is that the person introducing the matter or a staff person may answer questions about the matter. Members will not speak to a matter more than twice without the permission of the presiding officer.
7. No Member may speak longer than five (5) minutes upon any motion except with the permission of Council.
8. When a motion is under debate, no other motion can be made except to amend it, to postpone it, to put the motion to a vote, to adjourn the debate or the Council meeting or to refer the motion to a Committee.
9. A motion to amend the motion then under debate shall be disposed of first. Only one motion to amend the motion under debate can be made at a time.
10. When it appears to the presiding officer that the debate on a matter has concluded, when Council has passed a motion to vote on the motion or when the time allocated to the debate on the matter has concluded, the presiding officer shall put the motion to a vote.
11. When a matter is being voted on, no Member shall enter or leave the Council room, and no further debate is permitted.
12. No Member is entitled to vote upon any motion in which he or she has a conflict of interest, and the vote of any Member so interested will be disallowed.
13. Any motion decided by the Council shall not be re-introduced during the same meeting except by a two-thirds vote of the Members then present.

14. Whenever the presiding officer is of the opinion that a motion offered to the Council is contrary to these rules or the by-laws, he or she shall rule the motion out of order and give his or her reasons for doing so.
15. The presiding officer shall preserve order and decorum, and shall decide questions of order, subject to an appeal to the Council without debate.
16. The above rules may be relaxed by the presiding officer if it appears that greater informality is beneficial in the particular circumstances, unless the Council requires strict adherence.
17. Members are not permitted to discuss a matter with observers while it is being debated.
18. Members shall turn off electronic devices during Council meetings and, except during a break in the meeting, shall not use any electronic device, including a laptop except to review materials related to the matter under debate (e.g., electronic copies of background documents) and to make personal notes of the debate.
19. Members are to be silent while others are speaking.
20. In all cases not provided for in these rules or by other rules of Council, the current edition of Robert's Rules of Order shall be followed so far as it may be applicable.
21. These Rules shall apply, with necessary modifications, to meetings conducted by teleconference or any other electronic means permitted by the by-laws, including audio or video conferencing.

SCHEDULE 3 TO THE BY-LAWS

Code of Ethics

The mission of the College of Denturists of Ontario is to regulate and govern the profession of denturism in the public interest.

Preamble

Denturists are self-regulated professionals. This status obliges them to act competently and ethically in the practice of their profession. They shall maintain recognized standards of care while observing professional values.

Denturists are valuable members of the oral-health team who uphold high standards of ethical behaviours when working with team members, colleagues and members of the public. Denturists value self-governance and recognize the importance of maintaining public trust and respect through engagement in ethical practice.

Core Values

Core values are principles that form the foundation for ethical practice. They guide denturists' decision-making and conduct and are characteristics that define the profession.

The profession's core values are: accountability, beneficence, transparency, dignity, integrity, professionalism, and respect. Each principle is defined below.

(i) Accountability

Taking responsibility for own actions and services and intervening when patient safety and competent and/or ethical care is at risk. Maintaining professional obligations by adhering to legislation, regulations and standards of practice; and meeting registration and quality assurance program requirements.

(ii) Beneficence

Maximizing benefits and minimizing harm for the welfare of the patient.

(iii) Transparency

Sharing current and accurate information, professional opinions, professional title, limitations, risks, benefits, and scope of practice in a way that is meaningful and enables informed decision-making.

(iv) Dignity

Acting with compassion, empathy, respect and understanding for the patient's quality of life, wishes and right to make an informed decision.

(v) Integrity

Demonstrating honesty and reliability in all professional relations, communications and business practices.

(vi) Professionalism

Maintaining a professional image in all interactions with the public, colleagues and peers.

(vii) Respect

Demonstrating respect for the patient's choice, time, financial resources, privacy and right to confidentiality, as well as respect for colleagues and peers.

SCHEDULE 4 TO THE BY-LAWS

Code of Conduct for the College and College Representatives

1. This Schedule applies to members of Council and members of all committees of the College.
2. Council and committee members must, at all times, maintain high standards of integrity, honesty and loyalty when discharging their College duties. They must act in the best interest of the College. They shall:
 - (i) be familiar and comply with the provisions of the Regulated Health Professions Act, 1991 and its regulations, the Health Professions Procedural Code, the Denturism Act, 1991 and its regulations, and the by-laws and policies of the College;
 - (ii) Be prepared to participate in Council meetings and committee work, including reading background materials and briefing documents;
 - (iii) Diligently take part in committee work and actively serve on committees as appointed by the Council;
 - (iv) Regularly attend meetings on time (including not missing three (3) or more consecutive meetings without reasonable cause) and participate constructively in discussions;
 - (v) Offer opinions and express views on matters before the College, Council and committee, when appropriate;
 - (vi) Participate in all deliberations in a respectful and courteous manner, recognizing the diverse background, skills and experience of Council and committee members;
 - (vii) uphold the decisions made by a majority of Council and committees, regardless of prior individual disagreement;
 - (viii) place the interests of the College, Council and committee above all other interests;
 - (ix) avoid and, where that is not possible, declare any appearance of or actual conflicts of interest;
 - (x) refrain from including or referencing Council or committee titles or positions held at the College in any personal or business promotional materials, advertisements and business cards (although referencing one's titles or positions held at the College in one's curriculum vitae is acceptable so long as the curriculum vitae is not overtly used in a promotional manner);
 - (xi) preserve confidentiality of all information before Council or committee unless disclosure has been authorized by Council or is otherwise exempted under s. 36(1) of the RHPA;

- (xii) refrain from attempting to influence a statutory decision unless one is a member of the panel or, where there is no panel, of the committee dealing with the matter;
- (xiii) respect the boundaries of staff whose role is not to report to or work for individual Council or committee members including not contacting staff members directly, except on matters where the staff member has been assigned to provide administrative support to that committee or the Council or where otherwise appropriate; and
- (xiv) be respectful of others and not engage in behaviour that might reasonably be perceived as verbal, physical or sexual abuse or harassment.

SCHEDULE 5 TO THE BY-LAWS

Honoraria Paid by the College to Professional Members, and Public Members who are not appointed pursuant to s.6(1)(b) of the *Denturism Act, 1991*, of Council and Committees

ACTIVITY	AMOUNT
Meeting attendance: president	\$200.00
Meeting attendance: committee chair & executive meeting	\$150.00
Meeting attendance: councillor or committee member	\$150.00

Teleconference meetings 50 cents per minute to a maximum of a full day honorarium

Proposed: Teleconference meetings \$1.00 per minute to a maximum of a full day honorarium

SCHEDULE 6 TO THE BY-LAWS

Common Valid Expenses

ACTIVITY	AMOUNT/CRITERIA
Air travel (requires prior college approval)	Best economy class fare for the most direct route
Train or bus travel	Coach class by the most direct route <u>Proposed: Coach class (Via 1 included) by the most direct route</u>
Automobile travel	45 cents per km by the most direct route ¹ plus \$30.00 parking expense per day maximum. <u>Proposed: 55 cents per km by the most direct route</u> <u>Self-parking expenses included.</u>
Accommodation	The amount available through the FHRCO negotiated rate at the time or an amount up to a maximum total cost, including taxes of \$195.00 per night <u>Proposed: The amount available through the HPRO negotiated rate at the time or an amount up to a maximum rate of \$250.00 per night (excluding taxes and fees). \$60 per night for private accommodation*</u> <u>*Cannot be claimed if event is in your city of residence</u>
Breakfast expense	\$10.00 maximum <u>Proposed: \$40 maximum up to daily maximum of \$90 for all meals.</u>
Lunch expense	\$15.00 maximum <u>Proposed: \$40 maximum up to daily maximum of \$90 for all meals.</u>

Dinner expense	\$25.00 maximum <u>Proposed: \$50 maximum up to daily maximum of \$90 for all meals.</u>
Telephone calls	Actual cost of call related to College business (e.g., not proportional cost of monthly flat fee)
Other expenses	Actual cost if related directly to College business

All expenses must be supported by original receipts and must be reasonable in the circumstances. Alcohol cannot be claimed.

Meal expenses cannot be claimed where the College provides the meal for those participating in the meeting.

¹ Alternatively, the Registrar may approve reimbursement of expenses for a rental car and gas in situations where (1) the person claiming reimbursement requests it and (2) the overall cost to the College would be less than if the person claiming reimbursement had sought reimbursement on the basis of mileage.

Fee Schedule

Fee Item	Fee	H.S.T. 13% (Harmonized Sales Tax)	Total Fee
Fees Relating to Qualifying Examination			
Initial Application Fee	\$75.00	\$9.75	\$84.75
First Attempt at Qualifying Examination	\$4,000.00	\$520.00	\$4,520.00
Subsequent Additional Attempts:			
Part 1- Multiple Choice Examination (MCQ)	\$800.00	\$104.00	\$904.00
Subsequent Additional Attempts:			
Part II - Clinical Examination (OSCE)	\$3,200.00	\$416.00	\$3,616.00
Administrative Fee (for late withdrawal of any attempt)	\$100.00	\$13.00	\$113.00
Fees Relating to Applications for Initial Registration for General Class			
Initial Application Fee	\$100.00	\$13.00	\$113.00
Initial Registration Fee (first year of registration pro-rated by quarter in which registered)			
April 15 – July 14 <u>April 1 – June 30</u>	\$1,900.00	\$247.00	\$2,147.00
July 15 – October 14 <u>July 1 – September 30</u>	\$1,425.00	\$185.25	\$1,610.25
October 15 – January 14 <u>October 1 – December 31</u>	\$950.00	\$123.50	\$1,073.50
January 15 – April 14 <u>January 1 – March 31</u>	\$475.00	\$61.75	\$536.75
Fees Relating to Renewal of a Certificate of Registration for General Class			
Annual Registration Fee	\$1,900.00	\$247.00	\$2,147.00
Late Payment Fee	\$150.00	Not applicable	\$150.00
Reinstatement Fee	\$500.00	\$65.00	\$565.00
Fees Relating to a Certificate of Registration for Inactive Class			
Certificate of Registration for Inactive Class	\$665.00	\$86.45	\$751.45
Late Payment Fee	\$75.00	Not applicable	\$75.00
Reinstatement Fee	\$250.00	\$32.50	\$282.50
Pro-rated Fees of Transferring back to General Class before Renewal			
April 15 – July 14 <u>April 1 – June 30</u> April 15 – July 14	\$1,401.25	\$182.16	\$1,583.41
July 15 – October 14 <u>July 1 – September 30</u> July 15 – October 14	\$1,092.50	\$142.03	\$1,234.53
October 15 – January 14 <u>October 1 – December 31</u> October 15 – January 14	\$783.75	\$101.89	\$885.64
January 15 – April 14 <u>January 1 – March 31</u> January 15 – April 14	\$475.00	\$61.75	\$536.75
Fees Relating to a Certificate of Registration for Temporary Class			
Initial Application Fee	\$100.00	\$13.00	\$113.00

Fee Item	Fee	H.S.T. 13% (Harmonized Sales Tax)	Total Fee
Registration for a Certificate of Registration for Temporary Class	\$475.00	\$61.75	\$536.75
Fees Relating to a Certificate of Registration for Provisional Class			
Initial Application Fee	\$100.00	\$13.00	\$113.00
Initial Registration Fee (first year of registration pro-rated by quarter in which registered)			
April 15 – July 14 April 1 – June 30 April 15 – July 14	\$950.00	\$123.50	\$1,073.50
July 15 – October 14 July 1 – September 30 July 15 – October 14	\$712.50	\$92.63	\$805.13
October 15 – January 14 October 1 – December 31 October 15 – January 14	\$475.00	\$61.75	\$536.75
January 15 – April 14 January 1 – March 31 January 15 – April 14	\$237.50	\$30.88	\$268.38
Annual Renewal of a Certificate of Registration for Provisional Class	\$950.00	\$123.50	\$1,073.50
Late Payment Fee	\$75.00	Not applicable	\$75.00
Reinstatement Fee	\$250.00	\$32.50	\$282.50
Pro-rated Fees of applying to General Class before Renewal			
April 15 – July 14 April 1 – June 30 April 15 – July 14	\$1,187.50	\$154.38	\$1,341.88
July 15 – October 14 July 1 – September 30 July 15 – October 14	\$950.00	\$123.50	\$1,073.50
October 15 – January 14 October 1 – December 31 October 15 – January 14	\$712.50	\$92.63	\$805.13
January 15 – April 14 January 1 – March 31 January 15 – April 14	\$475.00	\$61.75	\$536.75
Fees Relating to Professional Corporations and Certificates of Authorization			
Initial Registration of a Certificate of Authorization	\$1,000.00	\$130.00	\$1,130.00
Annual Renewal of a Certificate of Authorization	\$350.00	\$45.50	\$395.50
Late Payment Fee	\$150.00	Not applicable	\$150.00
Other Fees			
Jurisprudence Program	\$100.00	\$13.00	\$113.00
Transfer to different Class Fee	\$100.00	\$13.00	\$113.00
QAC Ordered Assessment Fee	\$750.00	\$97.50	\$847.50
Election Recount Fee	\$500.00	\$65.00	\$565.00
Service Charge for declined payments	\$45.00	Not applicable	\$45.00
Duplicate Certificate	\$50.00	\$6.50	\$56.50
Letter of Standing	\$44.25	\$5.75	\$50.00
Clinic Name Registration	\$25.00	\$3.25	\$28.25
Retired Status Application	\$50.00	\$6.50	\$56.50
Retired Status Renewal	\$50.00	\$6.50	\$56.50

Fee Item	Fee	H.S.T. 13% (Harmonized Sales Tax)	Total Fee
Administration Fees for Notices – this fee shall be applied when a notice is sent to a member who has failed to comply with a request to which the member must comply (i.e. updating insurance and CPD credits by the deadline).			
Administration Fee for Notices (First Notice)	\$50.00	\$6.50	\$56.50
Administration Fee for Notices (Subsequent Notices)	\$100.00	\$13.00	\$113.00



Français

Denturism Act, 1991

S.O. 1991, CHAPTER 25

Consolidation Period: From June 3, 2021 to the e-Laws currency date.

Last amendment: 2021, c. 25, Sched. 25, s. 12.

Legislative History: [+]

Definitions

1 In this Act,

“College” means the College of Denturists of Ontario; (“Ordre”)

“Health Professions Procedural Code” means the Health Professions Procedural Code set out in Schedule 2 to the *Regulated Health Professions Act, 1991*; (“Code des professions de la santé”)

“member” means a member of the College; (“membre”)

“profession” means the profession of denturism; (“profession”)

“this Act” includes the Health Professions Procedural Code. (“la présente loi”) 1991, c. 25, s. 1.

Health Professions Procedural Code

2 (1) The Health Professions Procedural Code shall be deemed to be part of this Act. 1991, c. 25, s. 2 (1).

Terms in Code

(2) In the Health Professions Procedural Code as it applies in respect of this Act,

“College” means the College of Denturists of Ontario; (“Ordre”)

“health profession Act” means this Act; (“loi sur une profession de la santé”)

“profession” means the profession of denturism; (“profession”)

“regulations” means the regulations under this Act. (“règlements”) 1991, c. 25, s. 2 (2).

Definitions in Code

(3) Definitions in the Health Professions Procedural Code apply with necessary modifications to terms in this Act. 1991, c. 25, s. 2 (3).

Scope of practice

3 The practice of denturism is the assessment of arches missing some or all teeth and the design, construction, repair, alteration, ordering and fitting of removable dentures. 1991, c. 25, s. 3.

Authorized act

4 In the course of engaging in the practice of denturism, a member is authorized, subject to the terms, conditions and limitations imposed on his or her certificate of registration, to fit and dispense removable dentures. 1991, c. 25, s. 4.

Governing Board continued as College

5 The Governing Board of Denture Therapists is continued under the name College of Denturists of Ontario in English and Ordre des denturologistes de l'Ontario in French. 1991, c. 25, s. 5.

Council

6 (1) The Council shall be composed of,

- (a) at least seven and no more than eight persons who are members elected in accordance with the by-laws;
- (b) at least five and no more than seven persons appointed by the Lieutenant Governor in Council who are not,
 - (i) members,
 - (ii) members of a College as defined in the *Regulated Health Professions Act, 1991*, or
 - (iii) members of a Council as defined in the *Regulated Health Professions Act, 1991*. 1991, c. 25, s. 6 (1); 1998, c. 18, Sched. G, s. 30 (1).

Who can vote in elections

(2) Subject to the by-laws, every member who practises or resides in Ontario and who is not in default of payment of the annual membership fee is entitled to vote in an election of members of the Council. 1991, c. 25, s. 6 (2); 1998, c. 18, Sched. G, s. 30 (2).

Section Amendments with date in force (d/m/y) [+]

President and Vice-President

7 The Council shall have a President and Vice-President who shall be elected bi-annually by the Council from among the Council's members. 1991, c. 25, s. 7.

Restricted titles

8 (1) No person other than a member shall use the title "denturist", a variation or abbreviation or an equivalent in another language. 1991, c. 25, s. 8 (1).

Idem

(2) No person shall use the title "denture therapist" or a variation or abbreviation of it. 1991, c. 25, s. 8 (2).

Representations of qualification, etc.

Agenda Item 9.4

(3) No person other than a member shall hold himself or herself out as a person who is qualified to practise in Ontario as a denturist or in a specialty of denturism. 1991, c. 25, s. 8 (3).

Exception

(4) Despite subsection (2), a member may use the title “denture therapist” or a variation or abbreviation of it for three years after this Act comes into force. 1991, c. 25, s. 8 (4).

Definition

(5) In this section,

“abbreviation” includes an abbreviation of a variation. 1991, c. 25, s. 8 (5).

9 REPEALED: 2021, c. 25, Sched. 25, s. 12.

Section Amendments with date in force (d/m/y) [+]

Offence

10 Every person who contravenes subsection 8 (1), (2) or (3) is guilty of an offence and on conviction is liable to a fine of not more than \$25,000 for a first offence and not more than \$50,000 for a second or subsequent offence. 2007, c. 10, Sched. B, s. 7 (1).

Section Amendments with date in force (d/m/y) [+]

Transition

11 A person who, on the day before this Act comes into force, was licensed as a denture therapist under the *Denture Therapists Act* shall be deemed to be the holder of a certificate of registration issued under this Act subject to any term, condition or limitation to which the licence was subject. 1991, c. 25, s. 11.

12., 13 REPEALED: 2007, c. 10, Sched. B, s. 7 (2).

Section Amendments with date in force (d/m/y) [+]

14 Omitted (provides for coming into force of provisions of this Act). 1991, c. 25, s. 14.

15 Omitted (enacts short title of this Act). 1991, c. 25, s. 15.

Français



BRIEFING NOTE

To: **Council**
From: **Roderick Tom-Ying, Registrar & CEO**
Date: **March 10, 2023**
Subject: **2023-2024 Draft Operating Budget**

Public Interest Rationale

The College of Denturists of Ontario's mandate is to protect the public by ensuring Registered Denturists provide safe, ethical, and competent denturism care and service in Ontario. As part of that mandate, the College Council has the overall responsibility of ensuring prudent financial stewardship of the College's financial resources as part of its core principle of good governance. Implementation of regulatory best practices, strategic planning, performance monitoring, fiscal management, external compliance, and reporting forms some of these core principles. Council must ensure that the College has a fiscally responsible and strategic operating budget each year.

2023 – 2024 Draft Operating Budget

The College Management team has proposed an operating budget for the 2023-2024 fiscal year with total expenditures of \$1,573,300.00 against a projected revenue of \$1,599,250.00. The College expects a modest surplus of \$25,950.00 for the 2023-2024 budget.

The 2023-2024 draft operating budget was constructed with the following factors in mind:

- The College Council at its December 9, 2022, meeting approved a one-time reduction in the Certificate of Registration renewal fee by \$200.
- There will be continued uncertainty in Council and Committee expenses due to the re-introductions of in-person meetings and associated costs in a high inflationary environment. The College will be able to accurately adjust this budget line item once in-person meetings and processes stabilize and a return to a new normal is established. This budget line item may be exceeded prior to the establishment of a new level.
- The Strategic Initiatives budget will be used to fund new and emerging projects e.g. governance initiatives, strategic planning, member portal upgrade. Once those project deliverables are completed, the ongoing work and maintenance will be incorporated into

the operating budget.

- Potential changes in Schedule 5 and 6 of the CDO By-Laws referring to remuneration and expense policy will increase operational costs but represent necessary updates.
- The fixed costs demonstrate modest increases year over year aligned with CPI.

Budget Assumptions

Prior to developing the operating budget, the College Management team reviews general budgetary assumptions that will form the basis of any revenue and expense assumptions.

- General goods and services used by the College may increase by the percentage change increase in the Consumer Price Index for goods and services (all items) in Canada as published by Statistics Canada. E.g., subscription services (Zoom), benefits plan.
- HST is not included on the fees used to form the basis of the operating budget.
- Expenses include application sales tax (PST/HST).
- Resources are allocated to ensure that current staffing levels can adequately support College operations.
- Membership fluctuations generally follow a trend of 10 resignations per year.

Budget Notes

Revenue	Budget Notes
Professional Corporation Fees	Based on the College's projections of 192 current corporations, 3-5 closures per year, and around 10 new annual applications – a very modest increase in year over year revenue is anticipated. The increase in projected revenue in 2022-2023 was due to a spike in new applications and resulting one-time initial application fee.
Registration Fees	The 2023-2024 budget assumes a base of 770 registrants, the current number of registrants at the time of publication. Council has approved a one-time \$200 reduction in the Certificate of Registration renewal fee – from \$1900.00 + HST to \$1700.00 + HST.
Other Fees	No changes in year over year assumptions. Other fees include Clinic Name Applications, Reinstatement, Duplicate Certificate, Late Fees, and Misc Income.
Qualifying Examination Fees	The yearly forecast of prospective applicants from the three Denturism educational institutions in Ontario allows us to estimate around 50 prospective applicants for the budget year (25 in June 2023, and 25 in February 2024).

	<p>As noted in earlier updates to Council, for calendar year 2023, there is a significant drop in number of graduating students from the three educational intuitions due to limited to no intake of new students in 2020.</p> <p>A drop of approximately \$74,000 in examination revenues is anticipated based on estimates of 50 candidates in 2023-2024. This decrease in examination fees collected from a forecast of 50 candidates may be further reduced if the final number of candidates is reduced.</p> <p>This decrease in examination candidates will result in a deficit of \$50,000 to \$100,000 in the Qualifying Examination budget line item. The College will implement cost saving efficiencies as it did in February 2023 by switching to one-track examination – reducing the number of exam assessors and accompanying accommodation/meals/travel expenses by half.</p> <p>It is difficult to estimate in exact numbers the number of candidates and repeat candidates that may attempt the examination in 2023-2024 due to a myriad of personal factors out of CDO's control. At the time of budget presentation, the results from the February 2023 examination have not yet been released – to assist with forecasting a potential number of repeat candidates.</p> <p>The College will provide a mid-year update once it has further clarity on the number of candidates and the finalization of examination costs.</p>
Other Income	<p>For this budget year, the College anticipates a significant increase in investment income due to the increase in Bank of Canada's overnight lending rate resulting in favourable savings interests. While it is difficult to estimate the amount of additional investment income, the College has reported an anticipated amount based on 2022-2023's performance. The final amount is subject to change due to fluctuations in the overnight lending rate and TD Bank's floating rate.</p>

EXPENDITURES	Budget Notes
Wages & Benefits	<p>This budget line item for 2023-2024 represents a return to routine levels. Due to transition in College leadership and increase in benefits administration, there will be an increase year over year.</p>
Professional Development	<p>Recommend a return to routine levels for this budget line item as it was prior to the pandemic with the potential return of in-person events and conferences, College Staff and Council participation will be anticipated.</p> <p>During the pandemic, the CDO lowered the budget line item in recognition of reduced opportunities for professional development.</p>

	<p>2019-2020 - \$40,000 2020-2021 - \$45,000 2021-2022 - \$40,000 2022-2023 - \$30,000 2023-2024 - \$40,000 (proposed)</p>
Professional Fees	<p>An increase of \$10,000 is anticipated for this line item due to an increase of CPI in the Toronto area of around 6-7% for professional services, as well as the return of in-person Peer Circles.</p> <p>The budget for Peer Circles is currently located inside this line item and we anticipate more offerings of Peer Circles including the exploration of hosting Peer Circles in northern cities in Ontario increasing costs.</p>
Office & General	<p>An increase of \$5000 to account for increase in costs of services and goods.</p>
Rent	<p>An increase of \$11,300.00 is due to the addition of leasing costs for joining HUB 601. The leasing costs for HUB 601 will be moved into the operating budget from the Strategic Initiatives budget.</p>
Qualifying Examination	<p>2023-2024 examination year will include June 2023 OSCE & MCQ and February 2024 OSCE & MCQ administrations.</p> <p>The cost estimates are based on the previous year's costs. College Staff will attempt to significantly reduce variable examination costs where it can to limit the deficit between the fees collected and total expenses.</p>
Council and Committees	<p>As Council returns to in-person meetings, expenses incurred related to travel, accommodations, and meals will increase. This budget line item for 2023-2024 represents a return to routine levels.</p> <p>An increase in teleconference rates, mileage rates, and accommodation rates due to a change in Schedule 5 and 6 of the By-Laws have been accounted for in this budget line item.</p> <p>The College will be able to accurately adjust this budget line item once in-person meetings and processes stabilize and a return to a new normal is established. This budget line item may be exceeded prior to the establishment of a new level.</p>
Quality Assurance	<p>No changes contemplated year over year.</p>
Complaints & Discipline	<p>No changes contemplated year over year at this time.</p>
Capital Expenditures	<p>No changes contemplated year over year.</p>

College of Denturists of Ontario
Proposed 2023-2024 Budget

YTD Budget to Actual	2022-2023		Projection to Year End		Proposed 2023-2024	
	BUDGET		March 31/23		BUDGET	% Change
REVENUE						
Professional Corporation Fees	\$	65,000.00	\$	87,150.00	\$	67,000.00 3%
Registration Fees	\$	931,190.00	\$	994,103.42	\$	1,309,000.00 41%
Other Fees	\$	4,500.00	\$	9,452.25	\$	4,500.00 0%
Qualifying Examination Fees	\$	277,100.00	\$	274,750.00	\$	203,750.00 -26%
Other Income	\$	6,500.00	\$	33,626.60	\$	15,000.00 131%
TOTAL REVENUE	\$	1,284,290.00	\$	1,399,082.27	\$	1,599,250.00 25%
EXPENDITURES						
Wages & Benefits	\$	533,528.08	\$	533,528.08	\$	632,000.00 18%
Professional Development	\$	30,000.00	\$	30,000.00	\$	40,000.00 33%
Professional Fees	\$	140,000.00	\$	159,927.85	\$	150,000.00 7%
Office & General	\$	150,000.00	\$	163,888.57	\$	155,000.00 3%
Rent	\$	130,000.00	\$	130,000.00	\$	141,300.00 9%
Qualifying Examination	\$	178,144.00	\$	240,719.39	\$	300,000.00 68%
Council and Committees	\$	15,000.00	\$	31,318.71	\$	40,000.00 167%
Quality Assurance						
QA Panel A	\$	6,000.00	\$	1,681.00	\$	10,000.00 67%
QA Panel B	\$	4,000.00	\$	-		-100%
QA Assessments	\$	35,000.00	\$	13,056.34	\$	35,000.00 0%
Complaints & Discipline						
Complaints	\$	30,000.00	\$	63,428.89	\$	30,000.00 0%
Discipline	\$	25,000.00	\$	12,186.50	\$	25,000.00 0%
Capital Expenditures	\$	15,000.00	\$	1,847.18	\$	15,000.00 0%
TOTAL EXPENDITURES	\$	1,291,672.08	\$	1,381,582.51	\$	1,573,300.00 22%
NET INCOME	\$	(7,382.08)	\$	17,499.76	\$	25,950.00

College of Denturists of Ontario

Strategic Initiatives (April 1, 2022-February 28, 2023)

YTD Budget to Actual	2022-2023 BUDGET	28-Feb-23 YTD Totals	Anticipated Costs	YTD as Percentage of Budget	Remainder or In Excess of Budgeted Amount*
STRATEGIC INITIATIVES					
	\$ 150,000.00				
Phase 1: Member Portal Upgrade - 50% Upfront Costs	\$	23,730.00		16%	\$ 126,270.00
Phase 2: Member Portal Upgrade - Remaining 50% Costs	\$	-	\$ 23,730.00	32%	\$ 102,540.00
Phase 3: Member Portal Upgrade - Compliance Centre	\$	-	\$ 27,120.00	50%	\$ 75,420.00
Governance Initiatives	\$	-	\$ 17,515.00	61%	\$ 57,905.00
Strategic Planning Workshop Expenses	\$	-	\$ 10,000.00	68%	\$ 47,905.00
TOTAL STRATEGIC INITIATIVES	\$ 150,000.00	\$ 23,730.00	\$ 78,365.00	68%	\$ 47,905.00