

The College of Psychologists of Ontario

COUNCIL MEETING

2014.04

September 19, 2014

PRESENT:

Robert Gauthier, M.Sc., M. Ed, C.Psych.Assoc., President
Peter McKegney, Public Member, Vice-President
Ruth Berman, Ph.D., C.Psych.
Dorothy Cotton, Ph.D., C.Psych.
Lynette Eulette, Ph.D., C.Psych.
Peter Farvolden, Ph.D., C.Psych.
Gilles Hebert, Ph.D., C.Psych
Patricia Minnes, Ph.D., C.Psych.
Walter Mittelstaedt, Ph.D., C.Psych.
Glenn Webster, M.Ed., C.Psych. Assoc.
Kristin Bisbee, Public Member
Judy Cohen, Public Member
Vincent Lacroix, Public Member
Ethel Teitelbaum, Public Member
Astra Josie Rose, Public Member

Regrets:

Jaffar Mohammad Hayat, Public Member

Staff:

Catherine Yarrow, MBA, Ph.D., C.Psych.,
Registrar & Executive Director
Rick Morris, Ph.D., C.Psych.,
Deputy Registrar & Director: Professional Affairs
Barry Gang, MBA, Dip.C.S., C.Psych. Assoc.,
Director: Investigations & Hearings
Stephanie Morton, Manager: Administration
Prema Shankaran, Assistant to the Registrar, Recorder

2014.04.00

Call to Order

The President called the Council meeting to order at 9:00AM.

2014.04.01

Approval of the agenda:

The following changes were made to the agenda:

The following agenda item was deleted:

2014.05.0b(3c) Proposed amendment to Expense Claim Policy –
Travel Perdiem

It was MOVED Cotton
That the agenda be approved as amended.

CARRIED

.01b Minutes:

(1) Minutes of the Open Meeting at the Council meeting 2014.02
on June 20, 2014

It was MOVED Hebert
That the minutes of the Open meeting at the Council
Meeting 2014.02 on June 20, 2014 be approved with the
following changes:

Line 44: Change District 3 to District 4

Line 527: Change Mercier to Berman

CARRIED

Action List Status Report

The Council reviewed the Action List and noted that the items on
the List are on the Agenda at this Council meeting.

Action Item Staff: to publish that the College has adopted the Tri Council
Guidelines

The information has been updated on the College website
and will also be included in the next e-Bulletin.

(2) Minutes of the **IN CAMERA** meeting at the Council Meeting
2014.02 on June 20, 2014

It was MOVED Cohen
That the minutes of the IN CAMERA meeting at the Council
meeting 2014.02 on June 20, 2014 be approved as presented.

CARRIED

(3) Minutes of the Council Meeting 2014.03 by Teleconference on
September 5, 2014

It was MOVED Lacroix
That the minutes of the Council meeting 2014.03 by
teleconference on September 5, 2014 be approved with the
following change:

Line 92: the President be appointed to the Quality Assurance Committee until the new Council member is elected from District 1.

CARRIED

2014.04.02

Consent Agenda items

It was MOVED Rose

That the Consent agenda items be approved.

CARRIED

2014.04.03

Strategic Issues

.03a Strategic Direction Implementation: Update

The Registrar provided to the Council a copy of the Strategic Direction Implementation update in which the Vision and Mission Statement are shown along with a list of current or recent examples of the activities of the College and examples of tasks which are proposed or are in development with respect to each of the Mission statements. The changes that were made after the previous Council meeting are shown in **Bold** type.

Responding to a question on the e-Health Database, the Registrar said that the College completed a Pilot Upload of College data to the database and is waiting for feedback from e-Health. It is expected that when the pilot is successfully completed, there will be a weekly upload of College data to the e-Health database.

The following to be added to the Strategic Direction Implementation:

Quality Assurance Committee working on the template for Professional Development

Collaborating in multiprofessional working group on psychotherapy

The Registrar said that it is not known whether the Psychotherapy Act would be proclaimed on October 1, 2014. A meeting of the multiprofessional working group is scheduled on October 2, 2014.

.03b

Core Values

The Council participated in a discussion of applying the Core Values to decision making at the Council Training on September 18, 2014 with facilitator Christine Forsyth. The Council agreed that the College's Mission and Vision Statements should be displayed in the Council chamber and directed that Staff arrange for the College's Mission and Vision Statements to be displayed in the Council chamber.

The Council discussed whether “Excellence” and “Transparency” should be added to the Core Values and noted that “Excellence” is included in the Mission statement and “Transparent” is included in the Core Values under Accountability.

Action Item Staff **to arrange for the College’s Mission and Vision Statements to be displayed in the Council chamber.**

(c) Succession Planning: Status Update

The Registrar reported that the Succession Planning Committee has not held any meetings but is working with the proposed plan and the designated individuals who would assume the Registrar’s role if necessary will undergo some professional development training as needed.

2014.04.04 Policy issues

.04a Proposed Amendments to Registration and Quality Assurance Regulation: Status Update

The Registrar informed the Council that the Policy Analyst at the Ministry has advised that the necessary steps will be completed so that the regulation amendments can be placed on the agenda of the meeting of the Standing Committee on Legislation and Regulation when legislature resumes.

.04b Shaping the Future: Implementation Plan for the Council decision of March 2013

The Registrar provided to Council a draft of the Implementation Plan for the provisions a, b and c that had been adopted by Council in March 2013 and further discussed at the Council meeting in June 2014.

- a. Cease to accept master’s level applications as of a set date
- b. Register all Psychological Associates as Psychologists on a fixed date, or within a fixed time period.
- c. Develop a mechanism for evaluating internationally trained applicants’ competencies for substantial similarity to a CPA accredited program and remediation as needed, regardless of whether they have obtained a master’s degree or a doctoral degree.

The draft Implementation Plan was reviewed by the Executive Committee at their meeting on July 28, 2014 and brought to the Council meeting for discussion.

At times during the discussion of this agenda item, the Vice-President assumed the Chair and the President participated in the discussion.

At the Council meeting in June 2014, the Council had agreed to leave the two issues, the cessation of Master's level applications and Title joined together as they were in March 2013. The Registrar commented that they do not have to be actioned at the same time but Council has to develop specific direction for the two issues.

Discussion:

The College would have to develop a mechanism for evaluating foreign trained applicants. Training varies in different places and may be called by different names. Competencies in a CPA accredited program may be achieved in different ways. Competency based assessment would be the way to go forward but it would be a 10 year project.

The Council discussed permitting members who hold a Certificate as Psychological Associate authorizing Autonomous practice to use the title "Psychologist".

It is difficult to explain the title Psychological Associate. Public is confused by the title Psychological Associate, and the 3 groups of members that are now registered in Ontario:

Psychologists with doctoral degrees
Psychologists with masters degrees
Psychological Associates with masters degrees

It would be better if using the title "psychologist" is approved. It would permit psychological associate members to use the title "psychologist" before amendments were made to the Registration regulation to close master's level registration and for all Psychological associate members to be issued a certificate of registration as "psychologist". There may be opposition from the Ministry and the Office of the Fairness Commissioner (OFC) to the College's proposal to close the masters level registration.

The Council considered that one of the problems with members with masters degrees having the title "psychologist" may be the possible impact on doctoral training programs.

The regulation amendment that the College is currently awaiting proclamation specifies doctoral degree as the Entry to Practice requirement. In a future regulation it may be possible to refer to competency based criteria rather than title. The "Titles" regulation

may be an interim step while the College works towards future regulation amendments.

In response to a question regarding how much time it may take to get the “Titles” regulation approved, the Registrar commented that the Ministry of Health and Long-Term Care (MOHLTC) is supportive of the “Titles” regulation and it may go forward faster than the current regulation amendments. The Council directed that the Staff conduct a stakeholder consultation on the College proposal to develop a “Titles” regulation.

It was MOVED Eulette

That the College conduct a stakeholder consultation on the College proposal to develop a “Titles” regulation to permit members who hold a Certificate of Registration as a Psychological Associate to use the title “Psychologist”.

CARRIED

The feedback from the stakeholder consultation will be brought to the Council meeting in December 2014.

The Council directed that the Staff and the Executive Committee develop a competencies based approach as part of the Implementation plan for the other aspects of issues a, b and c in the March 2013 motion approved by Council.

- .04c Association of Canadian Psychology Regulatory Organizations (ACPRO):
National Licensure Standards Project and the Pan Canadian Framework for Assessment and Recognition of Foreign Qualifications

The Deputy Registrar provided to the Council an update on the activities of the Association of Canadian Psychology Regulatory Organizations (ACPRO). A sub-Committee is working on the National Licensure Standards project and will be reporting to the November 2014 meeting of ACPRO. The next step would be a consultation with all member boards for their endorsement.

Pan Canadian Framework for Assessment and Recognition of Foreign Qualifications

The Forum of Labour Market Ministers (FLMM) is developing a Pan- Canadian Framework for the Assessment and Recognition of Foreign Qualifications to streamline the process of foreign qualification recognition. In July 2014, Psychology was added to the list of target occupations.

ACPRO will be working with the Foreign Qualification Recognition Working Group (FQRWG) to develop methods for evaluating foreign qualifications. The FLMM want a single point of entry for registration for entry to the profession. The ACPRO executives have met with the co-chair of the Federal Provincial Working Group regarding the national standards that ACPRO is currently developing. The focus would be more on the evaluation of competencies: what people can do, rather than the degree they hold. A National Consultation will be held in Ottawa on September 24, 2014. The Deputy Registrar will be attending on behalf of ACPRO. The purpose of this session will be to gather input on areas identified for priority work by the FQRWG.

ACPRO will work with the FQRWG to develop an Action plan by March 2015. The College wrote to ACPRO to suggest that they may need to meet more frequently prior to March 2015 and the Executive Committee discussed providing additional funding to ACPRO. The Deputy Registrar commented that ACPRO appreciates the offer of additional funding and there may be grants available from the Employment and Social Development Canada (ESDC) for this project.

Agenda Item Council Meeting December 2014

to discuss additional funding for Association of Canadian Psychology Regulatory Organizations

.04d Custody and Access Taskforce

(1) Legal advice on distributing the Advice from Custody and Access Taskforce so that it would not be perceived as a Standard of Professional Conduct

The Registrar provided to the Council advice received from legal Counsel on distributing the document "Information for consideration by members providing psychological services in the context of Child Custody Disputes and Child Protection proceedings" from the Custody and Access Task Force.

The Council reviewed the legal advice that suggested the document be distributed with an Introduction that states that the advice in the document is offered as a suggestion for members of the current best practice of the profession and is not offered as defining the standard of practice.

The Council agreed that distributing the advice with the suggested introduction may provide guidelines to the members providing this service.

**It was MOVED Cohen
That the College publish the “Information for members”
document with the Introduction as suggested by legal
Counsel.**

CARRIED

Action Item Staff to publish the document “Information for consideration by members providing psychological services in the context of Child Custody Disputes and Child Protection proceedings” with the Introduction suggested by legal Counsel.

(2) Advice to the College- Recommendations

The Custody and Access Task Force provided the document entitled “Advice to College” which was reviewed by the Inquiries, Complaints and Reports Committee (ICRC).

The ICRC identified certain recommendations as being outside the mandate of the Committee and provided feedback on the other recommendations. The ICRC suggested that the Task Force review the feedback provided by the ICRC.

In June 2014, the Council received the response from the Task Force to the feedback from the ICRC on the advice to the College and asked that the Registrar and the Director: Investigations and Hearings review the recommendations and bring forward motions to this Council meeting.

The Director: Investigations and Hearings reviewed the recommendations made by the Task Force. The Council discussed the following recommendations.

1. Creation of an advisory interdisciplinary group of various and relevant professionals including but not limited to members of the ICRC to review the complaints investigation process in order that the College may better implement s. 26(4) of the Code which permits a panel to take no action after receiving a complaint which it deems to be frivolous, vexatious, made in bad faith, moot or otherwise an abuse of process;
2. That disposition of complaints under s.26(4) of the Code be more frequently be used for cases with court involvement, as many complainants may be abusing the complaints process for their own purposes related to the litigation
3. That members of the ICRC with court related experience work with staff in screening of cases for complaints which meet the criteria for s. 26(4) of the Code, recognizing that the determination as to whether s.26(4) applies to a complaint is the responsibility of the panel considering that complaint;

4. A question be added to the Complaint Form asking whether the complaint is related to any legal proceedings or whether such proceedings are foreseeable or anticipated, to assist in the screening

It was MOVED Eulette

That the recommendations 1- 4 as shown above to the College from the Custody and Access Task Force be referred to the Inquiries, Complaints and Reports Committee for further consideration and determination.

CARRIED

Recommendations 5 to 10:

5. Addressing the ethical issues related to provision of services with the Family Court population, pertaining to members inadvertently becoming involved in Custody and Access work via the Barbara Wand Symposium;

The Council directed that this recommendation be referred to the Deputy Registrar and the Barbara Wand Committee.

6. Sponsoring or providing intensive interdisciplinary training as an adjunct to the Barbara Wand Symposium for interested members;
7. Supporting or advocating for training based on the *Information for Members*, or encouraging other bodies to provide such training;

The Council suggested that these recommendations be forwarded to the Ontario Psychological Association (OPA) and Ontario Association of Psychological Associates (OAPA) for further consideration.

8. Encouraging graduate training programs to consider offering coursework in this area;

This suggestion will be brought to the next meeting of the Training Program and Internship Program Directors at the College.

9. Council retract a direction made in March 2014 to obtain statistical data regarding the disposition of complaints by court involved vs. non-court involved complainants because the small number of significant dispositions would yield invalid or

unreliable results and thus not address the problem of misuse of the complaints process for collateral purposes by litigants;

The Council directed that the Staff not gather any data.

10. When the annual call goes out for Committee volunteers, the College make members aware that volunteers with Custody/Access or Child Welfare work are needed on the ICRC

The Council agreed that this recommendation will not be added to the Annual Call for Committees.

.04e Standards Review: Status Update
The Client Relations Committee will be developing an Action Plan for the Standards Review at their next meeting.

.04f Supervision Task Force: Status Update
The Registrar reported that the Supervision Task Force members have been appointed and they will hold their first meeting at the College on October 31, 2014.

.04g Delegation vs Supervision of Controlled Acts: Legal Advice
The Registrar provided to Council advice received from legal Counsel on the delegation of controlled acts. The Council noted that members of the College are not permitted to delegate the controlled act of communication of a diagnosis. There is no regulation prohibiting the delegation of the Controlled act.

The Council agreed to have the Executive Committee review the legal advice regarding delegation of controlled acts and bring a recommendation to the Council.

Action Item Executive Committee

To review the legal advice regarding delegation of controlled acts and bring a recommendation to the Council.

2014.04.05 Business Issues

.05a Committee Reports
(1a) Annual Reports
The Council received Annual Reports for the year 2013-2014 from the following Committees:
Discipline
Inquiries, Complaints and Reports Committee

Quality Assurance
Client Relations
Fitness to Practice
Jurisprudence and Ethics Examination Committee
Executive Committee

The Council reviewed the reports and

It was MOVED Teitelbaum

That the Annual Reports from the following Committees

Discipline

Inquiries, Complaints and Reports Committee

Quality Assurance

Client Relations

Fitness to Practice

Jurisprudence and Ethics Examination Committee

Executive Committee

be received.

CARRIED

The Annual Report from the Registration Committee and Council will be provided to the Council meeting in December 2014.

(1b1) Registration Committee

The Council received a report on the activities of the Registration Committee from June 20, 2014 to September 19, 2014.

It was Moved McKegney

That the report on the activities of the Registration Committee from June 20, 2014 to September 19, 2014 be received.

CARRIED

(2) Inquiries, Complaints and Reports Committee (ICRC)

The Director: Investigations and Hearings presented a report to Council on the activities of the Inquiries, Complaints and Reports Committee (ICRC) from June 20, 2014 to September 19, 2014.

It was Moved Cohen

That the report on the activities of the Inquiries, Complaints and Reports Committee (ICRC) from June 20, 2014 to September 19, 2014 be received.

CARRIED

.05b Financial:

(1) Unaudited Variance Report to May 31, 2014

The Registrar provided to the Council the Variance Report to May 31, 2014 and reviewed the items that are projected to exceed the

budgeted amount by more than \$1,000. The Registrar reported that at the end of the fiscal year, the College finished the year with a surplus of \$144,100 instead of the \$237,800 deficit that was approved in the budget for 2013-2014.

It was MOVED Eulette

That the Variance Report to May 31, 2014 be received.

CARRIED

(2) Audit 2013-2014

(a) Audited Financial Statements for the year-ending May 31, 2014
Presentation of Audited Financial Statements by Mr. Vinay Raja,
Clarke Henning LLP

The President welcomed Mr. Vinay Raja, Auditor, Clarke Henning LLP to the Council meeting and invited him to present the Audited Financial Statements for the year ending May 31, 2014 to the Council. Mr. Raja commented that the Finance and Audit Committee (FAC) had reviewed the draft Audited Financial Statements at their meeting on September 11, 2014.

Mr. Raja discussed the following documents that had been provided to Council:

Audit Findings Report
Draft Audited Financial Statements

Mr. Raja congratulated the College on a clean audit. The College is in a healthy financial situation and has Reserve Funds including the Fee Stabilization Fund which would enable the College to defer a Fee Increase. The Auditor commented that the College Staff and Management were well prepared for the audit. The College has appropriate Internal Controls. The Accounting estimates were appropriate and reasonable. There were no unusual transactions and no disagreements with management. The Audit Staff spoke with the President briefly during the scheduled Audit.

The Auditor explained that the difference of approximately \$20,000 between the projected surplus in the Unaudited and Audited Financial Statements was in the way the College had shown the depreciation of the new website on a monthly basis over a three year period and the auditor recommended that depreciation should be shown for the year 2013 -2014 rather than on a monthly basis. This accounted for an additional \$20,400 of depreciation expenses.

The Auditor advised that the Canada Revenue Agency has completed the project on the audit of 1400 Not for Profit

organizations. The Ministry of Finance is planning to issue a White Paper on the cash reserves for Not for Profit organizations in 2016 and legislation on the Cash Reserves that Not for Profit organizations may hold may not be released until 2018.

(2) Report from the Finance and Audit Committee on the Audit
The Vice-President took over as the Chair and the President provided a report to Council from the Finance and Audit Committee (FAC).

Transfers from Internally Restricted Reserve Funds:
In accordance with College policy, in the Audited Financial Statements, the Auditor transferred money from the Investigations and Hearings Reserve Fund and the Website and Database Reserve Funds to cover expenses incurred in 2013 -2014 which were over the budgeted amount. The FAC noted that the Council must approve transfers from the Reserve Funds and brought forward the following motion to recommend to Council that these transfers be approved.

**It was MOVED Mittelstaedt
That the transfer of \$101,328 from the Investigations & Hearings Reserve Fund, to cover the amount by which Investigations and Hearings expenses exceeded budget during 2013-2014, be approved.**

That the transfer of \$72,151 from the Website and Database Development Reserve Fund, to cover costs incurred in this area during 2013-2014, be approved.

CARRIED

The Auditor made note of a couple of errors in dates (to be changed from 2013 to 2014) on page 9 of the Audited Financial Statements and will provide corrected version of the report for signature.

**It was MOVED McKegney
That the Audited Financial Statements for the fiscal year ending May 31, 2014 be approved as amended.**

CARRIED

The President thanked Mr. Raja for attending the Council meeting and presenting the Audited Financial Statements to Council.

**It was MOVED Berman
That the report from the Finance and Audit Committee be
received.**

CARRIED

(b) Appointment of Auditor for 2014-2015

**It was MOVED Teitelbaum
That the firm of Clarke Henning LLP be appointed as the
auditors for the 2014-2015 fiscal year for the College of
Psychologists of Ontario.**

CARRIED

(3) Other FAC recommendations to Council

(a) Review of Fees

The FAC recommended that in view of the College's healthy financial position, there would be no increase in the Annual Membership fees for the year 2015-2016.

The FAC further recommended a reduction in the Annual Membership Fee paid by supervised practice members from \$795 to \$600. This represents a reduction of \$195 per year for the one to two years that the member holds this certificate. The financial impact on the College would be a reduction in annual revenues of up to \$53,500.

The Council discussed the proposed reduction in Annual Fee for Supervised Practice members and considered a further reduction in the Fee to \$550 instead of \$600.

**It was MOVED Berman
That the Annual Membership Fee paid by Supervised Practice
members be reduced from \$795 to \$550, a reduction of \$245
per year for the one to two years that the member holds this
certificate and that the proposed amendments to By Law 18:
Fees be circulated to the membership and brought back to the
Council meeting in December 2014 for approval.**

CARRIED

Action Item Staff

**to circulate proposed amendment to By Law 18: Fees to the
membership and bring back to the Council meeting in December 2014 for
approval.**

(b) Committee Composition

The FAC recommended to Council that a second public member be appointed to the Finance and Audit Committee.

The Registrar provided to Council a copy of policy II- 8(1): Finance and Audit Committee: Terms of Reference and Role with a proposed amendment to section 5. Composition, that the FAC be composed of four members: the President or the President's designate, two members of the Council appointed by the Lieutenant Governor and one other person and to ensure that at least one member of the Committee had accounting or financial management expertise.

The Council discussed the proposed amendment and noted that in then policy as written, it is not specified that a professional member of Council be a member of the FAC.

The Council suggested that the FAC review the proposed amendment at their next meeting and bring a revised proposal to the Council meeting in December 2014.

Agenda Item FAC

to review the proposed amendment to policy II- 8(1): Finance and Audit Committee: Terms of Reference and Role at their next meeting and bring a revised proposal to the Council meeting in December 2014

The FAC report included a recommendation to Council to consider whether the funds transferred out of the Investigation and Hearing and the Website Development Reserve Funds should be replenished. The FAC will consider this further at their next meeting.

Agenda Item FAC

to consider whether the funds transferred out of the Investigation and Hearing and the Website Development Reserve Funds should be replenished.

2014.04.06

.06a

Other Business

(1) Confirmed Dates of the next Council meetings

The Council noted the following confirmed dates for Council meetings:

Friday December 12, 2014

Friday March 20, 2015

Council Training on Thursday March 19, 2015

(2) Proposed Date for Council meeting in June 2015

The Council approved the following date for the Council meeting in June 2015:

June 19, 2015

.06b Set Date for By Election in District 1

**It was MOVED Hebert
That the By-Election in District 1 be held on January 19, 2015.
CARRIED**

2014.04.07 Adjournment

There being no further business

**It was MOVED Mittelstaedt
That the Council meeting be adjourned.
CARRIED**

The Council meeting was adjourned at 3:53PM.

Robert Gauthier, M.Sc., M.Ed, C.Psych.Assoc.,
President

Peter McKegney, Vice-President

Minutes approved at the Council meeting on December 12, 2014