



**MEETING OF THE COLLEGE
COUNCIL
2016.02**

JUNE 17, 2016

MEETING MATERIALS

**Council Meeting
2016.02**

**June 17, 2016
9:00 AM to 4:00 PM**

Draft Agenda (prepared June 14, 2016)

2016.02.00	.00a	Call to Order: Registrar Election of the Executive Committee	Attached	3
2016.02.01	.01a .01b	Approval of the Agenda Approval of Agenda Approval of Minutes: (1) DRAFT Minutes of Open Meeting 2016.01 on April 1, 2016 (1a) Review of Action List (2) DRAFT Minutes of IN CAMERA meeting of Council 2016.01 on April 1, 2016 ☒	Attached Attached Attached Attached	1 10 21 22
2016.02.02		Consent Agenda Items		
	.02a	President's Report		
		(1) President's Report to Council (2) Report on the ASPPB Mid-Year Meeting: May 2016	Attached Attached	24 25
	.02b	Registrar's Report		
		(1) Council Orientation - Refresher (2) Registrar's Report (3) Financial Report (a) Financial Statements to March 31, 2016 – Narrative ☒ (b) Balance Sheet as of March 31, 2016 (Unaudited) (c) Investment Report to March 31, 2016 ☒ (4) Staff Presentations	Attached Attached Attached Attached Attached Attached	27 37 39 44 45 47
	.02c	Committee Reports/Liaison Meetings		
		(1) Executive Committee (2) Registration Committee (3) Discipline Committee (4) Inquiries, Complaints and Reports Committee (ICRC) (5) Quality Assurance Committee (6) Client Relations Committee (7) Fitness to Practice Committee (8) Meeting with Training Program and Internship Program Directors	Attached Attached Attached Attached Attached Attached No Meetings Attached	48 49 51 52 58 59 60
2016.02.03		Strategic Issues		
	.03a	Strategic Direction Implementation: Update	Attached	65

☒ Not included in observer package

2016.02.04		Policy Issues		
	.04a	Shaping the Future – Implementation Plan: Status Update	Attached	67
	.04b	Motion: Proposed Amendments to By-Law 20: Election to Council	Attached	70
	.04c	Motion: Posting Discipline Decisions on CANLII	Attached	79
	.04d	Psychotherapy as a Controlled Act – An Update	Attached	92
2016.02.05		Business Issues		
	.05a	Financial: (1) Variance Report to March 31, 2016 ☒ (2) Statement of Revenue and Expenses to March 31, 2016 (3) Report from the Finance and Audit Committee (4) Appointment of Signing Officers	Attached Attached Attached	93 95 96
	.05b	Motion: Proposed Revisions to Succession Plan	Attached	97
	.05c	Report from ACPRO meeting, Victoria, B.C., June 11-12, 2016		
2016.02.06		Other Business		
	.06a	(1) Confirmed Dates for Council Meetings: • Friday September 30, 2016 • Friday December 2, 2016 Council Training Day • Thursday September 29, 2016		
	.06b	Proposed Dates for Council Training & Meeting March 23-24, 2017 or March 30-31, 2017		
2016.02.07		Adjournment		

Candidates for Election to Executive Committee

President:

Lynette Eulette
Robert Gauthier
Peter McKegey

Vice President:

TBD

Professional Members (2 to be elected):

Ruth Berman
Giles Hebert

Public Members:

Judy Cohen

The Biographical and Candidate Statements for the candidates begin on page 4.

Lynette Eulette Ph.D., C. Psych.

Bio: I received my undergraduate degree from the University of Saskatchewan, and my graduate degrees from the University of Waterloo. I was registered with the College in 1991. My career in Ontario started at the Children's Hospital of Western Ontario. Subsequently, I was a therapist at the University of Waterloo Counselling Services. During this time I was also the Campus Sexual Harassment Counselor and was a trained Mediator for the University. From 2002-2009, I was the Chief Psychologist at the Waterloo Region District School Board. Currently, I am Part Time Faculty in the University of Waterloo Clinical Psychology graduate program. Also, I am an Implementation Coach with School Mental Health ASSIST, an Ontario Ministry of Education initiative to support school boards orient towards student mental health and well-being. Finally, I have maintained a private practice for 10 years.

I have served on the Executive of the Association of Chief Psychologists in Ontario School Boards and as Co-Chair of the Health Professionals Advisory Council for the local LHIN. I have been a Board member with Thresholds, an agency that provides support and housing for adults with severe mental health concerns. For over fifteen years, I have been involved in outreach through church and community activities in a neighbourhood with a high percentage of refugees and New Canadians.

Prior to being elected to the College Council, I served on the Quality Assurance Committee for one term. Since being on Council, I have served on ICRC (1 year) and Registration (2 years); I also volunteered to fill a gap on the Client Relations Committee last year when a Council member resigned. As part of the Discipline Committee, I have been involved in four hearings, two of which I have chaired. This past year I have served on the Executive as Vice-President.

Candidate Statement: My experience on Council and on six of the Council Committees has been both energizing and challenging. In my interactions with Committee members and around the Council table, I believe that I have been a team player who has worked to contribute to discussions and to good resolutions and decisions. Further, I understand the issues that are currently before the College such as re-vamping the supervision guidelines, updating the Standards, working through the implementation plan for entry to practice requirements, and endeavouring to be more transparent and accountable. I believe that each of these issues will impact providers of psychological services, and is an opportunity to promote high quality services to individuals, institutions, and communities. Also, I believe that the Council faces challenges given that its composition changes frequently and some issues can be divisive. Further, as our society changes with technological advances and a growing multicultural population, it seems clear that we will need to think carefully about how we provide services ethically and effectively.

My Council and Committee experiences have provided me with a working knowledge of how the College operates and of the issues before it, while my broad work experiences in the private and public sectors have given me an understanding of the working context for psychological practitioners in Ontario. In addition, I am involved in graduate training of psychological practitioners. I believe that this experiential base together with my administrative skills and passion for psychology make me well-suited for the position of College President. If, however, I am unsuccessful in this endeavor, I would be pleased to continue to serve on the Executive in the capacity of Vice-President or Professional Member.

**Robert Gauthier, M.Sc., M.Ed.
Psychological Associate**

**Biography and Candidate's Statement
2016-2017**

I am seeking the position of President for the 2016-2017 year. From June 2013 until June 2015, I was President for the two one-year terms that were allowed by the College's by-laws. In September 2015, the by-laws were changed such that a member of Council could be President for a maximum of three one-year terms. I am seeking that third term.

I am entering my ninth year on Council. Also, since it is necessary to have both titles represented on statutory committees, I am entering my ninth year on the Executive Committee. I was Vice-President for two years before becoming President. I have been involved in College activities since moving to Ontario in 2005 where I am currently a psychological associate with Autism Services at Toronto District School Board; before being elected to Council I was a member of what was then called the Complaints Committee (ICRC). While in Newfoundland, where I was a school psychologist for 21 years, I was a member of the regulatory board there for approximately 11 years and at the end of my tenure I was chair of that board. Before that, I was a member of the executive of the Association of Newfoundland Psychologists for five years serving two years as President. I have had two great passions in my professional career. One has been working with children and adolescents on the Autism spectrum. The other has been the regulation of our profession.

As well as being on Executive of the College, I have served on various committees and task forces. I have chaired several committees; currently, I chair Discipline and Nominations & Leadership. I am well versed on the policies and activities of the College and would welcome another term leading Council as we continue to address issues of regulation. I am hopeful that by the end of this year we have clear and definitive direction on moving forward on Shaping the Future of Psychology in Ontario. We continue to need to develop transparency. This year, we will be developing our Strategic Direction for the coming five years and we will be finalizing our Standards for Professional Conduct. I want a leadership role in all of these issues.

This Council follows Keesey's *Modern Parliamentary Procedure*. I am struck by one of his statements. "Unlimited patience and a concern for fair play....are invaluable when presiding over meetings," he wrote. I believe I have demonstrated these characteristics in my various roles and will endeavour to maintain them in future roles.

STATEMENT: PETER MCKEGNEY

My first year as President of Council has been challenging and rewarding. The challenges include helping to implement the succession plan at the College, and dealing with several interesting issues. Examples of these issues are the proposed change in registration requirements, dealing with transparency issues, working to implement some improvements in the function of the Executive committee following the auditor's report, and trying to work with the evolving requirements of the MHLTC.

The rewards of the work include the opportunities to come to grips with complex issues, meeting with regulators and practitioners from across Canada and the U.S.A. to discuss how other jurisdictions deal with regulatory demands, and being at the table with committed and knowledgeable Council and committee members to try to resolve issues and to ensure the efficient working of the College.

At this time there are several situations requiring the attention of Council. Modest reforms to the operation of Executive committee should enable Council to function more efficiently. There will be further pushes for increased transparency, and it is probably best to be at the leading edge of that wave. The revised Standards for Professional Conduct will need to be examined in preparation for consultation, and eventually for adoption by the College. The (long-lived) issue of Masters level registration continues to be important. My understanding is that the present situation is felt to be unsatisfactory by many College members and by some members of the public. There is likely no single solution that will completely satisfy everybody. The task is to find the best and fairest solution for 2016 and for the future.

I thank the members of Council for the vote of confidence in the past year. I would certainly appreciate the opportunity to serve as President for one more year.

Peter McKegney

BIOGRAPHICAL INFORMATION: PETER MCKEGNEY

I have served as a public member of Council for just over seven years after a successful career as an educator. During my time on Council I have had the pleasure of serving on most of the statutory and standing committees, as well as participating in task force work. I was also on the Succession Planning Committee and the Search committee within the past year. For a number of years I have been an observer at the oral examinations.

RUTH BERMAN PH.D. C.PSYCH.

Candidate for Election to Executive

BIOGRAPHY

I have been certified as a psychologist by the College of Psychologists since 1987. My training includes an undergraduate psychology degree from the University of Toronto, and Masters and Doctoral degrees from York University. I served as Executive Director of the Ontario Psychological Association (OPA) from 1989 to December 2010, during which time I had the opportunity to participate in numerous and varied forums related to health professions regulation, health care policy, and health service delivery. Some examples of these include Interhealth (Chair); the Rehabilitation Council of Ontario (Pres.); the Minister of Finance's Task Force on the Accreditation of Rehabilitation Programmes; the government of Ontario's Policy Committee on Auto Insurance; the Minister of Health's Advisory Committee on Mental Health and Addictions; and the Workplace Safety and Insurance Board's (WSIB) Fee-Setting Advisory Committee.

As a professional psychologist, I have a background of experience in clinical, rehabilitation and occupational psychology. A primary area of interest has been in psychovocational evaluation and the impact of health status, impairment and disability on occupational functioning. I have, at times over the years of my career, consulted to the WSIB, Vocational Rehabilitation Services (COMSOC), the Toronto Rehabilitation Centre, the Institute for Work and Health, the Financial Services Commission (FSCO), and the insurance, rehabilitation and legal communities. I have, in addition, been involved in the education and training of graduate students in psychology, and of candidates preparing for certification as psychologists and psychological associates, on topics related to legislation, standards and ethics, as well as in clinical and rehabilitation psychology.

STATEMENT

A majority of my career has been focused upon professional affairs. As Executive Director of the provincial association over a 22 year span, I had the privilege of being directly involved, at both inter-professional and governmental levels, in the early Health Professions Legislative Review, continuing through to the development and enactment of the Regulated Health Professions Act and all of its subsequent amendments. I was, as well, an active participant in the consultative processes that led to the development, among others, of the Health Care Consent Act, PHIPA, the proposed Psychotherapy Act, the Statutory Accidents Benefits Schedule and the Child and Family Services Act. These unique opportunities enabled me to acquire considerable knowledge of regulatory matters and of other relevant Ontario legislation impacting the profession and service delivery, as well as experience in government relations and familiarity with public policy development.

It always was, and remains, my firm belief that the best interests of the profession, consistent with its ethical obligations, reside in serving, protecting and promoting the well-being of the public. For these reasons I sought, and have appreciated, the opportunity to have served on College Council where I hope that my background knowledge and experience, over these past five years, have added some value to the Council's work. Equally important, I have found my years on Council and, as a member of several committees, including the past three years on Executive, an enriching and invaluable experience, in terms of my acquiring a deeper understanding of the College's mandate and operations, as well as a fuller appreciation of the current and future issues facing Council. I would again welcome the opportunity to serve, in the interests of Council, on the Executive this coming year, enabling me to continue to capitalize on this combined knowledge and experience, particularly in view of the College having undergone a number of transitions this past year, and in anticipation of potential changes within the regulatory environment itself.

Gilles Hébert, PhD, C.Psych
Electoral District 4 – East
Executive Committee Statement (2016-2017)

BIOGRAPHY

In 2014, I was elected to the College of Psychologists of Ontario as the professional member for District 4 East (2014-2017). I have been a member of the College of Psychologists of Ontario since 1995. Native of northern Ontario (Sudbury) and fluently bilingual, I went on to complete my undergraduate and graduate studies at the University of Ottawa, with a doctoral thesis focusing on REM sleep in second language learners.

Since 1985, I have gained clinical experience in a wide variety of treatment settings. Initially, I worked as an orderly at the Pierre Janet Psychiatric Hospital, then as chief intern at the Rehabilitation Centre (Chronic Pain Program) and the Royal Ottawa Hospital (Outpatient Geriatric Psychiatry). I then began my private practice in 1995 and this has been my primary professional focus ever since. In 2001, I founded Hébert & Associates, a group practice in Ottawa that is now comprised of 10 psychologists who provide services for a wide range of clientele and presenting problems.

I am a member of the Canadian Psychological Association (CPA), the Canadian Academy of Psychologists in Disability Assessment (CAPDA), the International Association for the Study of Pain (IASP), the Ottawa Academy of Psychology (OAP), and the Canadian Sleep Society (CSS). I am also registered with the Canadian Registry of Health Service Providers in Psychology (CRHSPP), and the College of Psychologists of Quebec (OPQ).

STATEMENT FOR EXECUTIVE COMMITTEE

In my first year on Council (2014-2015), I was appointed to the Discipline and Client Relations Committees, and was elected to the Executive Committee. This past year (2015-2016), I was appointed to the ICRC, Discipline, and Finance Committees, and elected to the Executive Committee. I am presently submitting my candidacy as a Professional member of the Executive Committee in this upcoming year (2016-2017), I believe that my experience over the last two years with the Executive and other Statutory Committees, as well as my regular participation as an Examiner at the Orals in June and December in previous years, has prepared me well to offer relevant and insightful information and guidance to Council members about the issues facing the College.

In the recent past, the College has undergone important changes, and consequentially I believe that an experienced Executive Committee is more essential than ever. In the past 2 years on Executive, and I have had the privilege of working alongside highly experienced and knowledgeable individuals. I believe I have contributed in a constructive and collaborative fashion and it is my genuine intention to do so again if I am elected for the 2016-2017 year.

Thank you for your attention,

Gilles Hébert

Judy Cohen

Bio:

My professional career was in education, as a teacher and as a Vice-Principal. Subsequently, I was a Complaints Officer with the College of Chiropractors of Ontario for five years. I also trained in Alternative Dispute Resolution (ADR) with Stitt, Feld, Handy and later with Conflict Mediation Services of Toronto (CMSD). At present, I am on the roster at Sheppell.fgi to facilitate workplace issues, I volunteer for community-related mediations with St. Stephen's Community House in Toronto and I facilitate the Teacher Management Advisory Committee (TMAC) meetings at my former school. Prior to my appointment to the Council of the College of Psychologists of Ontario, I was a member of the Healing Arts Radiation Protection (HARP) Commission (MHLTC).

Candidate Statement:

I have participated in a wide variety of College committees: Client Relations; Quality Assurance; Registration Committee; ICRC; and the Supervision Task Force. I have served both as a member and chair of discipline panels, attended Barbara Wand Seminars, and sat as a public observer at the Oral Examinations. This exposure and involvement has enhanced my understanding of the varied issues and topics addressed by Council.

This past year, I was fortunate to be one of the two public members on the Executive Committee. This experience has expanded my awareness of the strong leadership of the College and of the Council working in concert for the benefit of the membership and the public. In seeking re-election to the Executive, I am committed to continue to be actively involved in representing 'the public perspective' which underlines all College decisions.

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COUNCIL MEETING
2016.01
April 1, 2016

PRESENT:

- Peter McKegney, Public Member, President
- Lynette Eulette, Ph.D., C.Psych., Vice-President
- Ruth Berman, Ph.D., C.Psych.
- Dorothy Cotton, Ph.D., C.Psych.
- Robert Gauthier, M.Sc., M. Ed, C.Psych.Assoc.
- Michael Grand, Ph.D., C.Psych.
- Gilles Hebert, Ph.D., C.Psych.
- Elizabeth Levin, Ph.D., C.Psych.
- Denise Milovan, Ph.D., C.Psych.
- Patricia Minnes, Ph.D., C.Psych.
- Glenn Webster, M.Ed., C.Psych. Assoc.
- Kristin Bisbee, Public Member
- Judy Cohen, Public Member
- D’Arcy Delamere, Public Member
- Jaffar M. Hayat, Public Member
- Donna McNicol, Public Member
- Astra Josie Rose, Public Member
- Ethel Teitelbaum, Public Member

Staff:

- Rick Morris, Ph.D., C.Psych., Registrar & Executive Director
- Barry Gang, MBA, Dip.C.S., C.Psych. Assoc.
Deputy Registrar/Director: Professional Affairs
- Zimra Yetnikoff, Director: Investigations & Hearings
- Lesia Mackanyn, Director: Registration
- Stephanie Morton, Manager: Administration
- Paulette Blais, Policy Analyst
- Prema Shankaran, Assistant to the Registrar, Recorder

2016.01.00

Call to Order

.00a The President called the Council meeting to Order and welcomed public member Donna McNicol who was appointed to the Council on October 21, 2015.

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The Council congratulated Dr. Dorothy Cotton, Dr. Lynette Eulette and Dr. Elizabeth Levin on their reelection to Council and public member Kristin Bisbee on her reappointment to Council for a 2nd 3 year term.

2016.01.01

Approval of the agenda:

The following changes were made to the agenda:

Moved:

.02b(1) Registrar's Report to .05c

It was MOVED Cotton

That the agenda be approved as amended.

CARRIED

.01b

Minutes:

(1) Minutes of the Council meeting 2015.07 on December, 2015

It was MOVED Milovan

That the minutes of the Council Meeting 2015.07 on December 4, 2015 be approved as presented.

CARRIED

Business arising from the Minutes:

Action Item BG

The following was identified as an Action Item:

To provide an update on the Standards Review

Review of Action List

The Council reviewed the Action List.

Action Item Registrar

To review the eligibility requirements for Academic members for serving on Council

The Registrar commented that the College is reviewing By-Law 20: Election to Council: Qualifications, Terms of Office and Conditions for Disqualification and considering some amendments. Proposed amendments to Section 20.3 District 8 (Academic Representation) will be included and By-Law 20 will be brought to the Council meeting in June 2016 for approval for circulation to the membership.

Action Item RM

To add amendments to eligibility requirements for Academic members on Council to proposed amendments to By Law 20: Election to Council, Qualifications, Terms of Office and Conditions for Disqualification, and provide to the Council meeting in June 2016.

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2016.01.02

Consent Agenda items

It was MOVED Teitelbaum

That the Consent Agenda items be approved as amended.

CARRIED

2016.01.03

Strategic Issues

.03a

Strategic Direction Implementation: Update
The Council received a copy of the updated *Strategic Direction Implementation Chart* 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 Council suggested adding the following:

- Council Training on March 31, 2016 (Collaborating in Shaping the Regulatory Environment)
- Executive Committee Audit (Collaborating in Shaping the Regulatory Environment)
- Consultation on *Shaping the Future* Implementation Plan (Promoting the Cohesiveness of the Profession)
- Work of the Supervision Task Force (Supporting and Assisting Members to Meet High Standards).

The Council noted that there is no category of "Governance" in the Strategic Direction Implementation Chart and suggested this be added when the Strategic Direction is reviewed.

The Strategic Direction 2016-2021 will be scheduled during the fiscal year 2016-2017. The Registrar commented that the previous reviews of the Strategic Direction have been conducted in a variety of formats: with the Registrar conducting it or with a facilitator and either on a scheduled Council Training Day or on a separate day.

The Council directed that the Executive Committee discuss planning for the Strategic Direction 2016-2021 at their meeting in May 2016 and provide a report to the Council Meeting on June 17, 2016. The Council noted that review of Strategic Direction 2016-2021 may be scheduled on the Council Training Day on September 29, 2016.

Action Item Executive Committee

Discuss planning for the Strategic Direction 2016-2021 at their meeting in May 2016 and provide a report to the Council Meeting on June 17, 2016

146 **2016.01.04**

Policy issues

147 .04a Registration Regulation Amendment: Status Update
148 The Registrar provided a report to Council on the Registration
149 Regulation Amendment that was circulated for member
150 consultation in October 2015. A small change was required to
151 correct an error in the Registration Regulation that was approved in
152 April 2015.

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154 The feedback from the Consultation and the final version of the
155 Registration Regulation amendment were provided to the Council
156 for approval for submission to the Ministry of Health and Long-Term
157 Care. The Council noted that the responses received by the
158 College indicate support for the proposed amendment and no
159 changes are needed.

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161 **It was MOVED Grand**
162 **That the proposed amendment to Section 23.(1) of Ontario**
163 **Regulation 74/15 - Registration be submitted to the Ministry of**
164 **Health and Long-Term Care (MOHLTC).**

165 **In Favour**
166 **Professional Members - 9**
167 **Public Members - 7**
168 **1 Abstained**

CARRIED

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172 **Action Item Staff to submit the Registration Regulation Amendment to the Ministry of Health**
173 **and Long Term Care**

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176 .04b Shaping the Future: Implementation Plan Timeline
177 On March 22, 2013, Council adopted the following proposal from
178 the Task Force on Shaping the Future of Psychology Regulation in
179 Ontario:

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181 Discontinue master's level registration, grandparent Psychological
182 Associates as Psychologists and develop a mechanism for evaluating
183 internationally trained applicants.

- 184
185 a. Cease to accept master's level applications as of a set date
186 b. Register all Psychological Associates as Psychologists on a fixed
187 date, or within a fixed time period.
188 c. Develop a mechanism for evaluating internationally trained applicants'
189 competencies for substantial similarity to a CPA accredited program
190 and remediation as needed.
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192 In January - February 2016, the College conducted a consultation
193 with the membership and stakeholders regarding the proposed
194 implementation plan of the Shaping the Future Task Force

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recommendations and gathered responses to the following questions:

- 1) Does the proposed timetable provide sufficient time for individuals who are about to begin their Master's level education to become registered with the College as Psychological Associates?

The proposed timetable is based on the Registration Regulation Amendment being approved in December 2016. All the dates that follow will be shifted depending on the date of approval of the Registration Regulation Amendment.

- 2) Does the proposed plan recognize the registration of current Psychological Associates and ensure their continued registration to practice with the College?
- 3) Does the proposed plan provide for the potential registration of internationally educated individuals who may be trained in a different model but which results in competencies equivalent to, or substantially similar to, individuals trained in Canada or the United States?

The Council reviewed a summary of the feedback from the consultation. The College received 315 responses including responses from members of the College and the public as well as one from an MPP. It was noted that many of the responses provided comments on the proposed closure of the Master's level registration although the question specifically asked related to the implementation plan.

In going forward, the Council discussed whether formal regulatory language should be drafted at this time and circulated for stakeholder consultation. It is recognized that the Ministry will require the College to provide a comprehensive rationale for the proposed amendments addressing items such as:

- What are the problems with the current Registration Regulation:
- Why are the proposed amendments needed:
- What is the impact of making this change on access to services and the College's public protection mandate?

In discussing the next steps, it was noted that the College had consulted with Ministry Staff and the Office of the Fairness Commissioner in 2013 regarding recommendations being made by the Shaping the Future Task Force. As well, the Task Force had consulted with the membership at that time and received over 700 responses regarding the proposed changes.

The Council noted that many Academic programs have stopped offering terminal Master's programs. The College has

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approximately 600 Masters level registrants at this time; about 200 with the title “Psychologist”, a number expected to increase.

The Council agreed that drafting Regulatory language will require a lot of effort and time and staff resources. As well, the data gathered in 2013 may not be current and may need to be redone. The Council discussed preparing a position paper for preliminary conversations with the Ministry of Health and Long-Term Care to find out what supporting data the Ministry would require.

**It was MOVED Cotton
That the Registrar have a preliminary consultation with staff at the Ministry of Health and Long-Term Care with respect to exploring the viability of the College’s proposed registration regulatory amendments and provide a report to the next Council meeting.**

CARRIED

The Registrar asked Council members to send him questions that they would like to be included in the consultation with the Ministry. Although a formal response may not be received from the Ministry, this conversation could provide the College with guidance regarding how to best take this matter forward including some suggestions as to the type of data the Ministry would require to be submitted along with the proposed Registration regulation amendments.

Action Item RM

To meet with Ministry Staff to explore the viability of proposed regulatory amendments in the implementation of the recommendations from the Shaping the Future Task Force

.04c

Transparency initiatives
(1) Proposed amendment to Policy I-4: *Observers and Guests at Council Meetings: Procedures and Materials*

The Registrar provided to the Council the proposed amendments to Policy I-4: *Observers and Guests at Council Meetings: Procedures and Materials*. The proposed amendments primarily address the materials to be provided to observers at Council meetings.

At this time, observers at Council meetings receive a copy of the draft agenda when they come to the Council meeting. The agenda is also posted on the College website about one week before the meeting.

The Executive Committee discussed the issue at their meetings in October 2015 and January 2016 and agreed to bring forward the proposed amendments to Policy I-4: *Observers and Guests at*

294 *Council Meetings: Procedures and Materials* to the Council for
295 discussion and approval.
296

297 The Council received information about the practices of some of the
298 Health Regulatory Colleges in Ontario. In reviewing this
299 information, and in light of the recent transparency initiatives
300 undertaken by Colleges and the Ministry of Health and Long-Term
301 Care (MOHLTC), it was noted that many Colleges provide the
302 entire Council package to observers with the exception of **IN**
303 **CAMERA** items and some financial information.
304

305 The Council discussed the proposed amendments and the practice
306 at other Health Regulatory Colleges. In making the Council
307 package available to observers and others by posting it on the
308 College website, the Council agreed that decisions may need to be
309 made about what information to include. It was suggested that the
310 public package may abridge some of the financial information and
311 suggested this be further discussed by the Executive Committee.
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313 **It was MOVED Cotton**
314 **That the proposed amendments to Policy I-4: *Observers and***
315 ***Guests at Council Meetings: Procedures and Materials* be**
316 **approved.**

CARRIED

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319 **Action Item Executive Committee and/or Staff**

320 **To discuss what Council materials will be provided to the public**
321 **observers/posted on website – to go into effect for June Council**
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324 .04d Proposed amendment to the College's Definition of the Practice
325 Area of Counselling Psychology
326 The Registration Committee reviewed the College's current
327 definition of Counselling Psychology in response to a concern
328 raised by a member of the College.
329

330 A revised definition was provided to the Executive Committee
331 at their meeting on January 29, 2016. The definition, as modified
332 by the Executive Committee, was brought to the Council for
333 approval.
334

335 The Council reviewed the proposed definition and
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337 **It was MOVED Grand**
338 **That the amended definition of Counselling Psychology be**
339 **approved.**

CARRIED

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The definition of Counselling Psychology on the College website will be updated.

Action Item Staff to update the definition of Counselling Psychology on the College website

Action Item RM/LM to respond to the member who had raised the concern about the definition of Counselling Psychology

.04e Role of the Executive Committee

The Role of the Executive Committee was discussed at the Council Training on March 31, 2016. In 2015, the Executive Committee was audited by Mr. Richard Steinecke and the Audit Report contained several recommendations. Mr. Steinecke attended the Council Training session on March 31, 2016 and reviewed the recommendations with Council.

The Council discussed the role of the Executive Committee in Policy Development and in assisting the Council to make informed decisions.

The Council directed that the Executive Committee discuss the revised role and functions of the Executive Committee including regulatory policy development and bring proposed amendments to the Council.

Action Item Executive Committee
to provide to Council proposed amendments to the Role and Function of the Executive Committee including Regulatory Policy Development

2016.01.05 Business Issues

.05a Financial:

(1) Variance Report to Nov 30, 2015

The Council received the Variance Report to Nov 30, 2015 and narrative for items that are projected to exceed the budgeted amount by more than \$2,000. The Registrar provided an update to the Council with information to January 31, 2016.

Based on figures at January 31, 2016, it is projected that the deficit at the end of the year will be \$51,000, much lower than the deficit of \$185,500 that was approved in the Budget for 2015-2016.

**It was MOVED Teitelbaum
That the Variance Report to Nov 30, 2015 be received.**

CARRIED

(2) Report from the Finance and Audit Committee (FAC)

390 The Council received a report from the Finance and Audit
391 Committee (FAC) on their teleconference on January 25, 2016.

392
393 **It was MOVED Cohen**
394 **That the report from the Finance and Audit Committee (FAC)**
395 **be received.**

CARRIED

396
397
398
399 .05b Draft Budget 2016-2017

400 The Registrar provided to the Council the draft Budget for 2016-
401 2017. This budget was reviewed by the FAC and the Executive
402 Committee and incorporates changes that were proposed at those
403 meetings.

404
405 The Registrar reviewed the budget with the Council and responded
406 to questions.

407
408 The draft budget for 2016-2017 includes a deficit in the amount of
409 \$114,000. The budget includes the \$87,300 for implementation of
410 the SharePoint Document Sharing System and the Records
411 Management System. The budget also includes a proposed 3%
412 increase in salaries and two out-of-town Executive Committee
413 meetings in 2016-2017.

414
415 The budget includes \$2,500 for Executive Committee Training
416 under Governance. There is an allocation of \$10,000 under
417 Professional Services Communication that includes costs for
418 Translation. The College provides some information in French on
419 the website and more documents are added when they are
420 translated.

421
422 The Council noted that there were some Budget lines and Sections
423 which are no longer used and suggested that they be deleted.

424
425
426 **Action Item Staff to delete Budget lines and Sections that are no longer needed**

427
428 **It was MOVED Hayat**
429 **That the Budget for 2016-2017 be approved.**

CARRIED

430
431
432 (1) Proposed Salary Ranges 2016-2017 to 2018-2019:
433 **IN CAMERA**

434
435 This agenda item was discussed in the absence of the Recorder.
436 The minutes for this agenda item will be provided by the Registrar.

437
438 **It was MOVED Gauthier**

439 **That the Council move IN CAMERA to discuss this agenda**
440 **item.**

CARRIED

441
442
443 At the end of the **IN CAMERA** discussion

444
445 **It was MOVED Levin**
446 **That the IN CAMERA session be concluded and the Open**
447 **meeting of Council be resumed.**

CARRIED

448
449
450
451 The President reported to the open meeting of Council that the
452 Council had reviewed and approved the proposed Salary Ranges
453 to be in place from 2016-2017 to 2018-2019.

454
455
456 .05c Registrar's Report
457 This item was moved from the Consent Agenda to Business Issues
458 for further discussion.

459
460 The Registrar responded to a question on the report from the
461 Psychotherapy Working Group to the Ministry of Health and Long-
462 Term Care (MOHLTC).

463
464 The Working Group was comprised of representatives from the six
465 Health Regulatory Colleges (including the College of Psychologists)
466 whose members would be authorized to perform the Controlled Act
467 of Psychotherapy. The Working Group report provided clarification
468 on the definition of the Controlled Act of Psychotherapy. The
469 Ministry has not yet responded to the report.

470
471 Status of the Supervision Standards:
472 The Supervision Task Force provided their recommendations on
473 the Supervision Standards to the Client Relations Committee which
474 is conducting a review of the Standards of Professional Conduct.
475 The Registrar reported that because of Staffing changes at the
476 College there has been a delay but the Client Relations Committee
477 is working on this project and will provide the Standards to Council
478 for review and approval for consultation.

479
480 **It was MOVED Minnes**
481 **That the Registrar's report be received.**

CARRIED

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484
485 **2016.01.06**

Other Business

486 .06a Dates of the next Council meetings
487 (1) Confirmed dates for Council meetings

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The Council noted the following confirmed dates for Council Meetings:

- Council Meeting on June 17, 2016
- Council Meeting on September 30, 2016
- Council Training on September 29, 2016

(2) Proposed date for the Council Meeting in December 2016

Of the two proposed dates, December 2 and 16, the Council confirmed December 2, 2016 for the Council Meeting.

2016.01.07

Adjournment

There being no further business,

**It was MOVED Cohen
That the Council meeting be adjourned.**

CARRIED

The Council meeting was adjourned at 2:04PM.

President

Vice-President

Minutes approved at the Council meeting on June 17, 2016

Action List from Council Meeting 2016.01 on April 1, 2016

- Action Item BG** **To provide update regarding the Standards Review**

- Action Item RM** **To add amendments to eligibility requirements for Academic members on Council to proposed amendments to By Law 20: Election to Council, Qualifications, Terms of Office and Conditions for Disqualification to the Council meeting in June 2016**

- Action Item Executive Committee**
Discuss planning for the Strategic Direction 2016-2021 at their meeting in May 2016 and provide a report to the Council Meeting on June 17, 2016

- Action Item Staff** **to submit the Registration Regulation Amendment to the Ministry of Health and Long Term Care**

- Action Item RM**
To meet with Ministry Staff to explore the viability of proposed regulatory amendments in the implementation of the recommendations from the Shaping the Future Task Force and to determine what data the Ministry would like to see in support of the proposals

- Action Item Executive Committee and/or Staff**
To discuss what Council materials will be provided to the public observers/posted on website – to go into effect for June Council

- Action Item Staff** **to update the definition of Counselling Psychology on the College website**

- Action Item RM and LM**
To respond to the member who raised a concern about the definition of Counselling Psychology

- Action Item Executive Committee**
to provide to Council proposed amendments to the Role and Function of the Executive Committee including Regulatory Policy Development

- Action Item Staff**
To delete Budget Lines and Sections that are no longer required

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**IN CAMERA Meeting at
Council Meeting 2016.01
April 1, 2016**

PRESENT:

- Peter McKegney, Public Member, President
- Lynette Eulette, Ph.D., C.Psych., Vice-President
- Ruth Berman, Ph.D., C.Psych.
- Dorothy Cotton, Ph.D., C.Psych.
- Robert Gauthier, M.Sc., M. Ed, C.Psych.Assoc.
- Michael Grand, Ph.D., C.Psych.
- Gilles Hebert, Ph.D., C.Psych.
- Elizabeth Levin, Ph.D., C.Psych.
- Denise Milovan, Ph.D., C.Psych.
- Patricia Minnes, Ph.D., C.Psych.
- Glenn Webster, M.Ed., C.Psych. Assoc.
- Kristin Bisbee, Public Member
- Judy Cohen, Public Member
- D’Arcy Delamere, Public Member
- Jaffar M. Hayat, Public Member
- Donna McNicol, Public Member
- Astra Josie Rose, Public Member
- Ethel Teitelbaum, Public Member

Staff:

- Rick Morris, Ph.D., C.Psych., Registrar & Executive Director
- Stephanie Morton, Manager: Administration

2016.05.05

Business Issues

.05a(4) Proposed Salary Ranges 2016-2017 to 2018-2019
The Registrar and Ms. Morton provided to the Council a draft of the proposed Salary Scales for the three year period 2016-2017 to 2018-2019 to be effective June 1, 2016. Comparative information from a variety of regulatory and other organizations similar in size to the College was also provided.

The Council reviewed and discussed the information provided.

It was MOVED Cohen

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That the proposed Salary Scales for the three year period from 2016-2017 to 2018-2019 be approved as presented.

CARRIED

There being no further business,

It was MOVED Levin

That the IN CAMERA meeting be concluded and the open meeting of the Executive Committee be resumed.

CARRIED

The **IN CAMERA** meeting at the Council Meeting 2016.01 was concluded and the open meeting of the Committee was resumed.

Peter McKegney, President

Lynette Eulette, Ph.D., C. Psych., Vice-President

PRESIDENT'S REPORT TO COUNCIL: JUNE 2016

This has been an interesting year for the President of Council. The changes in the senior management positions of the College have been completed successfully. The College has continued to serve the public and the members without interruption.

The Council continues to enhance the transparency of its operations. Information for Council meetings will be available to the public as of this meeting, and further enhancements to transparency are to be undertaken after consultation with the membership has been completed. The Executive Committee has also committed to holding more meetings away from Toronto.

Enhancing the effectiveness of Council work and the operation of the Executive Committee is under way as a result of the audit of the Executive Committee last year. Council will be able to consider specific recommendations at the September 2016 meeting.

The President and the Registrar have attended meetings of Psychology Regulators (Association of Canadian Psychology Regulatory Organizations - ACPRO and Association of State and Provincial Psychology Boards - ASPPB) and have been party to discussions of significant issues from the regulatory perspective. These issues have included cross-jurisdictional telepsychology, psychology workforce data collection, the impact of social media, a pan-Canadian accord, and the registration of foreign-trained psychologist applicants.

The President had opportunities last December and again earlier this month to participate in the oral examination process as one of the Public Member Observers. As the final step in the process of certifying autonomous practitioners, the oral exams are uniquely important. The Public Member Observers are in accord in describing these exams as effective and uniform in operation.

Council has several significant issues coming up for consideration, including a review of the Standards of Professional Conduct, the role of Executive Committee, and possible evolutionary revisions to the Registration Regulation. The next year promises to be both busy and challenging.

Peter McKegney

President

PRESIDENT'S REPORT ON ASPPB MIDYEAR MEETING MAY 2016

This year the Mid-Year Meeting of the Association of State and Provincial Psychology Boards was held in Anchorage, Alaska, a city surrounded by Cook Inlet and awesome mountain ranges. Many thanks to the organizing committee for arranging this meeting, especially the President's dinner at the local Hard Rock Café!

The theme of the meeting was "SOCIAL MEDIA: REGULATOR'S FRIEND OR FOE". It was emphasized that the topic would include the use of social media by regulators and practitioners, but NOT electronic practice.

A variety of speakers approached this very current issue from a number of perspectives. Some of the main ideas discussed included:

- Should practitioners and regulators be engaging the public through social media?
- social media usage and the blurring of boundaries between personal/professional roles
- Professionals who have been disciplined for posts on social media, even personal "off duty" posts, that were deemed to have "crossed the line"
- Regulators use of LinkedIn and concerns due to the opportunity for misrepresentation
- Science and technology outpacing the law
- The broad and constantly changing social media landscape
- The unique characteristics of social media: easy to engage and use, users can produce content, intent and nuance are irrelevant (only the printed words matter), the poster has no control over what happens to a post, a sense of "false intimacy" may exist
- The variety of types of social media: social networking, professional networking, media sharing, document sharing, content production, knowledge and information aggregation

Use By Regulatory Entities

There are many benefits, such as enhanced transparency, improved access and participation, operational efficiencies, use in investigations, creation of online communities, professional connections, timely communication, and education.

There are benefits and costs to the regulator. Consideration must be given to the agency mission, statutory mandates, professional obligations and standards, technical capabilities, staffing, and potential risks/benefits. Use of social media should be guided by guidelines and use policies.

When used by health professionals, there are several concerns, including privacy breaches, boundary violations, violation of standards of care, defamation, false advertising, malpractice, patient exploitation, dissemination of bad information, damage to professional image, and giving advice inadvertently.

An experienced regulatory attorney pointed out that social media use can be regulated, and that "there are lines out there, we're just not sure where they are, but we know when they're crossed"

Some boards use social media extensively, including live streaming all board and committee meetings. Some use social media as a substitute for travel to sites for meetings.

Obviously there are a number of ethical and professional issues involved in the uses of social media by regulators and practitioners. There were examples shown of cases where health care professionals posted content that seriously breached privacy or was entirely inappropriate or violated boundaries in an egregious fashion. Some of these posts were on personal “private” sites, and some were posted by other people, purposely or otherwise.

A number of people in attendance seemed to feel that “common sense” should and could be used to guide practice. Common sense, however, is not as common as we might think, and standards and boundaries vary throughout the populace.

Keeping one’s personal social media sites and posts as private as possible was emphasized time and again. Keep in mind that posts by family members may reflect upon the practitioner and lead to concerns. Be very circumspect before posting anything.

An interesting point discussed was that many, perhaps most, patients of psychologists use social media to “research” their therapist or potential therapist. This includes not only finding out about one’s professional reputation, but also birthdays, family members, address, political opinions, complaints, sexual orientation, etc. Not all of this is benign.

Also mentioned were rating sites, which are widely used and which can be manipulated by people with complaints, grudges, or psychological disorders. Some reputations have been harmed in this way.

In summary, it is evident that this is an evolving and complex issue (or series of issues). As regulators, we can see benefits and risks in using social media. Practitioners have to be savvy and wary about the use of social media. Nothing is private. Once something is out there, it is there forever, and out of our control.

At the meeting, attendees were posting photos and commentary constantly...

Peter McKegney
President



**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO
L'ORDRE DES PSYCHOLOGUES DE L'ONTARIO**

To: Council

Date: June 17, 2016

From: Dr. Rick Morris
Registrar & Executive Director

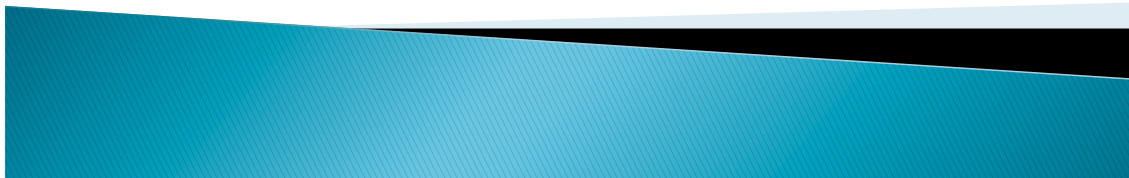
CC:

Re: Council Orientation/Refresher

As there are no new members to Council for the upcoming year, the *Council Orientation: A Refresher* has been included in the Consent Agenda. It was felt that current members of Council were sufficiently familiar with this material to preclude the need for a formal presentation of this information. Should there be any questions; the *Refresher* can be moved to the Main Agenda.



College of Psychologists of Ontario Council Orientation: A Refresher June 2016



Duty

It is the duty of the College to work in consultation with the Minister to ensure, as a matter of public interest, that the people have access to adequate numbers of qualified, skilled and competent regulated health professionals.

RHPA Code, s. 2(1)

In carrying out its objects, the College has a duty to serve and protect the public interest.

RHPA Code, s. 3(2)



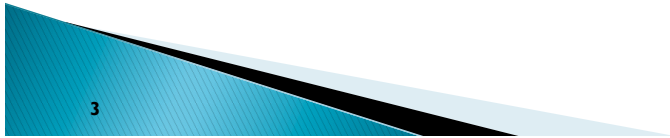


Objects of the College

[RHPA Code, s. 3(1)]

The College has the following objects: Regulating the practice of the profession in accordance with the legislation, regulations and by-laws.

1. Standards of qualification for registration.
2. Standards of practice to assure the quality of the practice of the profession.
3. Standards of knowledge and skill and programs to promote continuing evaluation, competence and improvement among the members.



3

June 17, 2016



Objects of the College_(cont'd)

4. Standards of knowledge, skill and judgment relating to the performance of controlled acts common among health professions to enhance interprofessional collaboration.
5. Standards of professional ethics for the members.
6. Programs to assist individuals to exercise their rights under the RHPA.
7. Administer the RHPA and Psychology act in relation to the profession, perform other duties and exercise other powers imposed or conferred on the College.



4

June 17, 2016



Objects of the College_(cont'd)

8. Promote relations between the College and members, public, other health regulatory colleges and key stakeholders.
9. Promote inter-professional collaboration with other health profession colleges.
10. 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.

5

June 17, 2016



Duty of Confidentiality

Every person employed, retained or appointed for the purpose 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...

RHPA s. 36(1)

6

June 17, 2016



Duty of Confidentiality^(cont'd)

Note: To avoid inadvertent or improper disclosure of confidential information by the College, such disclosure should normally be undertaken by the Registrar or under the direction of the Registrar

7

June 17, 2016



Role of Council

- ▶ Board of Directors/Governance
- ▶ Council Members have a duty of confidentiality
- ▶ Council members prepare for meetings and participate in Council's deliberations

Council meetings open to public observers
Meeting materials available on College website
as of June 2016

8

June 17, 2016



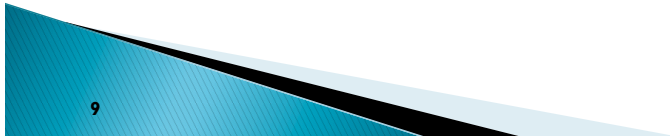
Council & Committee Training

Council Training Days

- precede Council Meeting Days)
 - ▶ Thursday, September 29, 2016
 - ▶ Thursday, March 23 or 30, 2017 (proposed)

Committee Specific Training

- ▶ Early in fiscal year
- ▶ As needed



9

June 17, 2016

Council Meeting



- ▶ Consent Agenda
 - Items accepted without discussion
 - Items may be moved to main agenda if desired

- ▶ Main Agenda



10

June 17, 2016



Council Meetings:

Exclusion of Public (*In Camera*)

- ▶ Matters involving public security
- ▶ Financial/personal matters
- ▶ Prejudice to a criminal or civil proceeding
- ▶ Personnel matters/property acquisition
- ▶ Instructions given/advice received from College solicitors
- ▶ May make order to prevent public disclosure

Otherwise meetings are open to the public

Statutory Committees



- ▶ Executive Committee
- ▶ Registration Committee
- ▶ Inquiries, Complaints and Reports Committee
- ▶ Quality Assurance Committee
- ▶ Client Relations Committee
- ▶ Discipline Committee
- ▶ Fitness to Practice Committee



Non-Statutory Committees

Standing Committees

- ▶ Jurisprudence & Ethics Examination Committee
- ▶ Finance & Audit Committee
- ▶ Nominations & Leadership Development Committee

Task Forces/Working Groups

- ▶ Created as required

13

June 17, 2016

Council Calendar



- ▶ June - August
 - ✓ Election of Executive Committee
 - ✓ Orientation of New Council Members
 - ✓ Committee Appointments (Executive on Behalf of Council)
 - ✓ Participation in Oral Examinations
 - ✓ Representative to CPA & ACPRO

14

June 17, 2016



Council Calendar

- ▶ **September - November**
 - ✓ Receipt of Audited Financial Statements
 - ✓ Appointment of Auditors
 - ✓ Review Member Fees
 - Consider any recommended changes from FAC
 - Circulate proposed changes to membership
 - ✓ Representative to ASPPB & ACPRO

15

June 17, 2016



Council Calendar

- ▶ **December – February**
 - ✓ Participate in Oral Examinations
 - ✓ Vote on any amendments to fees
 - ✓ Vote on budget-related policy matters
 - ✓ Consider committee proposals for audit

16

June 17, 2016



Council Calendar

- ▶ March - May
- ✓ Vote on budget
- ✓ Conduct performance and salary review of Registrar & Executive Director
- ✓ Elections to Council
- ✓ Call for Executive/Committee interest
- ✓ Representative(s) to ASPPB Mid-year meeting



THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO
L'ORDRE DES PSYCHOLOGUES DE L'ONTARIO

To: College Council **Date:** June 17, 2016
From: Dr. Rick Morris, Registrar & Executive Director **CC:**
Re: Registrar's Report

Standards of Professional Conduct Review Status

As noted in the Client Relations Committee report, the Committee has completed its review of the *Standards*; making numerous revisions arising from the issues and suggestions from the member and stakeholder consultation held at the beginning of the review process. In addition, the Committee considered the recommendations of the Supervision Task Force, incorporating a variety of the changes proposed. A draft of the *Standards of Professional Conduct* was presented at the recent meeting of the Executive Committee. The Executive Committee had some questions regarding the *Standards* and the most efficient way to facilitate the discussion at Council. Some further work has been undertaken with respect to the draft *Standards* and it is anticipated that the revisions to the *Standards of Professional Conduct* will be ready for presentation to Council at the meeting in September. At that meeting, Council will be asked to review the *Standards* with a view to then undertaking a comprehensive consultation with the membership.

Registration Regulation Amendment

At a recent meeting with Ms. Allison Henry and Mr. Doug Ross of the Ministry of Health and Long-Term Care, I discussed the matter of the small change that was required to correct an error in the Registration Regulation that was approved in April 2015. Included in this discussion was the feedback from the consultation which indicated support for the proposed amendment with no changes needed. It was also noted that at its meeting in April 2016, the Council voted to submit the requested Regulation revision.

Given the minor nature of the change, Mr. Ross suggested that it may be possible to deal with this as a "housekeeping matter" with the result that the submission may be able to be quite brief. He suggested that the College not prepare the usual detailed regulation submission documentation but rather prepare a much shorter submission in keeping with the nature of the change. This submission is being prepared.

Transparency Initiatives: Consultation Update

The College has undertaken a member and other stakeholders' consultation regarding some transparency initiatives which would, in many cases, increase the amount of information publicly available about members. Given the number and complexity of the initiatives about which the College is seeking input, the consultation process was divided into two stages. The *Transparency Initiatives Consultation* (www.cpo.on.ca/WorkArea/DownloadAsset.aspx?id=1582) was distributed on May 26, 2016 with a request for feedback by Friday, July 22, 2016. To date the College has received approximately 465 responses. A reminder is scheduled to be sent to members around June 24, 2016.

Staff Retirement

As you know, Ms. Prema Shankaran is retiring from her position as Assistant to the Registrar; a position she has held for 16 years. During this time Prema worked very closely with Dr. Catherine Yarrow, former

Registrar, and with the many members of the profession and the public who served on the College Council and the Executive Committee over these years. I have personally worked with Prema for many years in my role as Deputy Registrar and more closely over the past few months since becoming Registrar. On behalf of the College and staff I want to thank her for her contributions to the work of the College over these many years and wish her well in her retirement.

A handwritten signature in black ink, appearing to read "R. Morris". The signature is written in a cursive, flowing style with a large initial "R" and a long, sweeping tail.

Date: June 6, 2016
To: Finance and Audit Committee
From: Dr. Rick Morris, Registrar & Executive Director
Stephanie Morton, Manager, Administration
Subject: **Financial Statements to March 31, 2016 (UNAUDITED)**

Attached please find the unaudited Balance Sheet and Comparative Statement of Earnings to the end of March 2016. Figures for the previous year are also provided. Effective with the May 2013 year-end audited financial statements, the auditor distinguishes among cash equivalents, short-term investments and long-term investments.

Balance Sheet

Assets

Current Assets:

Petty Cash	Cash on hand at the College for incidental expenses
Bank	The balance in the College's operating (chequing) account. Once a month, the balance in this account is reviewed and adjusted if needed to take into account one month's budgeted operating expenses, outstanding cheques and accounts payable and a cushion of \$50,000. The balance at the end of March was \$997,294 which was \$529,081 less than the balance at this time last year. This is due to timing of investment maturities.
Cash Equivalents	This includes mutual funds, savings accounts, non-redeemable and redeemable GIC's and term deposits maturing within 90 days. As of March 31, 2016, the College's cash equivalents were \$2,883,246, approximately \$459,010 lower than last year at this time. In the low interest rate environment, registration renewal fees not immediately needed and maturing investments were typically invested for a period of 90 days or less. Maturing investments are reinvested at the best possible rate.
Short-term Investments	This includes mutual funds, savings accounts, non-redeemable and redeemable GIC's and term deposits maturing within one year. The College's short-term investments were \$2,070,261, approximately \$697,143 higher this year than last. As interest rates continued to be low, fewer funds were put into long-term investments to allow for greater flexibility to take advantage of any possible rate increases that might occur.
Accounts Receivable	Amounts the College has billed to customers. These are tracked and followed up should they age beyond 30 days.

Accounts Receivable Control relates to the invoicing of members for registration fees and examination fees. At the end of March 2016, the College had received \$362,650 which primary represents membership renewal fees paid for the 2016-2017 year. The College posted the renewal invoices several weeks earlier this year resulting in more accounts receivable.

Interest Receivable This line relates to investment interest earned on bonds but not yet paid.

Prepaid Expenses This line includes expenses that the College pays once per year for a full year's coverage (e.g., insurance) or College memberships (ASPPB, ACPRO, FHRCO, CLEAR). These are paid at various times throughout the fiscal year and accrued on a monthly basis. The prepaid expense is the amount paid that will be accrued for future months. In addition, this includes prepaid leasing fees for the photocopies and mailing machines, fees paid to the Jurisprudence and Ethics Exam contractor before the associated revenues have been received (the exam is administered in September and March), prepaid fees for website maintenance and prepaid conference registration fees.

Fixed Assets:

These include "hard" assets such as furniture, equipment, computers and leasehold improvements that have been purchased, the costs of which are being depreciated. It also includes purchase of new licenses for computer software and development of databases and the website. The value showing for the leasehold improvements is the same as last year as this expense will not be fully depreciated until the end of the current lease in 2021. The original cost of the College website will be depreciated until 2017 and recent improvements made will be depreciated until 2018.

The depreciated value of the College's fixed assets at the end of March was approximately \$172,821.

Other Assets:

Long-term Investments

This includes bonds and non-redeemable GIC's maturing in more than one year. As of March 31, 2016, the College held five bonds (total book value \$248,849) with maturities in 2016 or later and two long term GIC's whose principal value totaled \$253,465 with maturities in 2016 and 2017.

The combined total of funds in the bank, cash equivalents and short and long-term investments was approximately \$6,349,620 compared to \$6,031,970 at the same time last year. The increase in funds is due to the College having had a small surplus of \$124,000 the previous year and to the increase in fee income associated with an increase in the number of autonomous practice members, applicants and corporation renewals during 2015-2016.

Liabilities and Shareholder's Equity

Liabilities are claims against the College's assets. Shareholders' equity is a term more appropriate to the for-profit sector, where it would mean the money belonging to shareholders but reinvested in the company. In our not-for-profit context it means the remaining assets of the College after all liabilities are taken into account.

Current Liabilities:

Accounts payable control

These are payments owed to suppliers. Invoices had been received but not paid as of the end of the month. Examples include expense claims for Council and committee members, legal fees, fees for seminar facilities, and other costs relating to investigations and discipline hearings. Variations from year to year may occur due to the timing of cheque runs.

Accounts payable other

This includes various accrued items. Vacation pay is accrued during the fiscal year and adjusted at year-end according to vacation taken by staff during the fiscal year. Employee RRSP benefits are accrued and paid out twice yearly at the end of June and the end of December. A year-end accrual is provided for the auditor's fee for the 2015-2016 audit. This accrual will clear with the audited year-end financial statements when the fee billed at the time will be paid. As Council member per diems are now paid monthly rather than more frequently, and the electronic fund transfer is prepared in advance of the end of the month payment date, there will typically be an accrued amount which would clear with the next month's payroll.

Employee Tax Deductions Payable

In accordance with current accounting standards, this is now shown separately whereas it would have been included under the Accounts Payable Other line previously.

Prepaid Fees

This figure primarily represents members' registration fees prepaid for the fiscal year. (Supervised practice members pay in two equal six monthly instalments due June 1 and November 1.) The prepaid fees are accrued on a monthly basis and decrease each month after the due date.

Unearned Revenue

Interest paid on redeemable GIC's. If these GIC's were to be redeemed before the maturity date, the interest payable would be lower and the difference would be deducted on redemption.

Retained Earnings

This is the value of the organization at this point in the fiscal year, after liabilities, reserve funds and operating surplus (loss) are accounted for.

Investigations & Hearings Reserve Fund

The Investigations & Hearings Reserve Fund is designated to cover costs, including legal costs, for the conduct of inquiries, investigations, discipline hearings, fitness to practise hearings, appeals and payments under the program for funding for therapy and counseling which exceed annual budget provisions for those activities. The minimum amount to be maintained in this fund is \$500,000 or such greater amount as may be determined by the Council of the College

Contingency Reserve Fund

The Contingency Reserve Fund is designated to provide for extraordinary expenses that exceed or fall outside of the provisions of the College's operating budget. These are expenses that are not otherwise covered by the Investigations & Hearings Reserve Fund and are required to fund the College's obligations in extreme circumstances as determined and approved by the Council of the College, including in the event that the College ceases to exist as a statutory body corporate. The minimum amount to be maintained in this fund is \$500,000 or such greater amount as may be determined by the Council of the College. (See Reserve Fund Policy).

Fee Stabilization Reserve Fund

The Fee Stabilization Reserve Fund is designated to minimize or delay the impact of year-over-year changes in revenues or expenses on membership renewal fees. Any annual operating surplus remaining after appropriate allocations are made to the other reserve funds are allocated to the Fee Stabilization Fund. In any fiscal year in which there is an operating deficit, even after funds from the Investigations & Hearings Fund are applied to cover any overspends for costs, including legal costs, for the conduct of inquiries, investigations, discipline hearings, fitness to practise hearings, appeals and payments under the program for funding for therapy and counseling, funds may be transferred from the Fee Stabilization Fund to cover this deficit. (See Reserve Fund Policy)

As of March 31, 2016, the aggregate amount in the three reserve funds was approximately \$2,802,700. The auditor has advised that no direction has been provided by the Canada Revenue Agency regarding surplus and reserve funds for not-for-profit organizations.

Website & Database Development Reserve Fund

By resolution the Council established the Website Development Reserve Fund on March 28, 2008 to cover future expenses for the continued development of the College web site and database linkages. Rather than estimate an annual budget for future expenses that were difficult to predict, the reserve fund was established to cover these expenses.

In September, 2015, Council approved a transfer of \$125,000 from the College's unrestricted Net Assets to the Website and Database Development Fund to cover costs of records management software.

Premises Reserve Fund

On the advice of the auditor, Council approved the creation of a Premises Reserve Fund with an initial allocation of \$1 million.

The Premises Reserve Fund is designated for expenses associated with the purchase of new premises or for leasehold improvement expenses in leased premises.

Fair Registration Practices Reserve Fund

This fund was established by Council to cover the costs of any future audit of the College's registration practices by the Office of the Fairness Commissioner. The College has not been asked to perform an audit since 2009.

Profit (loss) for the period

After earnings and expenses to the end of March 2016 are taken into account, earnings exceeded expenses by approximately \$308,152 for the first ten months of the fiscal year. This is more than the same period last year that showed a profit of \$206,528.

THE COLLEGE OF PSYCHOLOGISTS

Balance Sheet
As Of March 31, 2016

Unaudited

<u>ASSETS</u>	Current Year	Prior Year
Current assets:		
Petty Cash	200.00	200.00
Bank	997,294.63	468,213.51
Cash Equivalents	2,883,246.24	3,342,256.24
Short Term Investments	2,070,261.70	1,373,118.45
Accounts Receivable Control	(362,650.04)	5,484.57
Interest Receivable	3,239.73	2,988.10
Prepaid Expenses	80,609.76	26,517.20
Total current assets	5,672,202.02	5,218,778.07
Fixed assets:		
Furniture & Equipment	51,385.55	41,057.67
Computer Equipment	58,468.57	48,493.00
Leasehold Improvements	197,547.38	197,547.38
Website & Database Development	162,502.93	123,517.05
Less accumulated depreciation	297,082.87	212,890.29
	172,821.56	197,724.81
Other assets:		
Long Term Investment	504,596.88	615,467.17
	504,596.88	615,467.17
	6,349,620.46	6,031,970.05
 <u>LIABILITY AND SHAREHOLDER'S EQUITY</u> 		
Current liabilities:		
Accounts Payable Control	50,484.65	56,116.00
Accounts Payable Other	141,552.06	160,795.50
Employee Tax Deductions Payab	19,687.57	22,042.80
Prepaid Fees	502,521.24	494,117.27
Total current liabilities	714,245.52	733,071.57
Long term liabilities:		
	0.00	0.00
Shareholder's equity:		
Current Year's Profit	234,852.58	0.00
Retained Earnings	1,813,435.00	1,938,435.00
Investigations & Hearings Reserve Fund	748,672.00	748,672.00
Contingency Reserve Fund	979,000.00	979,000.00
Fee Stabilization Reserve Fund	1,075,000.00	1,075,000.00
Website & Database Development Reserve Fund	243,810.25	118,810.25
Premises Reserve Fund	152,453.00	152,453.00
Fair Registration Practices Reserve Fund	80,000.00	80,000.00
Profit (loss) for period	308,152.11	206,528.23
Total shareholder's equity	5,635,374.94	5,298,898.48
	6,349,620.46	6,031,970.05

INVESTMENT REPORT TO March 31, 2016

Effective with the May 2015 year-end audited financial statements, the auditor distinguishes among cash equivalents, short-term investments and long-term investments.

As of March 31, 2016, the College had approximately \$2,883,240 in cash equivalents, \$2,070,260 in short-term investments and \$504,600 in long-term investments. In addition, investment interest receivable from TD Waterhouse accounts was approximately \$3,240. Under current accounting standards, an adjustment at Fair Market Value is made at the end of each fiscal year. This may adjust the final figure in the audited financial statements for the year.

Cash equivalents - mutual funds, savings accounts, and non-redeemable and redeemable GIC'S maturing within 90 days (includes term deposits)

The College continued to hold units in a money market mutual fund awaiting an opportunity to purchase suitable bonds through TD Wealth. The College also had several redeemable and non-redeemable investments which were due to mature within 90 days. Annual interest rates ranged from 0.8% to .95%.

Short-term investments - bonds, redeemable GIC'S and non-redeemable GIC's maturing within one year (includes term deposits)

Prepaid registration renewal fees of members are invested in redeemable GIC'S or term deposits of varying durations to ensure there is sufficient liquidity for the College's operations during the year. The proceeds from the short-term deposits or redeemable GIC's are deposited into the College's operating account as needed to cover ongoing expenses. Term deposits provide a better return than banker's acceptances.

Long-Term Investments - bonds and non-redeemable GIC's maturing in more than one year.

Bonds

Bonds are purchased with funds that the College does not need to use in the short to medium term. The College typically pursues a buy-and-hold strategy with its bond purchases and a laddering strategy with respect to maturity dates (or call dates) of the bonds held. The interest paid in purchasing bonds affects investment income only in the year in which the bonds were purchased. The (annual) yield to call date or yield to maturity figures take into account any interest paid and the price of the bond relative to face value at the time of purchase.

As of March 31, 2016, the College held three "medium" term bonds (maturing in less than three years; November 2016, February 2017 and April 2017 respectively) and two long term bonds (August 2018, June 2025). Where a bond has a call date earlier than the maturity date, the issuer typically redeems the bond on the call date. Yield to call date is determined at purchase and is based on a combination of the price paid at redemption relative to the purchase price and the coupon rate.

Each of the bonds has a face value of approximately \$50,000. The yields on the bonds range from 2.65% to 5.827%. The maturity/call dates range from 2016 to 2025.

GIC's

As of March 31, 2106, the College held two long-term GIC's with interest rates ranging from 2.00% to 2.80%. The laddering strategy for GIC's has been disrupted as, with the current low interest rate environment, there is little to be gained by investing in a term longer than 90 days

Market Value of College Investments

The approximate value of the College's investments at March 31, 2016 is set out below. With the College's current cash balance and its laddering strategy for maturity dates of medium to long term fixed income investments, it is unlikely that there will be a need to sell the bonds before their maturity dates; however, should there be an opportunity to make an earlier higher yield, they may be sold and the proceeds invested in a cash equivalent instrument on an interim basis as noted above.

TD Waterhouse:	\$705,254	Market Value
	Cash & cash equivalents	\$ -
	Money market mutual funds	\$ 354,125
	Short term instruments	\$ 100,000
	Long term instruments	\$ 251,129
	Market Value of TD Waterhouse Portfolio	\$ 705,254
TD Canada Trust:	\$5,454,626	
	GIC's redeemable due within 90 days	\$ 2,529,120
	GIC's non-redeemable due within 90 days	\$ -
	GIC's non-redeemable due within 365 days	\$ 60,898
	GIC's redeemable due within 365 days	\$ 1,909,362
	GIC's non-redeemable due after 365 days	\$ 253,465
	Market Value of TD Canada Trust Portfolio	\$ 5,454,626
Total Value of GIC's		\$ 5,458,099

Should a redeemable GIC be cashed before the maturity date, the rate of interest payable would be reduced; however, this would still be better than leaving the sum in the operating account where no interest is earned. "GIC's" also includes term deposits of 30 to 180 days.

Investment Income

As of March 31, 2016 the College's net investment income was approximately \$66,914. Last year at the same time, the College's net investment income was \$75,062, a difference of \$(8,148). This year the College has more funds invested, however there are only very low interest options currently available for new investment or reinvestment.

Growth of Fixed Term Investments

The College's non-redeemable GIC's will earn interest until maturity or the specified redemption date. The College's TD Waterhouse portfolio (bonds and cash equivalents) has grown since the initial investment of \$508,400 was made in April 2004 to a market value of approximately \$705,254 at the end of March 2016. The increase in market value of \$196,854 is equivalent to simple annual interest of 3.87%. No funds have been withdrawn since the initial investment was made.



**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO
L'ORDRE DES PSYCHOLOGUES DE L'ONTARIO**

To: Council **Date:** June 17, 2016

From: Dr. Rick Morris **CC:**
Registrar & Executive Director

Re: Staff Presentations: April 1, 2016 to June 17, 2016

Dr. Rick Morris, Registrar & Executive Director

- April 15, 2016: Meeting and Presentation to the Association of Chiefs of Ontario School Boards
- April 18, 2016: *Registration with the College of Psychologists* – Graduate Students, York University
- May 18, 2016: *Tricky Issues and Ethical Dilemmas*; Ottawa Area School Boards
- June 1, 2016: *Oral Examiners' Briefing*

Mr. Barry Gang, Deputy Registrar/Director, Professional Affairs

- June 16, 2016: *Panel Presentation on Leadership* at the Ontario College of Social Workers and Social Service Workers

Ms. Lesia Mackanyn, Director, Registration

- April 18, 2016: *Registration with the College of Psychologists* – Graduate Students, York University

Ms. Zimra Yetnikoff, Director, Investigations and Hearings

- May 27, 2016: Canadian Academy of Psychologists in Disability Assessment (CAPDA) - *The College Complaints Process and the Independent Medical Examination*

EXECUTIVE COMMITTEE REPORT MAY 2016

The Executive Committee met in Ottawa on May 18 and 19. On May 18 we hosted a well-attended and well-received reception for College members from the Ottawa area. May 19 was the business meeting.

Even though the meeting was a little shorter than is the norm, all of the agenda items were dealt with. Following is a summary of those items.

The proposed revisions to the *Standards of Professional Conduct* will be carefully and intensively reviewed at the summer meeting of Executive Committee. We will prepare a condensed report which will comment on the proposed revisions in terms of criteria such as clarity, relevance, correctness, cohesiveness, and clarity. The proposed revisions and the Executive Committee report will be available to Council for the September meeting. In addition, a recommendation on revisions to the role of Executive Committee will be finalized at the next meeting and brought to the September Council meeting. The Executive Committee will also be looking at a process for more effective decision making.

Proposed revisions to the *By-Law 20: Elections to Council* are forward to Council (for approval for circulation), as are proposed (minor) changes to the Succession Plan (no circulation). Also forwarded to Council is a recommendation to approve posting of Discipline decisions to CanLii. The "Shaping the Future Implementation Plan" status was updated. The College will be communicating further with the MOHLTC and through them, with other Ministries to ensure that they better and more completely understand what is proposed and how it may be implemented.

The Executive Committee learned that the Ministry is seeking more clarification on the definition of the controlled act of psychotherapy. We also were informed that optimizing the College website was cheaper and quite effective relative to purchasing advertising.

The Executive Committee deferred discussion of any change to the policy on release of a member's response to a complaint pending further clarification and it decided to take no action at this time on a recommendation from the Jurisprudence and Ethics Examination Committee to change the pass score for the exam.

Planning for Strategic Direction 2016-2021 will take place as part of the September Council Training Day.

The next Executive Committee meeting will be Friday, August 19, 2016 in Toronto.

Peter McKegney
President

Registration Committee Report to June 17, 2016 Council Meeting

Committee Members:

Lise Mercier, Ph.D., C.Psych.	Chair, Registration Committee, Professional Member
Lynette Eulette, Ph.D., C.Psych.	Professional Member of Council
Marnee Maroes, Ph.D., C.Psych.	Professional Member
Peter McKegney	Public Member of Council
Karin Mertins, M.A., C.Psych.Assoc.	Professional Member
Patricia Minnes, Ph.D., C.Psych.	Professional Member of Council, Academic
Michael Grand, Ph.D., C.Psych.	Professional Member of Council, Academic
Phyllis Nemers, Ed.D., C.Psych.	Professional Member
Astra Josie Rose	Public Member of Council

Staff Support to Registration Committee:

Lesia Mackanyn, Director: Registration
 Myra Veluz: Senior Registration Assistant
 Sulmaz Ghoraishi: Administrative Assistant: Registration (March 2016)
 Michelle Flewelling: Administrative Assistant: Registration (March 2016)
 Shannon Elliott: Administrative Assistant: Registration (May 2016)
 Kelly Russell: Administrative Assistant: Registration (May 2016)

Meetings of the Registration Committee

March 10, 2016: Panel A

The Registrar referred a total of 22 cases to Panel A. These cases included:

- 3 academic credential reviews;
- 11 cases where retraining was required for supervised practice members;
- 1 review of examination outcome;
- 5 requests for change of area of practice;
- 2 requests for a return to a regular certificate.

March 11, 2016: Panel B

The Registrar referred a total of 28 cases to Panel B. These cases included:

- 2 academic credential reviews;
- 15 cases where retraining was required for supervised practice members;
- 1 application for removal or modification of a limitation and/or condition;
- 10 requests for change of area of practice.

May 12, 2016: Panel B

The Registrar referred a total of 35 cases to Panel B. These cases included:

- 20 cases where retraining was required for supervised practice members;
- 2 academic credential reviews;
- 1 review of examination outcome;
- 1 review of reciprocity application;
- 11 requests for change of area of practice.

May 13, 2016: Panel A

The Registrar referred a total of 32 cases to Panel A. These cases included:

- 25 cases where retraining was required for supervised practice members;
- 1 academic credential review;
- 1 application for removal or modification of a limitation and/or condition;
- 4 requests for change of area of practice;
- 1 request for return to a regular certificate.

Plenary Session

A Plenary Session was held on the afternoon of March 10, 2016. The Committee reviewed the *Report on the December 2015 Oral Examinations*. This included examination outcomes, expenses, and the results of the surveys completed by candidates and oral examiners, as well as the observations of the Public Members of Council in attendance.

The Committee reviewed the current *Declaration of Competence Form* which is used by applicants to indicate the areas of practice and client groups with whom they will work during their supervised practice. A revised form was provided for Committee consideration. The modified form was intended to be easier for the applicant to fill out, particularly when applicants are selecting multiple practice areas with different client populations in each practice area. Additional suggestions for improvement were noted by staff and a final draft of the revised form will be presented at a future Plenary Session for the Committee's approval.

The Committee reviewed the standard language used in the letters from the College sent to notify a candidate that his/her application is being referred to the Registration Committee. In addition, the Committee continued its discussion regarding the process of issuing limitations following oral examination, and its work on quantifying the knowledge and skills required for each of the recognized areas of practice.

Lise Mercier, Ph.D., C.Psych.
Chair, Registration Committee

**Discipline Committee Report to Council
(March 1, 2016 – May 31, 2016)**

Discipline Committee Members

Professional Members of Council

Robert Gauthier, Chair
Ruth Berman
Dorothy Cotton
Lynette Eulette
Gilles Hébert
Michael Grand
Elizabeth Levin
Denise Milovan
Patricia Minnes

Public Members of Council

Kristin Bisbee
Judy Cohen
D'Arcy Delamere
Jaffar Mohammad Hayat
Peter McKegney
Donna McNicol
Josie Rose
Ethel Teitelbaum

Professional Members

Clarissa Bush
Ann Carson-Tempier
Jan Heney
Tim Hill
Peter Hoaken
Maggie Mamen
Mary Ann Mountain
Donna Reist
Glenn Webster (PA)

No hearings took place during this quarter.

A summary of the Discipline Committee decision with respect to Dr. Erick Roat is now available on the public register at https://members.cpo.on.ca/public_register/show/21355.

One member of the Committee attended the Federation of Health Regulatory Colleges of Ontario *Basic Level Discipline Committee Orientation* on May 17, 2016.

Robert Gauthier, M. Sc., M.Ed., C.Psych.Assoc.
Discipline Committee Chair
June 8, 2016

**Inquiries, Complaints and Reports Committee
Report to Council**

(For the Period March 1, 2016 – May 31, 2016)

Inquiries, Complaints and Reports Committee Members

Professional Members of Council

Ruth Berman, Ph.D., C.Psych.
Dorothy Cotton, Ph.D., C.Psych.
Gilles Hébert, Ph.D., C.Psych.
Elizabeth Levin, Ph.D., C.Psych.

Public Members of Council

Kristin Bisbee
Judy Cohen
D'Arcy Delamere
Donna McNicol
Ethel Teitelbaum

Professional Members

Piyali Bagchee, M.A., C.Psych.Assoc.
Sara Hagstrom, Ph.D., C.Psych.
David Smith, Ph.D., C.Psych.

Gilles Boulais, Ph.D., C.Psych.
Frederick Schmidt, Ph.D., C.Psych.
John Telner, Ph.D., C.Psych.

Statistics (attached) for the Inquiries, Complaints and Reports Committee (ICRC) are compiled on a quarterly basis. The statistics for the last complete quarter were reported at the last Council meeting.

Since March 1, 2016, 26 new Complaints have been opened, and 19 decisions have been released.

ICRC meetings were held on March 4, 2016, April 13, 2016 and May 13, 2016. A total of 16 cases were considered. In addition, 8 teleconferences were held and a total of 7 cases were considered.

The next ICRC meeting is yet to be scheduled.

Sara Hagstrom, Ph.D., C.Psych.
Chair: Inquiries, Complaints and Reports Committee
June 8, 2016

Inquiries, Complaints and Reports Committee
Report to Council
Fourth Quarter
March 1, 2016 to May 31, 2016

Case Type

YTD

	Q1	Q2	Q3	Q4	Current	Previous
Complaints	14	13	13	26	66	78
Registrar's Investigations	1				1	5
Health Inquiries	2		1		3	5
Total	17	13	14	26	70	88

New Matters Investigated, by Nature of Service

YTD

	Q1	Q2	Q3	Q4	Current	Previous *
Administration					0	1
Capacity Assessment				1	1	
Consultation	1				1	2
Corrections Assessment			1		1	4
Custody & Access / Child Welfare Assessment	5	1	2	5	13	14
Educational Assessment	2	1	2	2	7	8
Industrial / Occupational Assessment		1		1	2	2
Mediation					0	
Neuropsychological Assessment					0	1
Not applicable / incapacity	2		1		3	5
Not Related to Psychological Services	1	1	1	1	4	9
Other Psychological Assessment					0	2
Psychotherapy / Counseling	3	4	5	6	18	17
Rehabilitation / Insurance Assessment	2	3	1	4	10	15
Sexual Abuse Assessment				1	1	
Supervision	1			3	4	6
Teaching / Training		2		1	3	
Unknown			1	1	2	2
Total:	17	13	14	26	70	88

*Note: Of the 60 total files, 2 were IRP files (no longer included in stats) and 2 files are now classified as Monitoring. Therefore these 4 files are not reflected in the total of 56 mentioned in the Case Type section above.

Dispositions by Case

YTD

	Q1	Q2	Q3	Q4	Current	Previous
Referral to the Discipline Committee					0	6
Administrative Withdrawal					0	
Closed – no jurisdiction					0	
In Abeyance					0	
Incapacity Investigation					0	
Other – Advice	4	4	4	3	15	29
Other - Advice with Undertaking					0	1
Other - Take no Further Action	6	12	5	7	30	24
Other - Take no Further Action and Undertakings					0	
Other - Oral Caution	1		1		2	4
Other - Oral Caution and Undertakings			1		1	2
Other - Oral Caution and SCERP*		1			1	1
Other - Written Caution	6	2	2	4	14	18
Other - Written Caution and Undertaking		1	1		2	4
Other - Written Caution and SCERP*		2		3	5	2
Take No Action, if Complaint Frivolous, Vexatious, Made in Bad Faith, Moot or otherwise an Abuse of Process	9	4	2	2	17	13
Total:	26	26	16	19	87	104

*Specified Continuing Education or Remedial Program

Dispositions by Allegation (Year to Date)

	Withdrawal	Take No Further Action F&V	Take No Further Action	Advice	Advice with UT	Written Caution	Written Caution & UT	Oral Caution	Oral Caution & UT	Oral Caution & SCERP*	Written Caution & SCERP*	SCERP*	Refer to Discipline
Acceptance of Regulatory Authority of the College													
Bias		2	13	4									
Boundary violation			2			1	1		1				
Breach of confidentiality		1	6	2		2							
Conduct unbecoming a member of the CPO		5	10	5		2	1						
Conflict of interest			4	1									
Dual relationship			1										
Failure to render services appropriate to the user's needs		3	11	2						1			
Failure to fulfill the terms of the agreement with user			1										
Failure to comply with College requirements													
Failure to comply with limitation													
Failure to obtain informed consent		1	1	3									
Failure to practise within boundaries of competence		1	3							1	1		
Failure to provide appropriate explanation ...			2										
Failure to provide services sought			1										
Failure to report child abuse or neglect			2										
Failure to make sexual abuse mandatory report													
Failure to respond to a request in a timely manner			4	3		1							
Failure to identify limits of certainty						1							
False or misleading statements		6	5	1				1					
Fees and billing problems		1	6	3		1						1	
Finding of Professional Misconduct in Other Jurisdictions													
Illegal Conduct		2											
Improper office conditions			1	1									
Improper supervision		1	1	2		4		1					

	Withdrawal	Take No Further Action F&V	Take No Further Action	Advice	Advice with UT	Written Caution	Written Caution & UT	Oral Caution	Oral Caution & UT	Oral Caution & SCERP*	Written Caution & SCERP*	SCERP*	Refer to Discipline
Inaccurate information		2	3							1			
Inadequate data to support conclusions		3	13	6		4	1			1	3		
Inadequate feedback													
Inadequate handling of termination			1			1							
Inappropriate advertising and announcements													
Inappropriate conduct toward a colleague						1	1						
Inappropriate conduct toward a student		1											
Inappropriate conduct toward an employee		1											
Incapacity		1	3										
Incompetence		1											
Insensitive treatment of clients		1	5	2									
Lack of adherence to undertaking or agreement													
Lack of objectivity			1	3			1						
Misrepresentation of Non-Member													
Non-Sexual Abuse			2										
Problematic statements made at trial		1											
Providing services while impaired			1										
Quality of services				1									
Record keeping Problems		1	1			1							
Sexual abuse			2										
Sexual harassment			1			1							
Sexual misconduct													
Unauthorized Services													

Health Professions Appeal and Review Board

YTD

	Q1	Q2	Q3	Q4	Current	Previous
Reviews Requested	6	5	5	3	19	20

YTD

	Q1	Q2	Q3	Q4	Current	Previous
Decision Confirmed	2		3	6	11	8
HPARB F&V	1				1	
Decision Unreasonable					0	
Inadequate Investigation				2	2	
Notice to not Proceed			1		1	2
Withdrawn		2	1	1	4	2
Total:	3	2	5	9	19	12

Quality Assurance Report to the Council
Meeting of June 17, 2016

Committee Members:

Judy Cohen	Public Member
Elizabeth Levin	Council
Donna Ferguson (Chair)	College
Patricia Minnes	Council
Leah Stein-Sagi	College

The Committee met by teleconference on April 5 and 20, 2016 by teleconference and in person on May 11, 2016.

Self Assessment Guide and Professional Development Guide (SAG) Update

For members with even registration numbers, SAG Declarations are due on June 24, 2016.

Peer Assisted Review (PAR)

One Peer Assisted Review has been completed, four are ongoing, another four are in the process of being scheduled and an additional 20 are at the stage of matching reviewees with appropriate reviewers.

Continuing Professional Development (CPD) Development

The Committee finalized its work on the requirements for the College's mandatory Continuing Professional Development (CPD) program. A tracking tool, which will enable members to record their CPD activities and track their own progress, is currently being prepared. All members of the College will be invited to pilot the program on a voluntary basis as soon as it is ready. Those who volunteer to do this will be asked to provide feedback to the College. It is expected that the mandatory requirements will be in place for the beginning of the next cycle, which will begin in June 2017.

Donna Ferguson
Chair: Quality Assurance Committee
(prepared June 7, 2016)

**Client Relations Committee
Report to Council Meeting of June 17, 2016**

Committee Members:

Kristin Bisbee	Public Member
Jaffar Hayat	Public Member
Robert Gauthier	Council
Francine Roussy Layton (Chair)	College
Denise Milovan	Council
Barb Virley	College

The Client Relations Committee met on April 1, 2016.

Funding for Therapy Requests

At this time, there are three individuals who have been deemed eligible and are receiving funding. There are no outstanding applications at this time.

Standards of Professional Conduct Review

The Committee has reviewed the recommendations of the Supervision Task Force in the context of the changes it is proposing to the current *Standards of Professional Conduct*. Comprehensive changes to the existing Standards of Professional Conduct based on the work of the Task Force and Committee have been drafted and presented to the Executive Committee. It is anticipated that the revisions to the *Standards of Professional Conduct* will be ready for presentation to Council at the meeting in September to be followed by member consultation.

Respectfully submitted,

Francine Roussy Layton (Chair)
(prepared June 7, 2016)

Meeting of the Directors of Clinical Training (DCTs) of University and Internship Sites May 10, 2016

Dr. Morris, Registrar & Executive Director provided an update on three issues. The College of Psychologists is working with five other Colleges to develop a statement of clarification for the public on the meaning of psychotherapy as it applies to the controlled act of psychotherapy. This section of the legislation is awaiting proclamation pending the work of the Colleges and the Ministry on a working definition. At this time, psychologists and psychological associates are able to offer psychotherapy services but are not able to use the title *psychotherapist*, until the Act is proclaimed. Dr. Morris also gave an update on the consultation with members of the College concerning the consultation on the implementation of the recommendations related to the closure of Masters level registration. He also reported that the Association of State and Provincial Psychology Boards (ASPPB) is working on an EPPP2 which will be an examination of competency with a proposed start date in 2019. This will complement the knowledge exam current administered through the EPPP.

Ms. Lesia Mackanyn, Director, Registration informed the group that 71 of 73 Psychologist candidates and all Psychological Associate candidates were successful at oral examinations held in December 2015. She also noted that a few more applicants for registration were being turned away as they did not meet the registration requirement set out in the Registration Regulation amended in April 2015. Candidates from online programs that do not meet the minimum residency requirements continue to not be accepted.

The Deputy Registrar, Barry Gang stated that the new Quality Assurance Regulation will permit the QA Committee to select members for the Peer and Practice Reviews (PAR) in three ways: random selection from the entire membership; stratified random sampling of members; and, the review of those who did not complete their self assessment. He also reported that the QA committee was close to finalizing a process for Continuing Professional Development (CPD) for all members. CPD will permit members to count a wide variety of activities; not only formal CE credits. At the moment, the plan is to test pilot the process with volunteers this coming round and to finalize it for the following year.

Update on programs: The OISE Counselling Program is now entitled Counselling and Clinical. The program is awaiting the report of a CPA accreditation team. The Waterloo Consortium is on the verge of submitting accreditation documents to CPA. Hamilton Health Centre has a new paediatric neuropsychology position. St Joseph's Hospital in Hamilton is adding another resident. London Health Centre will be reducing the number of internships from 16 to 14 positions. In 2017/18 they will be adding a paediatric neuropsychology and adult neuropsychology or paediatric health position. CAMH is now using the term *Resident* and not *Intern*. McMaster University clinical extension will be seeking CPA accreditation. Queens University has approved a replacement for Dr. Patricia Minnes' position. University of Guelph is currently searching for a child clinical psychologist. They hope to add another position next year. All academic and internship site directors were encouraged to share job opportunities with the group.

Summary of Internship Directors Meeting
May 10, 2016
1:00pm -3:00pm

Attending In-Person and by Teleconference:

Sara Hagstrom, Pam Beharry, Susan Vettor, Susan Vandermorris, Niki Fitzgerald, Naomi Slonim, Katherine Buell, Tamara Berman, Heather McNeely, Paulo Pires, Brent Hayman-Abello, Clarissa Bush, Kerrie Ritchie, Kelsey Collimore

1. Program updates and changes: no further changes other than those items mentioned in the morning session
2. Intern Tax Status: (Baycrest) the general issue related to whether interns are classified as employees or not, which affects their tax status. It appears that most internships classify interns as employees which results in involvement with HR and HR processes, and also may negate the need for university affiliation agreements (most programs do not seem to have these although a few do).
3. Seminar Series: CPA feedback? No one seems to have specific feedback from CPA. GTA people reports that Greater Toronto Hamilton Area seminars are going well. There is a meeting on July 8th with the topic being the supervised practice year. General observation that it is a great opportunity for networking among DoTs.
4. Coordinating Interview dates: it was suggested that programs that tend to interview the same people (as is the case in the forensic/correctional programs) might try to coordinate interview dates.
5. Registration Updates: none other than as discussed in the morning session.
6. How Ranking is Done: there was general discussion about how various programs do intern candidate rankings. Systems are variable depending on the program, number of candidates, etc.
7. General Discussion of Supervisor vs. DoT role: it appears to be common practice that the DoT is also a supervisor. Ways of accommodating this vary but in all cases alternative measures are put into place in case of complaints, issues, appeals etc.
8. Intern/Resident Leaving a Rotation in Mid-Rotation: discussion of ways of handling conflict and performance issues that may result in an intern/resident leaving a rotation prior to completion. The role of HR varies depending on the nature of the issue and the setting.
9. Questions and Discussions Related to Completing Table 10. Resources are available on the CPA Accreditation website. There have also been presentations at CPA the last couple of CPA conventions.
10. Hours Needed for DoT Responsibilities: these data are available from CCPPP.

**Meeting of Academic Program Directors
May 10, 2016 1:30 p.m. to 3:00 p.m.**

1. Recruiting Academic Members to Council

Dr. Michael Grand asked the group whether anyone was interested in joining the College's Council as an Academic Member. Dr. Grand indicated that the goal was to have at least three Academic members of Council, and ideally these members would also serve on other College Committees (e.g. Registration Committee). Both Dr. Patricia Minnes and Dr. Grand suggested that the term of an Academic member be shorter so that he/she could still remain active within their program. Dr. Grand also indicated that a retired or "close to retired" individual might be more available than full time academics, as well as adjunct faculty. Dr. Minnes and Dr. Grand indicated that for the time being they are remaining on Council.

Representatives from York University indicated that they may know of someone at York who would be interested; they agreed to pass the information along to that person.

2. Recruiting New Academic Faculty who are registered with the College

Members of the group indicated their university's practices regarding recruiting faculty who are also registered with the College.

- Queen's University: faculty renewal is contingent upon registration with the College. Those who are not registered with the College are not permitted to teach clinical courses.
- York University: 100% of faculty are registered with the College and new hires must also get registered.
- Guelph University: not able to make registration a condition of tenure, but focus on new recruitment is on people already registered; it is much easier to move forward when faculty is registered.
- Ryerson University: all faculty must be registered with the College; this is indicated in their letter of employment to individuals.
- Lakehead University: all faculty must be registered with the College.
- Western University (new school and applied child psychology program): some faculty are registered with the College.
- OISE/UT school and clinical child program: historically all faculty in this program have been registered, however 2 new hires may not be.
- OISE/UT clinical counselling program: 6 out of 9 are registered.
- University of Ottawa: only 1 person out of 18 is not registered.

The group discussed the fact that very few students wish to go on to be academics, most want to be clinicians. There was discussion regarding how more academics (students) can be recruited—some indicated that there are likely many students who would be interested in being academics however, they have families, loans, etc. and are not willing to re-locate; academic jobs that are available are very competitive, so many are being discouraged from going the academic route.

Dr. Grand asked the group what they were doing with doctoral dissertation if students were not going into academia. Are schools asking too much? Should the requirement be decreased? The group was not sure how to remedy this.

3. Survey of Programs re: New Graduate Student and Internship Selection #'s

A table was circulated to the group so that each member present could provide information related to Internships (see below).

Internships Statistics			
Location	Spaces Available	No. of Applicants	Positions Filled
Baycrest	2	23	2
CAMH	12	107	12
Corrections	2	9	2
Hamilton Health Sciences			
Hincks-Dellcrest			
Holland Bloorview	2	41	2
Kingston Internship Consortium	3	19	3
London Consortium	12	179	12
Ontario Shores	2	46	2
Sick Kids	3	48	3
St. Joseph's Hamilton	6	100	6 (2016) 7 (2017)
Surrey Place			
Northern Ontario Psychology Internship Consortium	3 Planning to add 1 next year	43	3
Waterloo Consortium	4	30+	3
University of Toronto			
"ROCK" Reach out Centre for Kids	2	30	2
University of Ottawa	7		7
Toronto	8		6 adult 2 child

Academic Programs Applicants to Internships		
Location	No of Applicants	No. Placed
Lakehead	3 (1 sought unaccredited internship)	3
OISE Clinical Psychology	2-3	3
Oise School Psychology	9	9
Queen's	6	6
University of Guelph	6	6
Ryerson	8	6
Waterloo		
Western		
York Clinical Developmental	9	9

York Clinical	10	10
University of Ottawa	15	15

4. Competency Based Assessment/Preparation for Registration

The group indicated that many are using this in their evaluations of practicums and agreed to share forms. They are being sent to Ms. Lesia Mackanyn, Director, Registration.

- Western: has competency based practicum
- Guelph: form has a strong competency based approach
- OISE/UT: not using a competency based model, uses a 5 point scale
- OISE/UT: school clinical program: feels their form is competency based
- Ottawa: working on transferring their ratings to be more competency based
- Lakehead: feels they have a similar assessment form to OISE/UT school clinical program
- Waterloo: has a practicum and research evaluation form
- Ryerson: made the switch to competency based assessment about 3 years ago
- Queen's: switched to competency based assessment recently
- York: adult program- standardized form in combo with clinical competency examination
- York: developmental program: does not have competency examination, uses a form based on College's Competencies for year-end evaluation.

The group also discussed APPIC match. Ryerson indicated that this year they did not match. The group was asked whether any others allowed unaccredited internships for student's personal reasons. Lakehead indicated that they have allowed at least 3, although with great reservations. Most others agreed that if someone does not get matched they will work to assist them and might find an unaccredited site, most disagreed with completion of internship at a private practice.

**COLLEGE OF PSYCHOLOGISTS OF ONTARIO
STRATEGIC DIRECTION 2011-2016
As of June 17, 2016**

Vision

The College is a model for self-regulation to protect the public interest.

Mission

To promote excellence in the practice of psychology by:

- Enforcing standards fairly and effectively;
- Communicating clearly and effectively with stakeholders, particularly applicants, members and the public;
- Supporting and assisting members to meet high standards;
- Responding to changing needs in new and emerging practice areas;
- Collaborating in shaping the regulatory environment; and,
- Promoting the cohesiveness of the profession.

Values

Fairness

The College approaches decisions in a just, reasonable and impartial manner.

Accountability

The College acts in an open, transparent and responsible manner and communicates about its processes.

Integrity

The College acts honestly, ethically, responsibly and respectfully.

Respect

The College treats members of the public, members of the College, prospective members and other stakeholders with respect.

Mission

To promote excellence in the practice of psychology by:	Current/recent examples	In development/proposed examples
<ul style="list-style-type: none"> Enforcing standards fairly and effectively 	<ul style="list-style-type: none"> ICRC education/remediation (Code s.26.3) Discipline proceedings Consultation with OFC respecting fair registration practices Voluntary audit of Jurisprudence and Ethics Examination Council training session on internationally trained applicants, September 2014 Language proficiency requirement, January 2016 	<ul style="list-style-type: none"> Review of Standards of Professional Conduct
<ul style="list-style-type: none"> Communicating clearly and effectively with stakeholders, particularly applicants, members and the public 	<ul style="list-style-type: none"> Ads in newspapers re mission and mandate of College Feb 2013 – Psychology Month; Mental Health Week Translation of web site content into French Publication of <i>e-Bulletin</i> Federation public education campaign Staff presentations to students and members Redesign of College website completed Revisions to registration regulation to increase clarity of requirements –sealed and signed; awaiting government approval Continuing to develop and improve information on the web site and public register Transparency submission to Ministry November 2014 Discussion of Core Values Registration Regulation Amendments 	

	<p>Proclaimed - April 2015</p> <ul style="list-style-type: none"> • College letter to the Ministry of Health and Long-Term Care regarding mechanism to deal with the provision of therapies that could be considered harmful (e.g., “conversion therapy” – April 2015 • Executive Committee Reception with Ottawa members – May 2016 	
<ul style="list-style-type: none"> • Supporting and assisting members to meet high standards 	<ul style="list-style-type: none"> • Practice advisor service • Barbara Wand Symposium – Oct. 2015 • CRC consideration of policy issues relating to delegation of the controlled act of psychotherapy • QA Regulation amendments – sealed and signed; awaiting government approval • Task Force on custody & access and child welfare – information for members posted on web site • Quality Assurance Regulation Amendments proclaimed – April 2015 • Review of Standards of Professional Conduct by the Client Relations Committee • Work of the Supervision Task Force – 2015-2016 	<ul style="list-style-type: none"> • Implementation of Quality Assurance Regulation Amendments • Review of Supervision Standards
<ul style="list-style-type: none"> • Responding to changing needs in new and emerging practice areas 	<ul style="list-style-type: none"> • Model Standards on Telepsychology (ACPRO) • Council discussion and monitoring of regulation of behaviour analysts • Monitoring developments respecting prescribing authority for psychologists • Titles regulation consultation • Transparency Consultation distributed to 	<ul style="list-style-type: none"> • eHealth initiative- Provider Registry; GTA Connect – a test file of member information was sent to eHealth Ontario on December 1, 2014. Regular uploading of PPI has not yet begun.

	<p>members and other stakeholders – April 2016</p>	
<ul style="list-style-type: none"> • Collaborating in shaping the regulatory environment 	<ul style="list-style-type: none"> • Participation in ASPPB, ACPRO, FHRCO • College made submissions during consultations on regulation of psychotherapy • College is participating in inter-College working group respecting psychotherapy • Client Relations Committee completed review of issues relating to delegation and supervision of controlled act of psychotherapy and provided recommendations to Council - Council approved recommendations • The College participated in the development of the ACPRO position statement on the national standard for entry to practice – Council adopted National Standard Dec/15 • Client Relations Program submission to Ministry Jan/15 • Detailed Complaints Data provided to Minister’s Sexual Abuse Task Force Feb/15 • Council adopted The Advisory Group for Regulatory Excellence (AGRE) Principles - Sept 2015 • Executive Committee Audit – 2015 • Council Training – March 2016 <ul style="list-style-type: none"> - <i>Role and Function of the Executive Committee</i> - <i>Update by MOHLTC (Allison Henry & Stephen Cheng)</i> 	

<ul style="list-style-type: none"> Promoting the cohesiveness of the profession 	<ul style="list-style-type: none"> Consultation on <i>Shaping the Future</i> Implementation Plan –January 2016 	<ul style="list-style-type: none"> Implementation of Council ‘s March 2013 decision respecting future of psychology regulation in Ontario
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Notes: Some items could be entered in more than one place. When an item could belong to more than one area, it has been placed in the primary category.

The items shown in BLUE have been added by Registrar since April 2016 Council Meeting as activities undertaken in service of the College’s Strategic Directions 2011-2016



**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO
L'ORDRE DES PSYCHOLOGUES DE L'ONTARIO**

To: Council **Date:** June 17, 2016
From: Dr. Rick Morris, Registrar & Executive Director **CC:**
Re: Shaping the Future – Implementation Plan Update

At its last meeting on April 1, 2016, the College Council directed that I meet with representatives of the Ministry of Health and Long-Term Care (MOHLTC) to explore the viability of the College's proposed Registration Regulation amendments and how to best take these forward. The Council recognized that that drafting regulatory language and preparing a regulation amendment submission would require considerable effort, time and staff resources including the potential need to redo the data gathering process undertaken in 2013.

To this end, I met with Ms. Allison Henry and Mr. Doug Ross of MOHLTC on May 17, 2016. At this time, we discussed the recent consultation and feedback regarding the implementation plan for the Shaping the Future proposal as well as the option of the College Council putting forward a Registration Regulation amendment to support this proposal. Ms. Henry indicated that it was certainly the right of the College Council to develop and submit a regulation amendment but agreed that this would require the investment of substantial time and energy. As anticipated however, she was not able to provide an opinion regarding the viability of such a regulation or whether there would be success in achieving its proclamation.

Given the enormity of the task of preparing a regulation amendment submission and the Council's questions regarding its viability, Ms. Henry suggested an interim 'next step'. She suggested that the College provide the Ministry with a two to three page Briefing Note describing what the Council hoped to achieve through such an amendment and why this was important. Ms. Henry indicated she would then share the Briefing Note with her colleagues in the other relevant Ministries such as the Ministry of Training, Colleges and Universities and Ministry of Education, as well as the Ontario representatives at the Labour Mobility table. The results of such discussions could inform the College as to the reaction of these Ministries and provide insight into any possible concerns, questions or suggestions. Such information would then provide the College Council with the basis for more informed decision-making regarding 'next steps'.

MOTION SUBMISSION FORM
MEETING: 2016.02
DATE: June 17, 2016

SUBJECT: PROPOSED AMENDMENT TO *BY-LAW 20: ELECTION TO COUNCIL*

MOVER: TBD

RATIONALE: It was suggested that the criteria for the appointment of Academic Members to Council required revision as the current criteria were too restrictive. Proposed changes have been made to this section (20.8). Since changes to *By-Law 20: Election to Council* was being reviewed, a number of other amendments were included for discussion.

MAIN MOTION: THAT THE PROPOSED AMENDMENTS TO *BY-LAW 20: ELECTION TO COUNCIL* BE APPROVED FOR CIRCULATION TO THE MEMBERSHIP

BUGETARY IMPLICATIONS: None

SUPPORTING DOCUMENTS:

- Tracked changes version of *By-Law 20: Election to Council* with explanations of the various changes being proposed.

**BY-LAW 20: ELECTION TO COUNCIL, QUALIFICATIONS, TERMS OF OFFICE
AND CONDITIONS FOR DISQUALIFICATION**

[Approved by Council December 1999; amended September 2000; September 2003; December 2004; March 27, 2009, December 14, 2012, March 2013, [June 2016](#)]

This by-law is made under the authority of the Regulated Health Professions Act, 1991 as amended, and the Psychology Act, 1991 as amended.

<p>Electoral Districts</p> <p>20.1 The following electoral districts are established for the purpose of the election of members to the Council.</p> <ol style="list-style-type: none"> 1. Electoral District 1 (North) to be composed of the districts of Kenora, Rainy River, Thunder Bay, Cochrane, Algoma, Timiskaming, Manitoulin, Nipissing, and Parry Sound, and the City of Greater Sudbury. 2. Electoral District 2 (Southwest) to be composed of the counties of Bruce, Grey, Huron, Perth, Wellington, Dufferin, Lambton, Middlesex, Oxford, Brant, Essex, Kent, Elgin, Norfolk and Haldimand and the Regional Municipality of Waterloo. 3. Electoral District 3 (Central) to be composed of the District Municipality of Muskoka, and the counties of Haliburton, Hastings, Lennox and Addington, Frontenac, Simcoe, Northumberland, and Prince Edward, City of Peterborough, City of Kawartha Lakes and the Regional Municipalities of Halton, Hamilton-Wentworth, and Niagara, and the Regional Municipality of Durham (less the Towns of Whitby and Ajax and the Cities of Pickering and Oshawa), the Regional Municipality of York (less the City of Vaughan, and Towns of Richmond Hill and Markham), and the Regional Municipality of Peel (less the Cities of Mississauga and Brampton). 4. Electoral District 4 (East) to be composed of the counties of Lanark, Renfrew, Leeds and Grenville, Prescott and Russell, Stormont, Dundas and Glengarry, and the City of Ottawa. 5. Electoral District 5 (GTA East) to be composed of the addresses within the City of Toronto which have postal codes beginning with M1, M2, M3, and M4, and the City of Vaughan, Town of Richmond Hill, Town of Markham, City of Pickering, City of Ajax, Town of Whitby and City of Oshawa. 6. Electoral District 6 (GTA West) to be composed of the addresses within the City of Toronto which have postal codes beginning with M5, M6, M7, M8, and M9 and the City of Mississauga and the City of Brampton. 7. Electoral District 7 (Psychological Associates) to be composed of the constituency of Psychological Associates. 	<p>No changes being suggested to boundaries of electoral districts</p>
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8. District 8 (Academic) to be composed of professional training programs in psychology at Post Secondary educational Institutions in Ontario granting graduate level degrees in psychology.

Eligibility to Vote

20.2 (1) A member who, on the date of the election, holds a certificate authorizing autonomous, interim autonomous, or supervised practice, or an academic, inactive or retired certificate of registration is eligible to vote.

(2) The electoral district in which a member is eligible to vote is the district in which, on January 1 of the year in which an election is held, the member principally practises, or if the member is not engaged in the practice of psychology in Ontario, the district in which the member principally resides.

(3) A member holding a certificate of registration as a Psychological Associate is eligible to vote in Electoral District 7 or in the electoral district in which the member principally practises or, if the member is not engaged in the practice of psychology in Ontario, the district in which the member principally resides.

(a) A member holding a certificate of registration as a Psychological Associate ~~shall~~ may submit a declaration to declare whether he or she chooses to vote in Electoral District 7 or in the district in which he or she principally practises, or if the member is not engaged in the practice of psychology in Ontario, the district in which the member principally resides. If no choice is made, the member will ~~shall~~ be eligible to vote Electoral District 7 (Psychological Associate) . A member may not change their declaration for three years.

(4) A member shall vote in only one electoral district.

District 8 (Academic) Representation

20.3 The members representing District 8 (Academic) are appointed to Council by the Executive Committee, upon the joint recommendation of the professional training programs in psychology at Post Secondary Educational Institutions in Ontario granting graduate level degrees in psychology.

Number of Members Elected/Appointed

20.4 (1) The number of members to be elected in each of Electoral Districts 1, 2, 3, 4, 5, 6, and 7 is one.

(2) The number of members to be appointed to District 8 (Academic) is two or three.

Terms of Office

20.5 (1) The term of office of a member elected to the Council is three years.

(2) Notwithstanding paragraph (1), the term of office of a member appointed to Council for District 8 (Academic) is two years.

Election/Appointment Date

Change made to reflect new wording of Registration Regulation

There has been a problem in getting P/A's to declare their voting district even when reminders are sent. The use of "**shall** submit" in the current wording can be interpreted to mean that if a P/A does not choose one of the options, they would not be eligible to vote. The proposed change will permit a P/A to choose District 7, and make this the default electoral district if no selection is made.

<p>20.6 (1) In March 2001<u>2016</u> and every third year after that, an election of members to the Council shall be held for Electoral Districts 1, 2 and 3, and one member representing District 8 (Academic) shall be appointed during the 2001—2002<u>2016—2017 fiscal year.</u></p> <p>(2) In March 2002<u>2017</u> and every third year after that, an election of members to the Council shall be held for Electoral Districts 4 and 7, and one member representing District 8 (Academic) shall be appointed.</p> <p>(3) In March 2003<u>2018</u> and every third year after that, an election of members to the Council shall be held for Electoral Districts 5 and 6, and one member representing District 8 (Academic) shall be appointed.</p> <p>(4) The Council shall set the date in March for each election of members to the Council.</p> <p>(5) A member elected or appointed to Council shall take office at the first Council meeting following the election or appointment.</p>	<p>Updating the schedule to make it current with this revision rather than starting in 2001. “Academic” members are appointed as needed</p>
<p>Eligibility for Election</p> <p>20.7 (1) A member is eligible for election to the Council in Electoral Districts 1, 2, 3, 4, 5, and 6 if, on the date of the election,</p> <p>(a) the member holds a certificate of registration authorizing autonomous practice <u>or an inactive certificate of registration;</u></p> <p>(b) the member is engaged in the practice of psychology in the electoral district for which he or she is nominated, or, if the member is not engaged in the practice of psychology in Ontario, is resident in the electoral district for which he or she is nominated;</p> <p>(c) the member is not in default of payment of any fees prescribed in the fees by-law;</p> <p>(d) the member's certificate of registration has not been revoked or suspended in the six years preceding the date of election; and</p> <p>(e) the member's certificate of registration has not been subject to a term, condition or limitation as a result of a disciplinary action within the last two years.</p> <p>(2) A member is eligible for election to the Council in Electoral District 7 if, on the date of the elections, the member holds a certificate authorizing autonomous practice as a Psychological Associate; and,</p> <p>(a) the member meets the criteria set out in section <u>20.7(1)</u> (a), (c), (d) and (e) of this by-law.</p> <p>(3) A member nominated for election to Council, who holds any position on the Board, <u>Committee</u> or staff of any professional psychological association <u>involved in advocacy for the profession</u>other than the College, must undertake to resign that position before taking office.</p>	<p>While academic and retired members can vote, it would seem that “academic” members if interested should be appointed to District 8 (Academic) not to a geographic district. A “retired” should not be able to run as they could be far removed from practice unless there is a time limit, e.g., within one year of retiring.</p> <p>Numbering fixed but no change in intent</p> <p>Type of psychological association clarified similar to criteria for disqualification (20.16) “Committees” added. Intent of “other than the College” unclear - deleted</p>

<p>(4) A member of the College who is also an employee of the College may be nominated for election to the Council so long as he or she first provides an irrevocable, written resignation of employment to the Registrar/Executive Director on or before the deadline for receipt of nominations.</p> <p>Eligibility for Appointment to District 8 (Academic)</p> <p>20.8(1) A member is eligible for appointment to the Council in District 8 if on the day of appointment:</p> <p>(a) the member holds a full-time appointment in a faculty of a department of psychology of a university in Ontario granting graduate level degrees in psychology; and</p> <p>(b) the member meets the criteria set out in section 20.7(1) (a), (c), (d) and (e) of this by-law.</p> <p>(c) Despite paragraph (a), at any given time, one of the members appointed to the Council may:</p> <p>i. <u>Have retired within the previous two years and has maintained contact with the training program through clinical or research supervision or participation in other ongoing activities of the training program; or,</u></p> <p>ii. <u>or, Hold an adjunct appointment in a faculty of a department of psychology of a university degree granting institution in Ontario which granting grants graduate level degrees in psychology and has maintained contact with the training program through clinical or research supervision or participation in other ongoing activities of the training program.</u></p> <p>iii. Have retired within the previous two years and been designated an Emeritus or Emerita member of the faculty of a department of psychology of a university in Ontario granting graduate level degrees in psychology</p> <p>(2) <u>Retired faculty will be considered for up to three terms so long as the member of Council continues active involvement with the training program.</u></p> <p>(3) A member <u>to be appointed</u> nominated for election to Council must undertake to resign, before taking office, from any position on the Board, <u>Committee</u> or staff of any professional psychological association <u>involved in advocacy for the profession.</u></p> <p>Registrar to Supervise Nominations 20.9 The Registrar shall supervise the nomination of candidates.</p> <p>Notice of Election and Nominations 20.10 No later than 90 days before the date of an election, the Registrar shall notify every member who is eligible to vote, of the date, time and place of the election and of the nomination procedure.</p>	<p>Numbering fixed but no change in intent</p> <p>Remove “one of the” to suggest that all appointees could be from the categories listed</p> <p>Allows for retired members of faculty who have maintained program involvement may serve</p> <p>“university” changed to degree granting institution</p> <p>Notes the requirement to maintain involvement with program as in (c) i</p> <p>Deleted as Emeritus faculty captured in (c) i</p> <p>Sets out term limits for Academic members</p> <p>Wording changed to reflect “appointment” not “election”. Type of profession psychological association clarified similar to disqualification criteria (20.16). “Committee” added.</p>
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<p>Nomination Procedure</p> <p>20.11.(1) The member may be a candidate for election in only one electoral district in which he or she is an eligible voter.</p> <p>(a) a member recommended by the training programs to serve in District 8 (Academic) may not be nominated in a geographic electoral district.</p> <p>(2) The nomination of a candidate for election as a member of the Council shall be in writing and shall be given<u>provided</u> to the Registrar, <u>in the form established by the Registrar</u>, at least 60<u>30</u> days before the date of the election.</p> <p>(3) The nomination shall be signed<u>agreed to</u> by the candidate and <u>endorsed</u> by at least 5 members who support the nomination and who are eligible to vote in the electoral district in which the election is to be held.</p> <p>(4) The Registrar shall, at<u>At</u> least 45 days before the date of the election, <u>the Registrar shall</u> notify every member who is eligible to vote of the nominations received, <u>if any</u>, and if no nominations have been received, shall notify every member that further nominations will be received until 30 days before the date of the election.</p> <p>(5) A candidate may withdraw his or her nomination for election to the Council by giving notice to the Registrar in writing not less than 30 days before the date of the election.</p> <p>(6) No less than 30 days before the date of the election, a member nominated for election shall provide the registrar with a one page biographical note and a candidate's statement.</p> <p>Acclamation</p> <p>20.12. If the number of candidates nominated for an electoral district is equal to the number of members to be elected in the electoral district, the Registrar shall declare the candidates to be elected by acclamation.</p> <p>Registrar's Electoral Duties</p> <p>20.13. (1) The Registrar shall supervise and administer the election of candidates and, for the purpose of carrying out that duty the Registrar may, subject to the by-laws,</p> <p>(a) appoint returning officers and scrutineers;</p> <p>(b) establish a deadline for the receiving of ballots;</p> <p>(c) establish procedures for the opening and counting of ballots;</p> <p>(d) provide for the notification of all candidates and members of the results of the election; and,</p> <p>(e) provide for the destruction of ballots following an election.</p> <p>(2) No later than 15 days before the date of an election, the Registrar shall send<u>make available</u> to every member eligible to</p>	<p>College has moved to online voting and will be moving to online nominations. This wording permits nominations to be either in writing, online or in some other format as prescribed by the Registrar.</p> <p>Nomination is due 30 days before, not 60.</p> <p>Same as above therefore use of "signed" removed</p> <p>Clarifying that a notice will go out 45 days before election of any nominations received and indicating that nominations are open until 30 days before the election.</p> <p>Changed to make language more consistent</p>
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<p>vote in an electoral district in which an election is to take place; <u>i.</u> a list of the candidates in the electoral district; ii. <u>ii.</u> each candidate’s biographical note and statement; <u>iii.</u> the ballot; and iv. <u>iv.</u> an explanation of the voting procedure as set out in the by-laws.</p> <p>Tie Votes 20.14 If there is a tie in an election of members to the Council, the Registrar shall break the tie by lot.</p> <p>Recounts 20.15. (1) A candidate may require a recount by giving a written request to the Registrar no more than 10 business days after the date of an election.</p> <p>(2) The Registrar shall hold the recount no more than five business days after receiving the request.</p> <p>Interruption of Mail Service 20.16. Where there is an interruption of mail service during a nomination or election, the Registrar shall extend the holding of the nomination or election for such period of time as the Registrar considers necessary to compensate for the interruption.</p> <p>Disqualification of Elected or Appointed Members 20.17.<u>20.16.</u> (1) The Council shall disqualify an elected or appointed member from sitting on the Council if the elected or appointed member,</p> <p>(a) is found to have committed an act of professional misconduct or is found to be incompetent by a panel of the Discipline Committee;</p> <p>(b) is found to be an incapacitated member by a panel of the Fitness to Practise Committee;</p> <p>(c) fails, without cause, to attend two consecutive regular meetings of the Council;</p> <p>(d) fails, without cause, to attend two consecutive meetings of a committee of which he or she is a member;</p> <p>(e) ceases either to practise or reside in the electoral district for which the member was elected;</p> <p>(f) continues to be or becomes a member of the Board, <u>Committee</u> or a staff member of any professional psychological association involved in advocacy for the profession other than the College;</p> <p>(g) ceases to hold a certificate of registration for a Psychological Associate if the member was elected to Electoral District 7;</p> <p>(h) ceases to <u>meet the requirements of section 20.8 (1)</u> hold a full-time appointment in a faculty of a department of psychology of a university in Ontario granting graduate level degrees in psychology if the member was appointed to District 8; or,</p> <p>(i) has been convicted of contravening a federal, provincial or territorial law, and after consideration of all of the circumstances, two-thirds of the eligible voting members of Council vote to disqualify the member.</p> <p>(2) An elected or appointed member of the Council may submit an application for any position of employment with the College so</p>	<p>with online running of the elections. “Make available” permits this to be on paper or online.</p> <p>Section deleted as nomination and election process is now online</p> <p>Renumbered due to deletion regarding “Interruption of Mail Service”</p> <p>“Committee” added.</p> <p>Intent of “other than the College” unclear - removed</p> <p>Simplified as it relates to all of 20.8(1)</p>
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long as he or she first provides an irrevocable written resignation of his or her Council seat to the President. Upon provision of such resignation the member shall be immediately disqualified from sitting on the Council.

- (3) An elected or appointed member who is disqualified from sitting on the Council ceases to be a member of the Council.

Filling of Vacancies

~~20.18.~~20.17. (1) If the seat of an elected Council member becomes vacant in an electoral district not more than

twelve months before the expiry of the member's term of office, the Council may,

- (a) leave the seat vacant;
- (b) appoint as an elected member, the candidate, if any, who had the most votes of all the unsuccessful candidates in the last election of Council members for that electoral district; or
- (c) direct the Registrar to hold an election in accordance with this by-law for that electoral district.

- (2) If the seat of a Council member appointed to represent District 8 (Academic) becomes vacant in an electoral district not more than twelve months before the expiry of the member's term of office, the Council may,

- (a) leave the seat vacant; or
- (b) direct the Executive to appoint a member to represent District 8 (Academic), upon joint the recommendation of the training programs.

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

- (4) If the seat of a member appointed to represent District 8 (Academic) becomes vacant in an electoral district more than twelve months before the expiry of the member's term of office, the Executive shall appoint a member to represent District 8 (Academic) upon the joint recommendation of the training programs.

- (5) The term of a member elected or appointed under clauses (1), (2), (3) or (4) (b), (2)(b) or subsection (4), or elected in an election under clause (1)(c) or sub-section (3) shall continue until the time the former Council member's term would have expired.

Simplified as this sections refers to all above so no reason to list sections separately

MOTION SUBMISSION FORM**MEETING: 2016.02****DATE: June 17, 2016**

SUBJECT: POSTING DISCIPLINE DECISIONS ON CANLII (Canadian Legal Information Institute)**MOVER:** TBD

RATIONALE: CanLii is a non-profit organization that has been engaged by the law societies of Canada that are members of the Federation of Law Societies of Canada to establish, operate, maintain and provide to the law societies a website dedicated to providing continuous access to a virtual library of Canadian legal information. CanLii's goal is to make Canadian law accessible on the Internet.

CanLii is used *mainly* for purposes of legal research however, the College and its legal counsel use CanLii to research the nature of dispositions made by other Colleges in order to calibrate our own positions in the discipline process. It is also used to monitor HPARB Decisions in order to assist the ICRC.

The Federation of Health Regulatory Colleges of Ontario (FHRCO) passed a motion encouraging Colleges to post decisions to CANLII. Information to be posted is already public and available on the College website.

MAIN MOTION: THAT THE COLLEGE OF PSYCHOLOGISTS BEGIN TO POST DISCIPLINE DECISIONS ON CANLII; THE INFORMATION BEING CONSISTENT WITH WHAT IS POSTED ON THE COLLEGE WEBSITE.

BUGETARY IMPLICATIONS: None

SUPPORTING DOCUMENTS:

- Memo from Mr. Barry Gang while in his role as Director, Investigations and Hearings
- Information from FHRCO regarding posting decisions on CanLii
- Information about CanLii
- Example of decision posted by CPSO



**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO
L'ORDRE DES PSYCHOLOGUES DE L'ONTARIO**

To: Rick Morris, Ph.D., C.Psych.
Registrar & Executive Director

Date: November 30, 2015

From: Barry Gang, MBA, Dip. C.S., C. Psych. Assoc.
Director of Investigations and Hearings

CC:

Re: Posting Discipline Committee Decisions to CanLII

As you know, on October 26, 2010 FHRCO passed a motion to encourage FHRCO members to post Discipline Committee Decisions and Reasons on the CanLII website. CanLII is a non-profit organization that has been engaged by the law societies of Canada that are members of the Federation of Law Societies of Canada to establish, operate, maintain and provide to the law societies a website dedicated to providing continuous access to a virtual library of Canadian legal information. CanLII's goal is to make Canadian law accessible on the Internet.

It's my own understanding that CanLII is used *mainly* for purposes of legal research. We and our own legal counsel use CanLII to research the nature of dispositions made by other Colleges in order to calibrate our own positions in the discipline process. I also use it to monitor HPARB Decisions in order to assist the ICRC.

There is no requirement under the legislation or our by-laws to publish the information anywhere beyond the public portion of the register and annual reports, so it is open to the College to decide not to participate in this. If we were to do as FHRCO asks, all of the information posted would already be in the public domain via our website. Although some of the boards and tribunals that publish on CanLII do not publish full names of the individuals involved, all of the RHPA Colleges that participate do publish the full names of their members.

This is something which the Council may wish to discuss and give direction on.

For ease of reference I have attached:

1. Material from the Discipline Orientation Committee November meeting with the wording of the motion and the list of boards and tribunals posting on CanLII
2. CanLII's "About" page
3. A sample of what the CPSO has posted



III.1 - CanLII
Federation of Health Regulatory Colleges of Ontario (FHRCO)
Suite 301 - 396 Osborne St, PO Box 244, Beaverton ON L0K 1A0
email: bakenny@regulatedhealthprofessions.on.ca
web: www.regulatedhealthprofessions.on.ca
Phone: 416-493-4076/Fax: 1-866-814-6456

Meeting: Discipline Orientation Committee

Date: November 26, 2015

Agenda Item: **CanLII**

Following a previous suggestion made by the Discipline Orientation Committee and a recommendation of the Executive Committee, the Board of Directors approved the following motion at its October 26, 2015 meeting:

MOTION 03-2015-10-26 MOVED BY Kathy Wilkie/SECONDED BY Brian O’Riordan that FHRCO members be encouraged to post decisions to CanLII.
MOTION CARRIED

The Board asked that the Discipline Orientation Committee provide guidance on the two issues:

1. Could there be a consistent format provided for FHRCO members to use/consider for use for CanLII postings?
2. Could information be shared regarding the rationale for listings by “Colleges” versus “Colleges’ Discipline Committees” as CanLII registrants?

As a reminder, the following is the list of boards and tribunals in Ontario that currently post to CanLII (from CanLII’s website):

- Agriculture, Food & Rural Affairs Appeal Tribunal
- Alcohol and Gaming Commission of Ontario
- Assessment Review Board
- Child and Family Services Review Board
- College of Nurses of Ontario Discipline Committee
- College of Physicians and Surgeons of Ontario
- College of Physiotherapists of Ontario
- Consent and Capacity Board
- Conservation Review Board
- Environmental Review Tribunal
- Financial Services Tribunal
- Grievance Settlement Board
- Health Professions Appeal and Review Board
- Health Services Appeal and Review Board

- Human Rights Tribunal of Ontario
- Information and Privacy Commissioner Ontario
- Labour Arbitration Awards
- Landlord and Tenant Board
- Law Society Tribunal
- Normal Farm Practices Protection Board
- Office of the Chief Coroner for Ontario
- Ontario Civilian Police Commission
- Ontario College of Early Childhood Educators
- Ontario College of Pharmacists Discipline Committee
- Ontario Court of the Drainage Referee
- Ontario Custody Review Board
- Ontario Labour Relations Board
- Ontario Licence Appeal Tribunal
- Ontario Municipal Board
- Ontario Pay Equity Hearings Tribunal
- Ontario Physician Payment Review Board
- Ontario Public Service Grievance Board
- Ontario Racing Commission
- Ontario Securities Commission
- Ontario Social Benefits Tribunal
- Ontario Special Education (English) Tribunal
- Ontario Workplace Safety and Insurance Appeals Tribunal
- Ontario Workplace Safety and Insurance Board

About CanLII

CanLII is a non-profit organization that has been engaged by the law societies of Canada that are members of the Federation of Law Societies of Canada to establish, operate, maintain and provide to the law societies a website dedicated to providing continuous access to a virtual library of Canadian legal information. CanLII's goal is to make Canadian law accessible on the Internet.

The present website (<http://canlii.org/>) provides access to court judgments, tribunal decisions, statutes and regulations from all Canadian jurisdictions. Our other website, CanLII Connects, hosts a database of case commentary and case summaries which is contributed to, on a daily basis, by lawyers, scholars and others with professional competency in legal analysis.

Funded by Canada's lawyers and notaries for the benefit of all, CanLII provides free access to legal information

Unique in the world among Legal Information Institutes (LIIs), CanLII's operational funding is, and has always been, exclusively provided by members of Canada's provincial and territorial law societies. Funding for specific projects such as expansion of historical databases has been gratefully received from provincial law foundations and other sources.

History

Inspired by need and opportunity, the National Virtual Law Library Group formally presented the "CanLII project" to the Federation of Law Societies of Canada ("Federation") in August of 2000. "CanLII's Road Map" described a vision of a "new, original resource, offering free access to all primary sources of law" that would be "set up for the benefit of members of the Canadian legal profession and the Canadian public in general." The mission was to be "the best place to consult Canadian law."

Growing quickly from 20 legislative and case law databases comprising 20,000 documents in 2001 to more than 153,000 documents across 65 databases in 2003, CanLII's leadership, along with its publishing partner Lexum, recognized that CanLII must be responsive to the evolving demands of its users. Early success washed away any doubts that may have lingered about the benefits CanLII could bring to the legal profession and thus emboldened CanLII, the Federation and the law societies to develop long range plans and commitments.

By 2008, annual site visits and page views were well into the millions and tens of millions respectively. The time had come to make plans for further leaps as CanLII approached the start of its second decade. Technology and the internet were quickly evolving and Canada's preeminent online legal research site had to move at "internet-speeds" in the new Web 2.0 era to keep pace. To this end, the Federation established a "Futures Committee" which, among its most fundamental recommendations, was to shift from a representative board comprised of appointees from each of the provincial and territorial law societies to a skills-based, expert board who would assume responsibility for determining CanLII's strategic direction. This new board, appointed in 2010, reports to the Federation and carries out its role by addressing the interests of the provincial and territorial law societies, and the needs of the legal profession and the general public for free access to law.

Between 2008 and 2010, Lexum went through its own evolution from a legal informatics lab at the University of Montreal to the now privately run Lexum Inc. In 2010, CanLII and Lexum chose to build on their decade of successful collaboration by entering into a long-term arrangement to support the publication and management of the CanLII site.

CanLII today

In 2011, CanLII received nearly 7 million site visits and delivered over 81 million page views to users. With one million documents across over 200 databases, CanLII is closer than ever to achieving the dreams of its founders to become the best place for lawyers and all Canadians to consult Canadian law.

Between March and July 2012, CorbinPartners Inc. conducted a study on behalf of CanLII to examine professional use and satisfaction with the CanLII service. The 4,326 responses received represents 18% of the invited sample. Members from each provincial and territorial law society answered the survey, with a participation rate that varied between 8% and 29% of the full membership within a given jurisdiction.

Key findings include the following:

- nearly 9 in 10 respondents have used CanLII in the past 12 months
- 56% of respondents start their case law research with CanLII
- 45% of respondents report an increase in their use of CanLII relative to commercial alternatives, while only 3%

report a decrease. The balance report no change. Page 84

Respondents were also quite open in providing feedback (in the form of over 3,000 individual comments) on areas for improvement and opportunities to expand CanLII content and services in ways that could support greater reliance on CanLII by legal professionals. Much of this feedback aligns with the goals and activities CanLII outlined in its Strategic Priorities report for 2012 -2014, and CanLII is grateful for the support and clarity of direction provided by the Canadian legal profession.

National Client Needs Study - Summary report (October 2012) [PDF]

Board of Directors

Montreal Declaration on Free Access to Law

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by **LEXUM**  for the  Federation of Law Societies of Canada

**Indexed as: Ontario (College of Physicians and Surgeons of Ontario) v.
Varenbut, 2015 ONCPSD 40**

**THE DISCIPLINE COMMITTEE OF THE COLLEGE
OF PHYSICIANS AND SURGEONS OF ONTARIO**

IN THE MATTER OF a Hearing directed
by the Inquiries, Complaints and Reports Committee of
the College of Physicians and Surgeons of Ontario
pursuant to Section 26(1) of the **Health Professions Procedural Code**
being Schedule 2 of the *Regulated Health Professions Act, 1991*,
S.O. 1991, c. 18, as amended.

B E T W E E N:

THE COLLEGE OF PHYSICIANS AND SURGEONS OF ONTARIO

- and -

DR. MICHAEL VARENBUT

PANEL MEMBERS:

**DR. R. MACKENZIE (CHAIR)
J. LANGS
DR. W. KING
P. PIELSTICKER
DR. P. GARFINKEL**

Hearing Date: November 20, 2015
Decision Date: November 20, 2015
Release of Written Reasons: November 26, 2015

DECISION AND REASONS FOR DECISION

The Discipline Committee (the “Committee”) of the College of Physicians and Surgeons of Ontario heard this matter at Toronto on November 20, 2015. At the conclusion of the hearing, the Committee stated its finding that the member committed an act of professional misconduct and delivered its penalty and costs order with written reasons to follow.

THE ALLEGATION

The Notice of Hearing alleged that Dr. Michael Varenbut committed an act of professional misconduct:

1. under paragraph 1(1)33 of Ontario Regulation 856/93 made under the *Medicine Act, 1991* (“O. Reg. 856/93”), in that he has engaged in an act or omission relevant to the practice of medicine that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.

RESPONSE TO THE ALLEGATION

Dr. Varenbut admitted to the allegation in the Notice of Hearing, that he has engaged in an act or omission relevant to the practice of medicine that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.

THE FACTS

The following facts were set out in an Agreed Statement of Facts and Admission that was filed as an exhibit and presented to the Committee:

PART I – FACTS

1. Dr. Varenbut obtained his medical degree from the University of Toronto in 1991 and completed his residency in Family Medicine in 1993. He has specialized in the field of Addiction Medicine.
2. Between approximately 2005 and 2013, Dr. Varenbut held appointments at various times at the following hospitals and University:
 - Dryden Regional Health Centre;
 - Riverside Health Centre;
 - Mackenzie Health Richmond Hill;
 - Southlake Regional Health Centre;
 - University of Toronto;
 - Sunnybrook Health Sciences Centre; and
 - Women's College Hospital.

A. Omissions on Annual Forms

3. Between 2005 and 2013, Dr. Varenbut failed to disclose, in certain applications for the renewal of privileges or appointment at a number of different institutions, that he had been the subject of College investigations in the previous year, or that restrictions had been imposed on his certificate of registration, where that information was required to be disclosed. Prior to completing the applications, Dr. Varenbut was not provided with specific advice on completing them or that the scope of disclosure requested can vary from year to year, and from one hospital to another. These omissions are detailed in the chart attached as Appendix "A" [to the Agreed Statement of Facts].
4. Dr. Varenbut did disclose in his applications, where appropriate, the existence of his College Discipline Committee finding.
5. Dr. Varenbut also provided his consent to allow the hospital/institution to obtain information from the College in relation to College matters, where this was sought.

6. Dr. Varenbut did not exercise his hospital privileges during the relevant time period and had no clinical patient responsibility in any of the hospitals/institutions. The appointments were obtained and maintained as a corollary to his teaching appointments or so that if a patient on methadone in the community required hospitalization, a physician qualified in methadone treatment would be available to provide a prescription for methadone while the patient was hospitalized.

B. Failure to Follow University Policy on Notification of Discipline Decisions

7. On February 19, 2013, Dr. Varenbut was found by the Discipline Committee of the College to have engaged in professional misconduct in relation to his failure to maintain the standard of practice of the profession arising out of a patient's access to care.

8. In February of 2013, Dr. Varenbut had an academic appointment in the Department of Family and Community Medicine at the University of Toronto. Dr. X was the Chair of the Department at that time.

9. According to the "Procedures Manual for *Policy for Clinical Faculty*" at the University of Toronto, decisions of the Discipline Committee are to be reported to the Chair of the Department within seven days.

10. In July of 2012, Dr. Varenbut reported the Discipline referral to his academic supervisor at the University of Toronto, Dr. Y. He also voluntarily relinquished his academic role and took a voluntary one year sabbatical, pending the outcome of the Discipline referral. Dr. Y provided a letter of support to be submitted to the Discipline Committee for consideration at the hearing on February 19, 2013, in which she confirmed that she was aware that her letter would be used in those proceedings.

11. On April 19, 2013, Dr. Varenbut received a letter from Dr. X, in which she expressed concern that he had not disclosed his discipline finding to her directly within seven days as required pursuant to the procedure manual. Prior to this letter, Dr. Varenbut had not notified Dr. X of the discipline finding.

PART II – ADMISSION

12. Dr. Varenbut admits the facts set out in paragraphs 1 to 11 above and admits that he engaged in professional misconduct by failing to provide complete and/or accurate information in a timely manner to the University and/or hospitals where he had an academic appointment and/or from whom he sought reappointment.
13. Dr. Varenbut admits that the conduct described above constitutes professional misconduct under paragraph 1(1)33 of Ontario Regulation 856/93 made under the *Medicine Act, 1991*, S.O. 1991, c.30, in that he engaged in an act or omission relevant to the practice medicine that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.

FINDING

The Committee accepted as true all of the facts set out in the Agreed Statement of Facts and Admission. Having regard to these facts, the Committee accepted Dr. Varenbut's admission and found that he committed an act of professional misconduct in that he has engaged in an act or omission relevant to the practice of medicine that, having regard to all the circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.

PENALTY AND REASONS FOR PENALTY

Counsel for the College and counsel for the member made a joint submission as to an appropriate penalty and costs order, the elements of which included a three-month suspension, a recorded public reprimand and payment of costs to the College of a single hearing day at the tariff rate of \$4,460.

The Committee was reminded that the courts have directed that a jointly submitted penalty should be accepted unless the proposed penalty would be contrary to the public interest and would bring the administration of justice into disrepute. In this case, the Committee was in full agreement with the penalty proposed.

At the core of the privilege of self-regulation is the requirement to protect the public through regulation of the membership. The College must demonstrate to the public that regulations enacted and procedures adopted for its protection will be enforced and that noncompliance will be sanctioned.

All members of the profession should be aware that applications for annual renewal of a member's certificate of registration with the College, require complete and accurate reporting of offences, findings and settlements as well as any disciplinary action in other jurisdictions during the preceding year. Public institutions such as hospitals and universities have similar requirements which physicians must comply with. Physicians seeking hospital or university appointments or renewal of their privileges are required to report fully and accurately complaints, investigations, findings, restrictions and legal actions against them in the preceding year. Different institutions may have slightly different reporting obligations in the information they require. Dr. Varenbut failed in meeting this reporting requirement not once, but multiple times over several years, with multiple hospitals and the university where he taught. This failure is intolerable, even if inadvertent as submitted by his counsel. To disregard one's professional obligations through a lack of diligence and to mislead public institutions are serious matters.

A three-month suspension is a significant penalty, within the range established by previous decisions of this Committee. A public reprimand is also a significant penalty. They demonstrate to Dr. Varenbut, and to the profession and the public, that professional misconduct of this sort cannot and will not be tolerated.

Counsel submitted that Dr. Varenbut cooperated fully with the College's investigation. By admitting to the allegation, he avoided a lengthy contested hearing and spared witnesses having to testify. In the circumstances, limiting the award of costs to the College to the tariff amount for a single day (\$4,460), although representing a fraction of the true costs incurred, was accepted as appropriate by the Committee.

The Committee therefore made the following order:

ORDER

Therefore, having stated its findings of professional misconduct in paragraph 1 of its written order of November 20, 2015, the Committee ordered and directed on the matter of penalty and costs, that:

2. Dr. Varenbut appear before the panel to be reprimanded.
3. The Registrar suspend Dr. Varenbut's certificate of registration for a period of three (3) months commencing on November 21, 2015.
4. Dr. Varenbut pay to the College costs in the amount of \$4,460 within 30 days of the date of this Order.

At the conclusion of the hearing, Dr. Varenbut waived his right to an appeal under subsection 70(1) of the Code and the Committee administered the public reprimand.



**THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO
L'ORDRE DES PSYCHOLOGUES DE L'ONTARIO**

To: Council

Date: June 17, 2016

From: Dr. Rick Morris, Registrar & Executive Director

CC:

Re: Psychotherapy as a Controlled Act – An Update

It was previously reported that the Ministry of Health and Long-Term Care (MOHLTC) requested that the definition of the Controlled Act of Psychotherapy be clarified prior to proclaiming the relevant sections of the *Regulated Health Professions Act* and the related profession specific acts.

The College of Psychologists together with the five other Colleges (College of Physicians and Surgeons, College of Nurses, College of Occupational Therapists, College of Registered Psychotherapists, Ontario College of Social Workers and Social Service Workers) whose members will have access to the controlled act of psychotherapy, once it is proclaimed, worked collaboratively on preparing, and achieving consensus on a clarification document. The Working Group submitted this to the MOHLTC at the end of December 2015; a copy of which was provided to Council at the last meeting.

On April 20th, a response was received from the Ministry in which they indicated that additional work needed to be done to clarify the controlled act before proclamation can occur. Specifically, they noted that, *While the document affords some clarity as to what would constitute the controlled act of psychotherapy for providers and potential applicants to your respective colleges, examples could be provided to show the practical application of the controlled act at the provider level and in the practice setting. In addition, the public could benefit from additional information such as:*

- *What is psychotherapy and who can provide it?*
- *What is a controlled act and who can perform it?*
- *Who the public could contact for further information?*

As well, the Ministry felt that *some plain language examples of situations and/or activities would help provide clarity to the public and patients such that they have a clear understanding of what services they can expect from their mental health provider, should one require a psychotherapeutic intervention falling under the controlled act.*

The Working Group met on June 7th to discuss the questions posed by the Ministry. As a result of this meeting, the original definition document is being modified for clarity. As well, a second, plain language document is being drafted to provide some of the additional information suggested.

The Working Group hopes to have these documents available for review by the respective College Executive Committees during the summer to be taken to College Councils in the fall as the Ministry is expecting endorsement by each College Council.

Variance Report to March 31, 2016

Lines in the 2015-2016 Approved Budget lines where, as at March 31, 2016, expenditures will exceed the budget by at least \$2,000 at year end (or 1% in the case of the Payroll Salaries line) are discussed below. Cost of sales items are discussed separately.

A. LINE ITEM EXPENDITURES THAT MAY EXCEED BUDGET BY AT LEAST \$2000 (1% FOR SALARIES AT YEAR-END)

Main Category	Subcategory	Line Item	Annual Budget	YTD	Budget minus projected year-end (overspend)	Comment
1) Special Projects			\$15,000	\$19,763	(\$4,736)	Standards Task Force/Succession Planning Task Force/Search Committee
2) Registration	Registration Committee Meetings	Travel, accommodation, meals, refreshments	\$20,000	\$30,820	(\$16,060)	The committee is made up of a higher number of out of town members than was anticipated so continued over-expenditure on T.A.M. is anticipated.
	HPARB Reviews	Professional Services: Legal	\$14,000	\$40,956	(\$35,000)	These are legal services pertaining to HPARB reviews held during the summer as well as additional reviews anticipated.
3) Client Relations, Communication & Education	Client Relations Committee	Program for Funding	\$3,800	\$12,215	\$(10,492)	The number of individuals deemed eligible for funding as well as the amount of funding is difficult to predict. Costs are for therapy sessions funded which were not included in the current budget.
	Social Events for Members		0	\$7,340	(\$7,340)	These are the expenses for the retirement celebration for Dr. Yarrow. Given that this was a one-time event, no further expenses are anticipated.

5) Investigations and Resolutions	Training	Travel, accommodation, meals	\$3,000	\$6,155	(\$3,155)	This is due to the number of out of town members of the committee. Given that I&R training is complete, no further expenses are anticipated.
9) Administration	Internet	Internet service provider	\$8,200	\$8,961	(\$2,285)	The College upgraded the internet services earlier this year, resulting in slightly higher charges.

B. ANALYSIS OF COST OF SALES

Item	Revenues	Cost of Sales	Revenues less costs Profit/(Loss)
Administration of Jurisprudence & Ethics Exam	\$51,300	\$36,855	\$14,445
Administration of Oral Exam (exclude exam development)	\$105,080	\$201,271	(\$96,191)
Administration of Interviews	\$5,500	\$1,311	\$4,189
Barbara Wand Seminar	\$22,416	\$19,228	\$3,188

**THE COLLEGE OF PSYCHOLOGISTS
STATEMENT OF REVENUE EXPENSES
10 Months Ending March 31, 2016**

2016.02.05a(2)

	2015-2016 BUDGET	Budget YTD	2015-2016 YTD	2015-2016 % TO DATE	EXPECTED % TO DATE	VARIANCE %	VARIANCE \$	PROJECTED May 31/16
REVENUE	3,238,000	2,726,967	2,840,112	88%	84%	4%	113,146	3,285,006
COST OF SALES	271,500	268,270	258,740	95%	99%	-4%	-9,530	269,728
GROSS MARGIN	2,966,500	2,458,697	2,581,372	87%	83%	5%	122,676	3,015,278
EXPENDITURES:								
Governance	116,900	93,099	71,555	61%	80%	-23%	-21,544	88,166
Registration	70,400	58,667	88,208	125%	83%	50%	29,541	104,284
Client Relations, Communications & Education	81,200	67,667	69,782	86%	83%	3%	2,115	86,820
Quality assurance	26,800	22,333	2,827	11%	83%	-87%	-19,507	21,400
Investigations and resolutions	105,100	87,583	66,445	63%	83%	-24%	-21,138	85,803
Hearings	286,300	241,883	153,333	54%	84%	-37%	-88,550	189,110
Government relations	0	-	-		-			0
Liaison (Professional Organizations)	38,900	28,850	22,069	57%	74%	-24%	-6,781	32,951
Administration	2,426,400	2,022,000	1,799,002	74%	83%	-11%	-222,998	2,382,139
Total Expenditures	3,152,000	2,622,082	2,273,220	72%	83%	-13%	-348,862	2,990,674
EXCESS OF REVENUE OVER EXPENDITURES	-185,500	(163,386)	308,152	-166%		-289%	471,538	24,604

REPORT OF THE FINANCE AND AUDIT COMMITTEE (FAC) MEETING JUNE 6, 2016

The FAC met by teleconference on June 6. All members of the Committee were present. The members of the Committee examined the financial documents prepared by College staff and were able to address questions and comments to staff.

The Committee received the Unaudited Financial Statement to March 31, 2016, the Investment Report to March 2016, and the Variance Report to March 31, 2016. All were found to be satisfactory.

The Committee also noted the *Statement on Government Remittances*, our assurance that all required monies have been paid as required. This statement was advised by our auditor.

The Committee is satisfied that the College continues to operate on a healthy financial basis.

Peter McKegney
President

MOTION SUBMISSION FORM
MEETING: 2016.02
DATE: June 17, 2016

SUBJECT: PROPOSED REVISIONS TO THE *SUCCESSION PLAN FOR THE POSITION OF REGISTRAR/EXECUTIVE DIRECTOR*

MOVER: TBD

RATIONALE: The College Search Committee has proposed some revisions to the College's *Succession Plan for the Position of Registrar/Executive Director*. From their experience in working with the Succession Plan, the Search Committee suggested it be modified or clarified as follows:

- To place on limit on the salary of an Acting Registrar such that it is not greater than that of the current Registrar/Executive Director;
- To indicate that the Search Committee has discretion as to whether they wish to engage the services of an Executive Search Firm; and,
- To provide more clarity concerning soliciting expressions of interest from internal and/or external candidates.

MAIN MOTION: THAT THE PROPOSED REVISIONS TO THE *SUCCESSION PLAN FOR THE POSITION OF REGISTRAR/EXECUTIVE DIRECTOR BE APPROVED*.

BUGETARY IMPLICATIONS: None

SUPPORTING DOCUMENTS:

- Tracked changes version of the *Succession Plan for the Position of Registrar/Executive Director* with explanations of the various changes being proposed.

COLLEGE OF PSYCHOLOGISTS OF ONTARIO

SUCCESSION PLAN for the Position of Registrar/Executive Director

Responsibility for Development and Maintenance: Council and Registrar/Executive Director

<p>Distribution: A copy of the approved Succession Plan to be held by:</p> <ul style="list-style-type: none"> • Council: President and Vice-President • Staff: Registrar, Deputy Registrar, Directors and Manager Administration <p>The Succession Plan for the position of Registrar/Executive Director is comprised of two parts:</p> <ol style="list-style-type: none"> 1. The <u>Emergency-Temporary Leadership Plans</u> to be implemented in the event of an unplanned absence of the Registrar/Executive Director and may be either: <ol style="list-style-type: none"> a. the <i>Temporary Short-Term Leadership Plan</i> (Registrar/Executive Director expected to be absent from 1 to 3 months); or b. the <i>Temporary Long-Term Leadership Plan</i> (Registrar/Executive Director expected to be absent from 4 to 12 months) 2. The <i>Permanent Leadership Plan</i> to be implemented in the event that either: <ol style="list-style-type: none"> a. the Registrar/Executive Director will not be returning from an unplanned absence; or b. the Registrar/Executive Director has given formal notice of resignation. 	<p>NO CHANGES</p>
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<p style="text-align: center;">TEMPORARY LEADERSHIP PLAN</p> <p>UNPLANNED ABSENCE OF REGISTRAR/EXECUTIVE DIRECTOR – FIRST 72 HOURS</p> <p>Notification:</p> <ol style="list-style-type: none"> 1. A Director or the Manager Administration, upon becoming aware of the Registrar/Executive Director’s unplanned absence, shall notify: <ol style="list-style-type: none"> a. The Deputy Registrar, and b. The President <p>In the event that the Deputy Registrar is unavailable, the Alternate Senior Staff, noted in Appendix A will be notified. Should the President be unavailable, the Vice-President will be notified.</p> 2. The President shall notify the members of Council. <p>Appointment of Acting Registrar</p> <p>The President shall call a special meeting of the Council, which may be by teleconference, to be held at the earliest time that a quorum can be arranged. The purpose of the meeting will be to implement the <i>Temporary Short-Term Leadership Plan</i>.</p> <p>The implementation of the <i>Temporary Short Term Leadership Plan</i> will include:</p>	<p>NO CHANGES</p>
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<p>a. Appointment of an Acting Registrar in accordance with the <i>Temporary Short-Term Leadership Plan</i>; and,</p> <p>b. Appointment of staff signing officers in accordance with the provisions in <i>Bylaw 9, Banking & Finance</i> subject to the limitations set out in the <i>Temporary Short-Term Leadership Plan</i>.</p>	
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<p style="text-align: center;">TEMPORARY SHORT-TERM LEADERSHIP PLAN (Registrar/Executive Director expected to be absent from 1 to 3 months)</p> <p>1. <u>Emergency Contact Information</u> (see Appendix A -to be updated after each June Council meeting) Deputy Registrar Alternate Senior Staff President Vice-President</p> <p>2. <u>Acting Registrar</u> The Deputy Registrar will act in the vacant Registrar/Executive Director’s position on appointment by the Council. If the Deputy Registrar is unable to act in the vacant Registrar’s position, an Alternate Senior Staff will be named as per Appendix A.</p> <p>3. <u>Transfer of Authority to Acting Registrar by Council</u> At the special meeting of Council called by the President, the Council will transfer the authorities to the Acting Registrar as set out below in section 4. (Motion: Appendix B)</p> <p>4. <u>Authorities to be Confirmed or Conferred upon the Acting Registrar</u> (Summary Table may be found in: Appendix C)</p> <p>a) All of the authorities conferred on the Registrar by the <i>Regulated Health Professions Act (1991)</i> and the <i>Health Professions Procedural Code</i>.</p> <p>b) All of the authorities conferred on the Registrar/Executive Director in the Bylaws <u>with the following limitations:</u> <i>Bylaw 9: Banking and Finance:</i> (Appendix D) 9.5.3. Investing – When the <i>Temporary Leadership Plan</i> is in effect, the Acting Registrar may reinvest maturing term deposits and GIC’s for a term not to exceed 90 days so long as those funds are not immediately required for the College’s operating expenses. Any transfer from the College’s operating account under 9.5.3 into investments shall be for a term not to exceed 90 days; 9.6 The Acting Registrar may invest only 10% of total amount invested with TD Wealth (TD Waterhouse) in the purchase of a new bond or other investment instrument that meets the criteria set out in with <i>Bylaw 9: Banking and Finance</i>.</p> <p>c) To ensure the appointment of adequate and proper signing authorities normally associated with the Deputy Registrar position. (Motion:</p>	
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<p>Appendix E)</p> <p>d) To ensure the appointment of adequate and proper authorities associated with management of the College's financial affairs including:</p> <ol style="list-style-type: none"> i. Authorizing payroll – web transfers (twice a month) ii. Authorizing tax payment & filing (twice a month) iii. Accessing College account with CRA (after end of tax year) <p>e) All of the authorities conferred in the Position Description of Registrar/Executive Director, subject to the following:</p> <ol style="list-style-type: none"> i. Management of Staff: when the <i>Short-Term Temporary Leadership Plan</i> is in effect, the Acting Registrar may not hire a person to the College's regular staff but may pursue an ongoing hiring process which commenced before the absence of the Registrar/Executive Director; ii. Staff Performance Appraisals/Salaries: when the <i>Short-Term Temporary Leadership Plan</i> is in effect the Acting Registrar may not conduct performance reviews of staff reporting to the Registrar/Executive Director or approve staff salary changes; iii. Terminations: the Acting Registrar may terminate a member of College staff for cause; iv. Contract Staff: the Acting Registrar may extend the contract for an employee for a period not to exceed the length of the original contract; v. Temporary staff: the Acting Registrar may hire a temporary employee to assist with the staff workload. <p>f) The Acting Registrar may attend the following:</p> <ul style="list-style-type: none"> • Federation of Health Regulatory Colleges of Ontario (FHRCO) – meetings of the Board of Directors, the Annual Meeting of FHRCO and any other membership meeting of FHRCO • Association of State and Provincial Psychology Boards (ASPPB) – meetings of the Board Administrators and Registrars' Committee, the Annual Membership Meeting (as the Alternate Delegate; the President/President's designate is the Delegate for the College), and the Mid-Year Meeting • Meetings with Ministry staff in relation to College initiatives and the work of the College <p>The Acting Registrar is not presumed to replace the Registrar/Executive Director in situations in which the Registrar/Executive Director held elected or appointed office on a Board of Directors or a committee with organizations such as FHRCO or ASPPB. Such organizations shall be notified of the Registrar/Executive Director's absence in accordance with the <i>Temporary Short-Term Leadership Plan</i>.</p> <p>5. <u>Provision for Oversight and Support</u></p> <p>a) The Acting Registrar is authorized to spend up to \$10,000 during his or her appointment to engage consulting services to assist him or her in</p>	
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<p>carrying out the responsibilities of the position.</p> <p>b) The Acting Registrar’s expenses shall be authorized for payment by the Deputy Registrar and reviewed and approved by a member of the Finance and Audit Committee in accordance with the Policy III F-6 Registrar’s Expense Approval.</p> <p>c) If the Deputy Registrar is appointed Acting Registrar, the Acting Registrar’s expenses will be authorized for payment by the Alternate Senior Staff as per Appendix A.</p> <p>6. <u>Direction for Human Resources re: Compensation and Training Activities for Acting Registrar</u></p> <p>a) The Acting Registrar shall receive a prorated salary which is the entry salary to the Registrar/Executive Director’s salary range; or comprised of his or her base salary prior to being appointed as Acting Registrar plus a top up of 20%, whichever is higher <u>to a maximum not to exceed the salary of the Registrar/Executive Director</u>. The Acting Registrar’s RRSP benefit will be prorated accordingly.</p> <p>b) The Acting Registrar is authorized to spend up to \$5,000 to undertake training activities to assist him or her in the performance of the duties of Acting Registrar.</p> <p>c) Where another staff member temporarily assumes the former responsibilities of the person who is appointed Acting Registrar, that person may receive a bonus payment at the end of the period of temporary service.</p> <p>7. <u>Managing Stakeholder Communications and Relationships During the Transition</u></p> <p>The President, in collaboration with the Acting Registrar, will ensure that the following stakeholders receive notification of the absence of the Registrar/Executive Director and the appointment of the Acting Registrar:</p> <p>a) College Staff</p> <p>b) General counsel to the College</p> <p>c) Ministry of Health and Long-Term Care – Manager, Regulatory Programs Unit (Short-Term or Long-Term Plan); Minister’s Office (Long-Term Plan)</p> <p>d) Federation of Health Regulatory Colleges of Ontario (FHRCO) – President; Executive Director</p> <p>e) College Bank – with formal signed motion from Council to confer additional signing authorities on the individual serving as Acting Registrar and/or on Director given additional signing authorities normally provided to the Deputy Registrar</p> <p>f) College members</p> <p>g) College auditor</p> <p>h) Professional associations – Ontario Psychological Association (OPA), Ontario Association of Psychological Associates (OAPA), Canadian Psychological Association (CPA)</p> <p>i) Association of Canadian Psychology Regulatory Organizations (ACPRO)</p> <p>j) Association of State and Provincial Psychology Boards (ASPPB)</p>	<p>Limitation added such that the salary of the Acting Registrar would not exceed the salary of the current Registrar/Executive Director</p>
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<p>The Acting Registrar may engage the services of a communications consultant for advice respecting the notification of stakeholders.</p>	
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<p style="text-align: center;">TEMPORARY LONG-TERM LEADERSHIP PLAN (Registrar/Executive Director expected to be absent from 4 to 12 months)</p> <p>All of the authorities conferred on the Acting Registrar in the <i>Temporary Short-Term Leadership Plan</i> will continue. In addition, the limitation noted in section 4 e) i and 4e) ii shall be removed such that the Acting Registrar may:</p> <ol style="list-style-type: none"> a. Management of Staff: hire a person to the College’s regular staff; b. Staff Performance Appraisals/Salaries: conduct performance reviews of staff reporting to the Registrar/Executive Director or approve staff salary changes; 	
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<p style="text-align: center;">PERMANENT LEADERSHIP PLAN</p> <p>The Permanent Leadership Plan is put into effect when:</p> <ol style="list-style-type: none"> 1) The Registrar/Executive Director will not be returning from an unplanned absence; or 2) The Registrar/Executive Director has given formal notice of resignation. <p>Implementation of the <i>Permanent Leadership Plan</i> is led by the President, with the approval of Council.</p> <p>If the Registrar/Executive Director has given notice of resignation and completion of the <i>Permanent Leadership Plan</i> will continue past the effective date of the Registrar/Executive Director’s resignation, the <i>Short Term Temporary Leadership Plan</i> will be implemented. If the effective date of the Registrar/Executive Director’s resignation and the date when the newly hired Registrar/Executive Director will begin work extends past 3 months then the <i>Long-Term Temporary Leadership Plan</i> will be implemented.</p> <p>Implementation of the <i>Permanent Leadership Plan</i></p> <ol style="list-style-type: none"> 1) Council will appoint a Search Committee consisting of the President, the Vice-President, plus two members of Council. The Committee must be represented by at least one public member of Council. 2) Advice and consultation may be sought from any or all of the following depending on the circumstances (Appendix F): <ol style="list-style-type: none"> a) Legal advice (Budget line Professional Services: Legal – General) b) Executive search firm (Budget line Professional Services: Recruiting fees) c) Communications consultant (Budget line Professional services: Communications) d) Council of the College of Psychologists of Ontario 	
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<p>3) Role of Search Committee:</p> <ul style="list-style-type: none"> a. Review Strategic Direction and College priorities and initiatives b. Review position description for Registrar/Executive Director (Appendix G) c. Consider whether to <u>initially solicit expressions of interest</u> first make the opportunity for the position available to <u>from</u> internal candidates d. If the decision is to first pursue an internal candidate the Search Committee shall obtain advice on <u>determine</u> the best process for this type of recruitment e. If the decision is to conduct an open (internal and external) search, the Search Committee may, <u>at their discretion</u>, engage an Executive Search Firm to assist with recruitment and/or selection of a new Registrar/Executive Director f. To select an Executive Search Firm, <u>if the decision is made to engage such services</u>, the Search Committee will: <ul style="list-style-type: none"> i. distribute an RFP to a short list of possible vendors (Appendix F) ii. review proposals iii. interview one or two firms; iv. select a firm based on appropriateness of proposed services relative to needs articulated in the RFP. g. With the assistance of the Executive Search Firm, <u>if engaged</u>, the Search Committee will: <ul style="list-style-type: none"> i. Undertake recruitment: prepare advertisement for position of Registrar/Executive Director ii. Review salary and benefits for position of Registrar/Executive Director iii. Prepare rating scheme for evaluating applications iv. Review and rate applications and select a short list of applicants for interview v. Prepare for interviews: interview questions, rating scheme, etc. vi. Rate candidates based on interviews, references, etc. and select one or two candidates for second interview, if desired; consider including additional Council members for optional second interview. vii. Make a recommendation to Council regarding first choice candidate. viii. Make a recommendation to Council respecting possible salary and benefits <p>4) Following approval by Council of the candidate and salary and benefits, the President to make offer to selected candidate.</p> <p>5) Once the offer has been agreed to and signed, stakeholders will be notified</p>	<p>Wording changed to note solicitation of interest</p> <p>Wording change to permit Search Committee to decide how to proceed which may or may not include obtaining advice</p> <p>Wording added to clarify that the Search Committee may choose whether or not to engage an Executive Search Firm</p>
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<p>of the hiring of new Registrar/Executive Director to stakeholders:</p> <ul style="list-style-type: none"> a. College Staff b. General counsel to the College c. Ministry of Health and Long-Term Care – Manager, Regulatory Programs Unit d. Federation of Health Regulatory Colleges of Ontario (FHRCO) – President; Executive Director e. College Bank – with formal signed motion from Council to conferring signing authorities f. College members g. College Auditor h. Professional associations – Ontario Psychological Association (OPA), Ontario Association of Psychological Associates (OAPA), Canadian Psychological Association (CPA) i. Association of Canadian Psychology Regulatory Organizations (ACPRO) j. Association of State and Provincial Psychology Boards (ASPPB) <p>Onboarding of new Registrar/Executive Director</p> <ul style="list-style-type: none"> 1) Initial meeting with President to discuss Council initiatives, priorities, and expectations 2) Teleconferences at discretion of President and Registrar/Executive Director 3) Senior staff will assist with orientation of new Registrar/Executive Director 	
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Appendix A

Emergency contacts – to be updated at least annually, after June Council meeting

[Insert Name], Deputy Registrar

E-mail:

Cell:

Res:

[Insert Name], President

E-mail:

Res:

Cell:

Bus:

If unavailable:

Alternate Senior Staff:

[Insert Name], Investigations & Hearings

E-mail:

Cell:

Res:

[Insert Name], Vice-President

E-mail:

Bus:

Cell:

Res:

| ~~June 19, 2015~~ Date Approved

Appendix B
Council Motion to Appoint Acting Registrar
Temporary Leadership Plan

Whereas the Registrar/Executive Director is away from work due to circumstances resulting in an unplanned absence, and whereas there are reasonable grounds to believe that the Registrar/Executive Director will be absent from work for a period exceeding one month,

It is MOVED (name of mover)

That (insert name of Deputy Registrar or Alternate Senior Staff) be appointed Acting Registrar for a period not to exceed 12 months, commencing immediately and ending on the date that the Registrar/Executive Director returns to full time work or a new Registrar is hired and assumes the position full time.

It is further MOVED (name of mover)

That the Acting Registrar be invested with the authorities of the Registrar/Executive Director, subject to such limitations as are set out in the *Temporary Leadership Plan*.

Appendix C
~~Emergency~~ Temporary Leadership Plan
Authorities of Acting Registrar

Authority of Registrar	Acting Registrar	Limitations/Comment
Authorities of Registrar set out in <i>Regulated Health Professions Act (1991)</i> and the <i>Health Professions Procedural Code</i>	Yes	No limitations; full statutory authority.
Authorities conferred on Registrar in College Bylaws	Yes, subject to specified limitations	Bylaw 9 Banking and Finance: 9.5.3. Investing – When the Emergency <u>Temporary</u> Leadership Plan is in effect, the Acting Registrar may reinvest maturing term deposits and GIC's for a term which shall not exceed 90 days so long as those funds are not immediately required for the College's operating expenses; any transfer from the College's operating account under 9.5.3 into investments shall be for a term not to exceed 90 days; 9.6 The Acting Registrar may invest only 10% of total amount invested with TD Wealth (TD Waterhouse) in a the purchase of a new bond or other investment instrument that meets the criteria set out in with Bylaw 9.
Other authorities associated with management of the College's financial affairs a. Authorizing payroll – web transfers (twice a month) b. Authorizing tax payment & filing (twice a month) c. Accessing College account with CRA (after end of tax year)	Yes	To ensure the appointment of adequate and proper authorities associated with the management of the College's financial affairs.
Authorities conferred in the Position Description of Registrar	Yes, subject to specified limitations.	Limitations: a. Management of staff: when the Short-term <i>Temporary Leadership Plan</i> is in effect, the Acting Registrar may not hire a person to the College's regular staff but may pursue an ongoing hiring process which commenced before the absence of the Registrar; b. Performance Appraisals/Salaries: the Acting Registrar may not conduct performance reviews of staff reporting to the Registrar or approve staff salary

		<p>changes when the <i>Short-term Temporary Leadership Plan</i> is in effect;</p> <p>c. Terminations: the Acting Registrar may terminate a member of College staff for cause;</p> <p>d. Contract Staff: The Acting Registrar may extend the contract for an employee for a period not to exceed the length of the original contract;</p> <p>e. Hiring of tTemporary staff: The Acting Registrar may hire a temporary employee to assist with the staff workload when either the <i>Short-term</i> or the <i>Long-term Temporary Leadership Plan</i> is in effect.</p>
<p>Attending meetings:</p> <ul style="list-style-type: none"> • Federation of Health Regulatory Colleges of Ontario (FHRCO) – meetings of the Board of Directors, the Annual Meeting of FHRCO and any other membership meeting of FHRCO • Association of State and Provincial Psychology Boards (ASPPB) – meetings of the Board Administrators and Registrars’ Committee, the Annual membership meeting (as the Alternate Delegate; the President/President’s designate is the Delegate for the College), and the Mid-Year Meeting • Meetings with Ministry staff in relation to College initiatives and the work of the College 	<p>Yes, subject to limitations.</p>	<p>Limitations: The Acting Registrar is not presumed to replace the Registrar in situations in which the Registrar held elected or appointed office on a Board of Directors or a committee with such organizations as FHRCO or ASPPB. Such organizations shall be notified of the Registrar’s absence in accordance with the Emergency <u>Temporary Leadership Plan</u>.</p>

Appendix D
By-Law 9: Banking and Finance

BY-LAW 9: BANKING AND FINANCE

[Approved by Council on June 11, 1994; amended on March 4, 1995, June 2001, March 2003, September 2003, March 2006, December 2006, March 27, 2009, September 25, 2009, September 23, 2011, June 1, 2012, March 2013]

This by-law is made under the authority of the Regulated Health Professions Act, 1991 as amended and the Psychology Act, 1991 as amended.

- 9.1 The College does its banking at a bank chartered under the Bank Act (Canada).
- 9.2 All money belonging to the College shall be deposited in the name of the College with the bank.
- 9.3 The Registrar may endorse any negotiable instrument for collection on account of the College through the bank or for deposit to the credit of the College with the bank and the College's rubber stamp may be used for such endorsement.

Investment Philosophy

- 9.4 Funds of the College, not immediately required, may be invested in instruments that do not present undue risk to principal. All investments of the College shall ensure preservation of capital.

- 9.4.1 Reserve funds

- From time to time, the Council may establish reserve funds as required.

- 9.4.1.1 At the end of each fiscal year an allocation from any excess of revenue over expenses shall be made to maintain the reserve funds as established by the Council.

- 9.4.1.2 The reserve funds may be invested in short-term or long-term instruments, with terms of up to 10 years as appropriate to the need for liquidity of the specific funds. The primary objectives of such investments shall be, in order of importance, preservation of capital and yield.

- 9.4.2 Other surplus funds, not immediately needed

Surplus funds, not needed to meet the College's operating expenses during the immediate 12-month period, may be invested in short-term or long-term instruments with terms of up to 10 years. The primary objectives of such investments shall be, in order of importance, preservation of capital and yield.

- 9.4.3 All other funds

All other funds may be invested only in short-term instruments with a term of 0 days to 365 days, or in a pool of such investments. The primary objectives of such investments, in order of importance, shall be preservation of capital, maintenance of liquidity, and yield.

Responsibility/Authority to Invest

- 9.5 The Registrar is responsible to administer the College's investments in accordance with this Bylaw.

- 9.5.1 Transfer of funds to a new financial institution

- A transaction, involving transfer of any of the College's funds to a new financial institution, must be approved by one of the Registrar or Deputy Registrar together with one of the President or Vice-President. The transaction may be executed by both the Registrar and the Deputy Registrar together, or by one of the Registrar or Deputy Registrar plus the Manager, Administration.

9.5.2 Transfer of reserve funds and funds not required for immediate 12-month period

A transaction, involving transfer of the College's reserve funds and funds not required in the immediate 12-month period for the operating expenses of the College, within the same financial institution and including transfers of funds between different subsidiaries or business units of the same financial institution, must be consistent with this Bylaw. This includes the buying and selling of various investment instruments as allowed by this Bylaw. Such a transaction may be approved and executed by the Registrar or the Deputy Registrar.

9.5.3 Transfer of funds from operating account into investments under 9.4.3

A transaction involving transfer of funds from the College's operating account (and hence, involving the College's operating revenue for the current fiscal year) into investment instruments as defined in subsection 9.4.3 may be made by any one of the Registrar or the Deputy Registrar in consultation with the Manager, Administration. This provision applies to the transfer of funds within the same financial institution, including between different subsidiaries or business units of the financial institution.

9.5.4 A transaction involving transfer of funds from investments as defined in subsection 9.4.3 into the College's operating account, may be approved by and executed by any one of the Registrar or the Deputy Registrar in consultation with the Manager, Administration. This provision applies to the transfer of funds within the same financial institution, including between different subsidiaries or business units of the financial institution.

9.5.5 The Registrar shall be responsible for reporting the status of investments to the Council and the Executive Committee on a quarterly basis.

Acceptable Investments

9.6.1 Debt obligations issued or guaranteed by the Government of Canada or its agencies or Crown Corporations or managed pools of such instruments. The College may invest in individual instruments or a managed portfolio of Government of Canada guaranteed securities.

9.6.2 Debt obligations issued or guaranteed by Canadian, provincial or territorial governments, banks listed in Schedule I or Schedule II under the *Bank Act (Canada)*, or Canadian corporations, or managed pools of such instruments. The College may invest in high quality debt obligations issued or guaranteed by Canadian, provincial or territorial governments, and banks incorporated in Canada or Canadian corporations, or in a managed fund of such securities. All investments will be with issuers who have a long term credit rating of at least AA low (Dominion Bond Rating Service) or its equivalent or a short term credit rating of R-1 Mid (DBRS) or its equivalent. A maximum of 10% of the investments will be securities from any one issuer, other than government issuers.

9.6.3 Short-term corporate paper or managed pools of such instruments

The College may invest in individual instruments or in a managed fund that includes high quality short-term corporate paper and fully collateralized loans on call. All investments in the fund will be with issuers who have a credit rating of at least R-1 mid (DBRS) or its equivalent. Each investment in the fund will have a maximum term to maturity of one year. The average term of the entire fund will generally range from seven days to 90 days. All securities will be marketable. A maximum of 10% of the investments will be securities from any one issuer, other than government issuers.

- 9.7 Any security in which the College invests or recorded evidence of a security or investment transaction shall be placed promptly after receipt by the College in the College's safety deposit box at the bank appointed under subsection 9(1).
- 9.7.1 Section 9.7 does not apply to securities in pooled funds of the type described in 9.6.1, 9.6.2 and 9.6.3 or to securities held by the bank on behalf of the College.
- 9.7.2 Securities and other records shall be placed in or removed from the College's safety deposit box by the Registrar and the Deputy Registrar acting together or by one of the Registrar or Deputy Registrar acting together with the Manager, Administration. A log shall be kept of the items placed in or removed from the safety deposit box and a report made to the Executive Committee, at its regular meeting, of any activity that has occurred since the previous meeting.
- 9.7.3 Upon reasonable notice, the President of the College may review the contents of the College's safety deposit box in the company of two persons authorized to access it under subsection 9.7.2.

Signing Officers of the College

- 9.8.1 For any amount, either the Registrar or the Deputy Registrar plus one of the President, the Vice President, or one member of Council;
- 9.8.2 For amounts up to \$7,500, the Registrar and the Deputy Registrar; or either the Registrar or the Deputy Registrar plus either the Director, Registration, the Director, Investigations and Hearings or the Manager, Administration;
- 9.8.3 Notwithstanding the above, for amounts up to \$35,000, the signing officers identified in 9.8.2 shall also be authorized to sign all cheques for: (1) mandatory employer remittances to the Canada Customs and Revenue Agency including payroll deductions and employer contributions; (2) monthly rent or mortgage payments for College premises; and (3) monthly premium payments for employee benefits.
- 9.8.4 Signing officers shall be provided with a duly approved invoice or purchase order in support of any cheque to be signed.

Borrowing

- 9.9.1 The Council may from time to time by resolution,
- (a) borrow money on the credit of the College,
 - (b) limit or increase the amount or amounts to be borrowed, and
 - (c) secure any present or future borrowing, or any debt obligation or liability of the College, by charging, mortgaging, hypothecating or pledging all or any of the real or personal property of the College, whether present or future.
- 9.9.2 Notwithstanding section 12 of the Code, the Executive Committee should not exercise the powers or duties of the Council under section 9.9.1 of this by-law or take any similar action.

APPENDIX E
Conferring of Deputy Registrar's Signing Authority to Alternate Senior Staff

Where the Deputy Registrar is appointed as the Acting Registrar, invest the Alternate Senior Staff with the signing authorities normally associated with the Deputy Registrar position, as set out in the Bylaws. (Limitation: this does not include the Deputy Registrar's authority respecting moving or investing College funds, as set out under Bylaw 9, section 9.5.)

Council Meeting (meeting number, date)

Subject: Temporary Conferring of Signing Authorities of Deputy Registrar to Alternate Senior Staff under Emergency Leadership Plan

Date:

Rationale: (Name) Deputy Registrar has been appointed Acting Registrar under the Emergency Leadership Plan and during the term of this appointment will assume all of the signing authorities of the Registrar as set out in the Bylaws. As (name) will not be serving in the role of Deputy Registrar during (his/her) appointment as Acting Registrar, and in order to maintain the orderly conduct of the College's day-to-day financial affairs, it is desirable to confer the signing authority of the Deputy Registrar on the (name of Alternate Senior Staff) during this period, with the limitation set out above.

Motion: Whereas the Deputy Registrar has been appointed Acting Registrar, and in order to permit the orderly conduct of the College's day-to-day financial affairs,

It is Moved (name of mover)

That during the period that (name), Deputy Registrar serves in the role of Acting Registrar, (name and position title) be invested with the signing authorities set out for the Deputy Registrar in Bylaw 9: Banking and Finance, paragraphs 9.8.1 through 9.8.4.

Budgetary Implications: None

Supporting Documents: Bylaw 9: Banking and Finance

**Appendix F
Professional Resources**

General Counsel to the College

Peter Osborne
Lenczner Slaght LLP
Tel: 416-865-3094
E-mail: posborne@litigate.com

Examples of Executive Search Firms

Knightsbridge
<http://www.knightsbridge.com/>

Odgers Berndtson
<http://www.odgersberndtson.ca/ca/>

Caldwell Partners
<http://www.caldwellpartners.com/>

Korn/Ferry
<http://www.kornferry.com/>

Example of a Communications Consultant

Ann Welsh
Ann Welsh Communications Inc.
Tel: 416.972.1930
awc@interlog.com
www.annwelsh.com

APPENDIX G

Position Description: Registrar & Executive Director

THE COLLEGE OF PSYCHOLOGISTS OF ONTARIO

POSITION SUMMARY: Registrar

REPORTS TO: The Council of the College

ROLE: To discharge the responsibilities of the Registrar under the Regulated Health Professions Act (1991), the Psychology Act (1991) and the Regulations under the Act, to advise and support the Council in fulfilling its responsibilities, and to enact Council policy. These responsibilities are executed while reflecting the strategic direction approved by Council and promoting and maintaining good public relations with agencies, registrants, government and the public. The conduct of the Registrar shall at all times be consistent with a position of public trust.

KEY RESPONSIBILITIES:

To ensure adequate and efficient implementation of the College's statutory responsibilities in the regulation of the profession of psychology through:

- maintenance of the Register of the College
- provision of advice and support to the statutory Committees of the Council
- communication with members of the public and of the profession
- conduct of investigations and inquiries as authorized under the Act
- referral of relevant matters to the statutory Committees of the College and enactment of orders of those Committees
- issuing certificates of registration; imposing, modifying or removing terms, conditions or limitations on certificates of registration in accordance with the orders of the statutory Committees and the provisions of the Act and the Regulations.

To support and advise the Council in carrying out its statutory responsibilities through:

- advice to the Council on professional issues and matters of policy
- collaboration with the President to set the agenda for Council meetings
- providing for the preparation of , memoranda and minutes of Council meetings

To ensure adequate and effective communication of the Council's policies through:

- preparation of briefs and position papers
- publication of an annual report
- publication of the Council's newsletter
- formal presentations or seminars on Council policy and professional issues

To ensure adequate communication between the College and other government, public or professional agencies or organizations through:

- ensuring representation of the College at meetings, briefings and presentations
- advising the Council of such meetings

To ensure the effective administration of Council business and of the College's office through:

- hiring and supervision of College staff

- preparation, for Council approval, and administration of an annual budget
- liaising as required with the College's legal counsel, auditor and other professional services
- setting internal operating policy, structure, and standards and evaluating overall performance

KEY RELATIONSHIPS WITH:

- the Council and the Statutory Committees
- government representatives
- other professional regulators
- various professionals providing services to the College and staff
- College staff
- officers of the professional associations
- members of the profession

PERFORMANCE CRITERIA:

- the accuracy of essential registers and records
- the judgement exercised in the review of applications, the initiation of inquiries, investigations and referrals to the statutory Committees of the Council
- the quality of preparations made for the Council and the Statutory Committees
- the effective handling of inquiries to the College from the public and the profession
- the effectiveness of the operating relationships within and external to the College and its staff
- the effectiveness of communications activities

MINIMUM POSITION SPECIFICATIONS:

- registration with the College preferred
- strong interpersonal, judgement and communication skills
- strong commitment to the mandate and objectives of the College; sensitivity and insights into professional issues
- experience in a senior management role
- knowledge of the legislative and political processes in Ontario
- graduate degree in business, public or health administration an asset

Approved by Council 2012-09-21