



**MEETING OF THE COUNCIL OF THE COLLEGE OF
PHYSIOTHERAPISTS OF ONTARIO**

AGENDA

October 22- 23, 2020

College Council Chambers/Virtual via Zoom

1:00-5:00 PM

October 22, 2020

1 Annual Sexual Abuse Awareness Training

Presentation by Joanna Birenbaum and Dr Lori Haskell-bios below

2 Education session: Bias and Conflict of Interest

Presentation by Elyse Sunshine and Lonny Rosen-bios below

9:00-1:00 PM

October 23, 2020

Council Icebreaker Session

1 Approval of the Agenda

Motion For Decision

2 Council Meeting Minutes of September 23, 2020

Motion For Decision

3 Registrar's Report

For Information

Presenting the College Performance Management Framework (CPMF)

4 President's Report

For Information

5 By-law and Governance Review – Recommended Changes

Motion For Approval in Principle

The Executive Committee, which is serving as the Governance Review Working Group, is bringing forward a set of recommended



changes to the by-laws and governance policies to Council for consideration.

6 Motion to go in camera pursuant to section 7 (2)(d) of the Health Professions Procedural Code

Motion

For discussion on matters related to personnel or property acquisitions.

7 Members' Motion/s

Adjournment



Joanna Birenbaum is an experienced litigator in Toronto. Her diverse civil and administrative practice includes over seven years prosecuting in the area of regulated health, as well as defending clients in professional discipline proceedings. Joanna is recognized for her expertise in gender equality and sexual violence. Her extensive experience in this area includes constitutional litigation, civil sexual assault, employment law, human rights and workplace investigations, representing complainants in sexual history and records applications in criminal proceedings, and defending malicious prosecution and defamation claims targeting women who have reported sexual violence. She advises institutions and employers on sexual violence policies and procedures. She has co-written a book with Karen Busby in March 2020 titled *Achieving Fairness: A Guide to Campus Sexual Violence Complaints*. Joanna was a 2014-2015 McMurtry Fellow at Osgoode Hall Law School and adjunct faculty at Osgoode from 2014 to 2017 teaching in the area of gender, equality and the law. In addition to her private practice, Joanna is the Director of Capacity Building for CCLISAR (Canadian Centre for Legal Innovation in Sexual Assault Law Response).

Dr. Lori Haskell is a clinical psychologist in private practice with clinical interests include trauma, revictimization, sexual abuse and sexual violence in relation to psychological development. She has a status appointment as an assistant professor in psychiatry at the University of Toronto and is an academic research associate with the Centre for Research on Violence Against Women and Children. Her research work focuses on victimization and its effects, violence prevention, and trauma and psychological development. She is currently working on projects addressing the impact of trauma on Aboriginal peoples, trauma and the service challenges for developmentally disabled people, and restorative justice and gendered violence. She has presented to the Canadian judiciary, both nationally and provincially, on behalf of the National Judicial Institute in Ottawa. She has also provided expert evidence in a number of legal proceedings.

Lonny J. Rosen, C.S. is a founding partner of the Toronto, Ontario regulatory and health law boutique Rosen Sunshine LLP. Certified by the Law Society of Ontario as a Specialist in Health Law, he advises health care professionals, regulators, administrators of health care facilities, professional associations, and individuals. Lonny represents clients in civil and administrative proceedings, including complaint and discipline matters, investigations, audits and peer reviews, hospital privileges matters, and hearings before various tribunals. He also serves as independent legal counsel to Discipline Committees. Lonny is a member of the Consent and Capacity Board. He is a past chair of the Health Law Sections of the Ontario Bar Association and the Canadian Bar Association, and was a Director of The Advocates' Society. He frequently writes and speaks on health-law issues and is an Adjunct Professor at Osgoode Hall Law School. Lonny was named to "Best Lawyers in Canada" for Health Care Law for each year since 2014. In 2020 he was included in Who's Who Legal as a Global Leader in Health Care Law, receiving the ranking of "Recommended". In June 2016, Lonny received the OBA Susan Hilary Davidson Memorial Award for Excellence in Health Law.

Elyse Sunshine was called to the Ontario Bar in 1999 and has practiced in the area of professional regulation her entire career. Elyse serves as independent legal counsel to numerous regulatory bodies. She assists health associations and organizations and health care professionals by providing advice and opinions with respect to regulatory, administrative and civil matters. Elyse has experience before all statutory committees of the regulatory Colleges. Elyse has also represented clients before the various levels of court and many tribunals. Elyse serves as the Complaints Review Officer of the Retirement Homes Regulatory Authority (RHRA). In this capacity she will review complaint decisions made by the Registrar of the RHRA and determine whether the Registrar's handling of a complaint was reasonable, upon request from a complainant. In addition to her advocacy practice, Elyse regularly provides opinions and general advice to individuals and organizations, such as associations of health care professionals. She has served as general counsel for non-regulated health professions and in this regard, has assisted organizations in developing rules of practice and procedure for their various committees and with governance.



COLLEGE OF
PHYSIOTHERAPISTS
of ONTARIO

ORDRE DES
PHYSIOTHÉRAPEUTES
de l'ONTARIO

Motion No.: 1.0

**Council Meeting
October 22-23, 2020**

Agenda # 1: Approval of the agenda

It is moved by

and seconded by

that:

the agenda be accepted with the possibility for changes to the order of items to address time constraints.



COLLEGE OF
PHYSIOTHERAPISTS
of ONTARIO

ORDRE DES
PHYSIOTHÉRAPEUTES
de l'ONTARIO

Motion No.: 2.0

**Council Meeting
October 22-23, 2020**

Agenda #2: Approval of the Council Meeting Minutes of September 23, 2020

It is moved by

and seconded by

that:

the Council meeting minutes of September 23, 2020 be approved.



**MEETING OF THE COUNCIL OF THE COLLEGE OF
PHYSIOTHERAPISTS OF ONTARIO**

MINUTES

September 23, 2020

Chelsea Hotel, Toronto & Virtually via Zoom

In-person Attendees:

Darryn Mandel, President

Theresa Stevens, PT

Janet Law, PT

Tyrone Skanes, Public

Sharee Mandel, PT

Jennifer Clifford, PT

Sharon Switzer-McIntyre, PT

Regrets: Tom McAfee, Public

Zoom Attendees:

Martin Bilodeau, PT

Hervé Cavanagh, PT

Karim Kanji, Public

Ronald Bourret, Public

Katie Schulz, PT

Jesse Finn, Public

Karen St. Jacques, PT

Nitin Madhvani, Public

Staff on Zoom:

Rod Hamilton, Registrar

Anita Ashton, Deputy Registrar

Lisa Pretty

Zoe Robinson

Justin Rafton

Olivia Kisil

Barbara Hou

Recorder: Barbara Hou

Wednesday September 23, 2020

9:00 am. Additional item CAPR examination was added before the Elections.

Approval of the Agenda

**1.0
Motion**

1.0
It was moved by T. Skanes and seconded by R. Bourret that:

the agenda be accepted as presented with the possibility for changes to the order of items to address time constraints.

CARRIED.

**2.0
Motion**

Appointment of New Academic Member

2.0
It was moved by J. Law and seconded by J. Clifford that:

Council ratify the appointment of Ms. Sharon Switzer-McIntyre to Council as the academic councillor from the University of Toronto effective September 23, 2020 to June 2023.

CARRIED.



3.0 Motion Approval of the Council Meeting Minutes of December 16-17, 2019

3.0

It was moved by T. Skanes and seconded by S. Mandel that:

the Council meeting minutes of December 16-17, 2019 be approved.

CARRIED.

4.0 Executive Committee Minutes

Council was provided with an overview of the Executive Committee's activities since the December 2019 Council meeting and during the Covid-19 emergency response.

Due to the urgent need associated with the Covid pandemic, Executive Committee met on an emergent basis to provide advice on the College registrants on 18 occasions between March and June.

Members of Council inquired about the following:

- The frequency of the updates provided to Council
- The reasons why Council as a whole did not meet
- The status of the relationship between the President and the Registrar
- The role of the Executive Committee in operational matters

There was a suggestion for the creation of a centralized repository to allow members of Council to access background documents and in this case decisions made by the Executive Committee in a timely manner

5.0 President, Vice President and Executive Committee Election

R. Hamilton, Registrar provided an overview of the elections process which would be supported by the electronic online voting system.

Election of the President:

The following nomination was received:

President:

- D. Mandel, PT

Rod Hamilton called for additional nominations from the floor; none were received

D. Mandel was acclaimed President.

Election of the Vice President:



The following nomination was received

Vice President:

- T. Stevens, PT

Rod Hamilton called for additional nominations from the floor;
none were received

T. Stevens was acclaimed Vice President

Election of the Executive Committee: members-at-large

The following nominations were received for the remaining three positions:

- J. Law, PT
- R. Bourret, public representative
- T. Skanes, public representative
- S. Mandel, PT

Rod Hamilton called for additional nominations from the floor;
none was received.

The following individuals were elected to the Executive Committee
as members-at-large for the 2020-2021 year.

- R. Bourret
- T. Skanes
- S. Mandel

**The following councillors will make up the Executive Committee
for the 2020-2021 year:**

- D. Mandel (President)
- T. Stevens (Vice President)
- R. Bourret
- T. Skanes
- S. Mandel

6.0 Approval of the 2020-2021 Committee Slate

Motion It was moved by T. Skanes and seconded by S. Mandel that:

Council appoint Monica Clarke to the Inquiries, Complaints and Reports Committee (ICRC) replacing Katie Schulz and Karim Kanji be appointed to the Quality Assurance Committee replacing Jesse Finn as presented on the draft Committee slate.

The following suggestions were made for future improvements to the process:

- That Council members be advised of their potential appointments in advance



- That Council members be advised of how long individuals have been on various committees

With the changes noted above, Council approves the proposed committee slate for 2020-2021.

CARRIED.

Executive Committee:	Darryn Mandel, PT (Chair) Theresa Stevens, PT Sharee Mandel, PT Ron Bourret, Public Tyrone Skanes, Public
Inquires, Complaints and Reports Committee:	Gary Rehan, PT non council (Chair) Monica Clarke, PT Theresa Stevens, PT Jennifer Clifford, PT Tyrone Skanes, Public Tom McAfee, Public
Discipline and Fitness to Practise Committee:	Sharee Mandel, PT (Chair) Janet Law, PT Martin Bilodeau, PT Jennifer Clifford, PT Karen St. Jacques, PT Sharon Switzer-McIntyre, PT Theresa Stevens, PT Katie Schulz, PT Herve Cavanagh, Public Ron Bourret, Public Nitin Madhvani, Public Jesse Finn, Public Tom McAfee, Public Karim Kanji, Public James Wernham, PT non council Daniel Negro, PT non council Sue Grebe, PT non council Angelo Karalekas, PT non council Nicole Graham, PT non council Richa Rehan, PT non council
Quality Assurance Committee:	Theresa Stevens, PT (Chair) Herve Cavanagh, PT Tom McAfee, Public Karim Kanji, Public Antoinette Megens, PT non council Elizabeth Bergmann, PT non council



Registration Committee: Tyrone Skanes, public (Chair)
Katie Schulz, PT
Martin Bilodeau, PT
Jesse Finn, Public
Anastasia Newman, PT non
council

Patient Relations Committee: Sharee Mandel, PT (Chair)
Karen St. Jacques, PT
Ron Bourret, Public
Antoinette Megens, PT non
council

Finance Committee: Darryn Mandel, PT
Theresa Stevens, PT
Janet Law, PT
Jennifer Clifford, PT
Nitin Madhvani, Public

7.0 Canadian Alliance of Physiotherapy Regulators (CAPR) executing examination during Covid-19

H. Cavanagh and M. Bilodeau declared a Conflict of Interest (COI)

Gary Rehan, CAPR board representative advised Council that due to COVID-19 CAPR was considering its options as it related to the clinical component of the exam. The June 2020 clinical exam was cancelled, and the November 2020 exam was pending.

The exam (OSCE) is held in person across the country and due to provincial requirements regarding travel and physical distancing, all registered candidates will not be able to attempt the PCE in November.

Gary Rehan commended CAPR for its thoughtful and careful consideration of all of the challenges related to hosting the exam.

Council advised that if at all possible CAPR should host the November 2020 exam, and that registration priority would be assigned on a first come first served basis based on the date that the candidate submitted their application.

8.0 President's Report

D. Mandel, President, provided an update on the following:

- Council turnover and transition planning
- Committee Orientation



- The relationship between the College and CAPR
- Retaining legal counsel for Council
- A meeting with Allison Henry of the Ministry (MOHLTC) where the Performance Measurement Framework was discussed

9.0 2019-2020 Q3 Financial Report

Council reviewed and accepted the Q3 Financial Report. Questions were raised regarding the use of the College's reserves and the concept of a deficit budget, the status of the College's lease given the fact that the College is operating virtually and the pending decrease in income due to the potential cancellation of the clinical exam.

10.0 Approval of 2020-2021 Budget Motion 10.0

It was moved by T. Skanes and seconded by J. Law that:

That Council approve the Operating and Capital Budgets for the 2020-2021 Fiscal year that were revised by the Finance Committee in August and considered by the Executive Committee in September.

CARRIED.

11.0 2020-2021 Q1 Financial Report

Council reviewed and accepted the Q1 Financial Report

12.0 The College's Relationship with the Canadian Alliance of Physiotherapy Regulators (CAPR)

H. Cavanagh and M. Bilodeau declared COI

D. Mandel provided Council with an overview of the College's current relationship with CAPR and his perception of the current issues in the relationship as outlined in the supporting briefing note. These include but are not limited to the governance and reporting structure.

Council approves the following:

The Executive Committee seek a legal opinion to assess the College's current relationship with CAPR. Key areas of focus would be the opportunity to become an affiliate member and the disclosure of exam results. Council would be provided with the information being shared with counsel in advance of the request being made.



That staff seek a legal opinion regarding if, when and how current council members could have a conflict of interest as it relates to the ongoing discussion regarding the College's relationship with CAPR.

13.0 Registrar's Report

R. Hamilton Registrar, provided an update on the following:

- Activities undertaken by the College program areas since December 2019
- The Operations Report since December 2019
- Service delivery in the virtual office
- The ongoing work of the Finance and Executive Committee
- Financial projections and budget planning as a result of COVID-19

14.0 Bylaw and Governance Review – Recommended Changes

Council agreed to defer this to the October Council meeting due to time constraints.

15.0 2020-2021 Audited Financial Report

Motion Mr. Blair Mackenzie Hilborn provided an overview of the audited financial statements for 2019 / 2020. The auditor noted that it was a "clean audit" and no concerns were identified. It was also noted that this audit was completed virtually.

It was moved by T. Skanes and S. Mandel that:

Council approve the 2019-2020 Audited Financial Statements ending March 31, 2020.

CARRIED.

Adjournment

It was moved by T. Skanes and S. Mandel that the meeting be adjourned.

CARRIED.

The meeting was adjourned at 4:00 p.m.

Mr. Darryn Mandel, President

Agenda # 3

Registrar's Report

College Performance Measurement Framework (CPMF)

Meeting Date:	October 22-23, 2020
Agenda Item #:	3
Issue:	Registrar's Report - College Performance Measurement Framework
Submitted by:	Justin Rafton, Policy & Governance Manager

Issue:

The Ministry, in conjunction and consultation with stakeholders, has been developing a College Performance Measurement Framework (CPMF) for all regulatory colleges. The College has heard from Ministry representatives including Thomas Custers, Manager, Quality Performance and Evaluation at Ontario Ministry of Health throughout its development. The Framework is now in its final stage and will be released in October.

Background

In 2018, the Ministry convened a working group to develop a Performance Measurement Framework. The working group includes representatives from health regulatory colleges as well as measurement experts from other organizations.

The purpose of the framework is to strengthen accountability and oversight, improve College performance and ensure public confidence in the profession is maintained. The CPMF will provide an annual report on how well Colleges have met a series of best practices related to their key statutory functions, programs and organizational management.

Given that the CPMF will be new for all Colleges and many may have not implemented all of the outlined standards, the initial reports will provide key stakeholder (the public, Ministry of Health, other regulators) with baseline information on the Colleges' current processes relating to best practices of regulatory excellence and performance improvement commitments. The intention is to both help refine benchmarks for regulatory excellence and stimulate discussions for performance improvement at Colleges for both Council and staff.

CPMF

The CPMF is organized into seven domains:

1. Governance
2. Resources
3. System Partner
4. Information Management
5. Regulatory Policies

6. Suitability to Practice
7. Measurement, Reporting and Improvement

The Framework intends to address the following questions:

1. How well does a College ensure that only qualified individuals who demonstrate that they are competent and safe are practising?
2. How well does a College ensure that its governance and operations are transparent, effective and efficient in serving and protecting the public interest?
3. How well does a College ensure sustained competence and quality of care is delivered by all registrants?
4. How well does a College help ensure that those in need of care are able to access qualified health professionals when and where they need them?
5. How responsive is a College in addressing the changing practice environment of its registrants?

Next Steps

The Framework is anticipated for release in October 2020, allowing all Colleges to begin completing their respective reports. The report must be completed and posted on the CPO website no later than March 21, 2021 and shared with the Ministry.

The Ministry has indicated that it will not initially review and assess the degree to which Colleges have implemented the complete CPMF for the purpose of publication. To improve the oversight function, the Ministry will look to meet with each College to discuss the report, provide feedback and outline potential improvement.

The first year of reporting will be quite comprehensive to ensure the correct amount of information is obtained to establish a baseline for each College. The Ministry will reevaluate and refine the framework based on the results. Subsequent reporting (planned to begin annually each October) is anticipated to be less intensive and delve into changes the College has made based on baselining and refined standards.

Council will be provided with further detailed information once the CPMF is published.

Decision

For Information

Agenda # 4
President's Report



COLLEGE OF
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ORDRE DES
PHYSIOTHÉRAPEUTES
de l'ONTARIO

Motion No.: 5.0

**Council Meeting
October 22-23, 2020**

Agenda # 5: By-law and Governance Review – Recommended Changes

It is moved by

and seconded by

that:

Council approve the by-laws and governance policies with the Executive Committee's recommended changes in principle.

Meeting Date:	October 23, 2020
Agenda Item #:	5
Issue:	Recommended Changes to By-laws and Governance Policies for Approval in Principle
Submitted by:	Executive Committee

Issue:

In December 2018, Council approved a proposal to conduct an in-depth review of the College's by-laws and governance policies and designated the Executive Committee to act as the working group for the purpose of this review.

The Executive Committee is now bringing forward the by-laws and governance policies with its recommended changes for Council's consideration and approval in principle.

Background:

For many years the College has had in place a process in which staff conduct an annual review of the College's by-laws and governance policies to identify needed changes and updates based on process gaps identified at the staff level. The proposed changes are then considered by the College's Executive Committee and then forwarded on to the Council for consideration and approval.

While this process has been useful, it has not normally included the step of having the Council itself consider governance issues from a broad perspective, identifying needed changes to the College's by-laws and governance policies stemming from this kind of high level review and then reviewing the by-laws and governance policies closely to identify needed changes and bring forward proposed amendments to address these changes.

In late 2018, the College Council, prompted in part by the departure of the former registrar, determined that the College governance framework could potentially benefit from this kind of detailed consideration.

As a result, at their December 2018 meeting, Council approved a proposal to conduct a more in-depth review of the College's by-laws and governance policies than the typical annual review process, and designated the Executive Committee to act as the working group for the purpose of this review.

It was proposed that potential topics for discussion during the review would include, but were not limited to:

- Policies that are inconsistent with Council and operational practices
- Trends in By-law management
- Efficiencies in processes for Council and staff that are defined in the By-laws
- Policies that have an impact on Council-staff relationships

The Executive Committee considered the approach to undertaking this work in summer 2019, and based on the volume of work involved and the importance of this review, it identified the need to hold dedicated meetings for the review work separate from its regular Executive Committee meeting time.

To date, the Executive Committee has held eight dedicated meetings to conduct this review.

The Executive Committee also considered and agreed to a process for the review whereby the Committee would review both the by-laws and governance manual section by section to identify recommended changes and issues that required further consideration.

Staff would then collect information on the issues identified by conducting environmental scanning and benchmarking, internal and external consultation, and bring back policy options for the Committee's consideration. Once all recommended changes to the by-laws and governance policies had been identified, the documents would be re-drafted and reviewed by legal counsel, and then the re-drafted documents would go forward to Council for consideration.

In the summer of 2020, the Executive Committee decided to accelerate the pace of the project. To accomplish this, the Committee determined that it could forgo the remainder of the environmental scanning and benchmarking, the internal and external consultations, and delay the legal review and re-drafting steps. It decided to proceed by undertaking a close review of the governance policies and the by-laws based on the kinds of concerns that had prompted Council to request the review and in doing this, identify recommended changes. Then these changes would be presented to Council for approval in principle. After approval in principle, the required consultations would occur, and the proposed changes reviewed for legal drafting and consistency purposes.

The Executive Committee recently completed their review and is now bringing forward the by-laws and governance policies with its recommended changes for Council's consideration.

Decision Sought:

That Council approve the by-laws and governance policies with the Executive Committee's recommended changes in principle.

Note that the College is required to circulate by-laws that directly affect registrants for comment before final approval. Also, if approved in principle, the proposed wording of the changes should be considered by legal counsel for consistency and clarity in drafting while the materials are out for consultation.

Attachments

Governance Policies with proposed amendments

By-laws with proposed amendments



COLLEGE OF
PHYSIOTHERAPISTS
of ONTARIO

2018

Governance Manual



Governance Manual

March 2018

INDEX

Section 1.0 Roles & Responsibilities

- 1.1 [Role of Council](#)
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- 1.4 [Role of a Non-Council Committee member](#)
- 1.5 [Role of President](#)
- 1.6 [Role of Vice President](#)
- 1.7 [Role of Registrar](#)
- 1.8 [Role of Canadian Alliance of Physiotherapy Regulators \(CAPR\) Board Nominee/Director](#)

STATUS¹

Confirmed, December 2011
Revised, February 2013
Revised, February 2013
Revised, February 2013
Revised, March 2014
Revised, March 2014
Revised, February 2013
Approved, March 20, 2018

~~Section 2.0~~

~~2.1~~

~~Rescinded, September 2017~~

Section 32.0 Terms of Reference

- ~~23.1~~ [Inquiries, Complaints and Reports Committee – Statutory](#)
- ~~23.2~~ [Discipline Committee – Statutory](#)
- ~~23.3~~ [Executive Committee – Statutory](#)
- ~~23.4~~ [Fitness to Practise Committee – Statutory](#)
- ~~23.5~~ [Patient Relations Committee – Statutory](#)
- ~~32.6~~ [Quality ~~Management Assurance~~ Committee – Statutory](#)
- ~~32.7~~ [Registration Committee – Statutory](#)
- ~~32.8~~ [Finance Committee – Non-Statutory](#)
- ~~32.9~~

Revised, September 2013

Revised, September 2013

Revised, March 2015

Revised, September 2013

Revised, September 2013

Revised, September 2013

Revised, September 2013

Revised, September 2013

Rescinded, February 2013

Section 43.0 Confidentiality

- ~~43.1~~ [Confidentiality – General](#)
- ~~4.2~~
- ~~4.33.2~~ [College Privacy Code – Request for Access or Corrections and Compliance Concerns](#)
- ~~4.4~~

Revised, February 2013

~~Rescinded, February 2013~~

Approved, September 2010

~~Rescinded, February 2013~~

Section 54.0 Finance

- ~~54.1~~ [Honoraria and Expenses](#)
- ~~5.2~~
- ~~5.34.2~~ [Signing Officers](#)
- ~~5.44.3~~ [Investments and Investment Strategy](#)
- ~~5.54.4~~ [Insurance](#)
- ~~5.6~~
- ~~5.74.5~~ [Capital Assets](#)
- ~~5.8~~ [Strategic Planning Cycle](#)

Revised, December 2017

~~Rescinded, February, 2013~~

Revised, March 2014

Confirmed, September 2011

Confirmed, December 2011

~~Rescinded, February 2013~~

Confirmed, September 2011

~~Revised, February 2013~~

¹ This refers to the date of the most recent approval or revision or whether it is under review



Section 65.0 Policy

6.1		Rescinded, February, 2012
6.25.1	<u>College Policy Review Schedule</u>	Revised, March 2014
6.35.2	<u>Approval of Official Documents Positions</u>	Revised, September 2010
6.4	<u>Partnerships in Advancing Public Policy</u>	Approved, March 2012
6.4.15.3	<u>Elected Officers</u>	Approved, February 2013

Section 76.0 Stakeholders

7.1		Rescinded, February, 2013
7.26.1	<u>Intellectual Property and Related Uses</u>	Revised, March 2011

Section 87.0 General

7.1	<u>Strategic Planning Cycle</u>	Revised, February 2013
8.1	<u>Orientation Program</u>	Revised, February 2013
8.1.17.2	<u>Succession Planning</u>	Revised, March 2014
8.27.3	<u>Public Member Representation on College</u>	Confirmed, September 2010
8.37.4	<u>Public Member Attendance at Committee Meetings</u>	Revised, September 2010
8.47.5	<u>Selection of Individuals to Committees, Task Forces and Advisory Groups</u>	Revised, March 2014
8.57.6	<u>Performance Review Process for Registrar</u>	Revised, March 2015
8.67.7	<u>Emergency Management Plan</u>	Approved, March 2011
8.77.8	<u>Election Campaign</u>	Revised, February 2013
8.8		Rescinded, March 2015
8.97.9	<u>External Award Program</u>	Revised, March 2014
8.107.10	<u>Council Education</u>	Revised, March 2013
8.117.11	<u>Council – Staff Relations</u>	Revised, March 2014
8.127.12	<u>Appointment of a Task Force and/or an Advisory Group</u>	Approved, March 2010
8.13		Rescinded, February 2013
8.14		Rescinded, February 2013
8.157.13	<u>Specialty Designation</u>	Approved, March 2012
7.14	<u>Council In Camera Minutes – Storage and Access</u>	<u>Proposed</u>

Section 98.0 Evaluation

98.1	<u>Measurement and Reporting</u>	Revised, March 2015
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Summary of changes:

- Update the “Primary Function” section to align with the mandate of the College and duties of Council as defined in the Health Professions Procedural Code.
- Other changes for clarity and to align with current practice.

Section:	Roles & Responsibilities	Policy #1.1
Title:	Role of Council	
Date approved:	June 2002	
Date revised:	June 2006, June 2007, December 2009	
Date confirmed:	December 2011	

Legislative References

1. Physiotherapy Act: 6
2. Health Professions Procedural Code: [2.1, 3](#), 4, 5, 6, 7, 8, 9, 10
3. Regulated Health Professions Act, 1991: 2, 3, 4, 5, 6

Definition

The Council of the College is its board of directors and consists of ~~seventeen~~ appointed and elected members as defined in the Physiotherapy Act.

Primary Function

~~The Council is accountable for providing strategic leadership to the College within its statutory mandate and with a view to regulating within the Ontario health system. The Council aims for governance excellence in the monitoring and directing of the affairs of the College in an effort to instill public confidence and trust.~~

~~Council is the College’s board of directors who manages and administers its affairs.~~

~~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 of Ontario have access to adequate numbers of qualified, skilled and competent regulated health professionals.~~

~~The College’s objects are defined in s. 3 of the Code.~~

Specific Responsibilities

In carrying out its role, the College Council will:



1. Fulfill the legislated responsibilities in the *Regulated Health Professions Act*, the *Code* and the *Physiotherapy Act* and ensure that all other statutory responsibilities of the College, its committees and its employees are upheld.
2. Understand the objects of the College and ~~the Council's definition of their direction~~ensure that it achieves them.
3. Establish rules of order for use during Council and committee meetings.
4. Review and approve College governance policies, regulations, by-laws, standards, ~~guidelines and position statements,~~Council policies and Committee policies.
5. Establish and promote the College's mission, vision and values.
6. Develop and approve the strategic direction of the College and monitor the work of Council and its committees to ensure ~~goal~~achievement of goals.
7. Use the College's strategic plan to direct its activities and allocate its resources by setting ~~broad~~ budget priorities, and approve budgets based on these priorities.
8. Receive reports from all statutory committees, non-statutory committees, task forces, the President and the Registrar.
9. Consider and recommend the legislative changes necessary for the College to meet its mandate.
10. Appoint the College Registrar and receive ~~an annual~~regular reports on the Registrar's performance.
11. Appoint the College auditor.
12. Annually elect the ~~College directors and officers~~President, Vice President, and members of the Executive Committee, and appoint ~~its~~the Chair and members of each College committees.
13. Establish non-statutory committees and task forces.
14. Develop, monitor and evaluate the governance, financial management and reporting frameworks of the College.
15. ~~Measure-Monitor~~ and evaluate on an ongoing basis whether the College is meeting its statutory mandate~~the College's performance related to its mandate and assess the College's achievement of stated goals and directions.~~
16. Make decisions respecting the appropriate sanctions for violation of the College's Code of Conduct.

Summary of changes:



- Added the requirement to be available to mentor and assist new Council member, based on the Working Group's earlier recommendation to move that content from the Code of Conduct into the governance policies.
- Removed the section related to conflict of interest as that is already addressed in detail in By-law 5.1.
- Removed the reference to committee term limits. Instead, the Working Group suggested that term limits be included in the Terms of Reference for each Committee.

Section:

Roles & Responsibilities

Policy #1.2

Title:

Role of a Council Member

Date approved:

June 2002

Date revised:

June 2006, June 2007, September 2009, February 2013

By-law references:

1. By-law sections 3, 5, Appendix A, Appendix C

Definition

Council members are either physiotherapists or members of the public. Physiotherapists are elected by their peers through district elections for the purpose of carrying out the self-regulatory function. Two academic members are selected by the academic community. Public members are appointed by the Lieutenant Governor in Council to bring the public perspective to Council discussions.

Primary Function

Council members are committed to the mandate of the College and bring individual perspective to collective decision making in the public interest. A council member is responsible for contributing fully to debates and decisions of Council and those committees on which they serve.

Specific Responsibilities

1. Serve on Council and at least one statutory committee to which they are appointed.
2. Serve on additional committees or task forces as required.
- ~~2.~~3. Attend required orientation(s).
- ~~3.~~4. Review all materials sent in advance for Council and Committee meetings and demonstrate a reasonably comprehensive knowledge of it.
- ~~4.~~5. Acquire and apply a working knowledge of the statutory requirements and policies related to their specific Statutory Committee(s).
- ~~5.~~6. Develop and maintain knowledge of the regulatory framework of the College and current issues facing Council.



- 7. Be available for meetings and attend them.
- ~~6-8. Be available to mentor and assist new Council members.~~
- ~~7-9. Contribute to Council and Committee discussions.~~
- 8-10. Raise issues in a respectful manner that encourages open discussion.
- 9-11. Demonstrate independent judgment through ~~his or her~~their willingness to voice concerns, take an independent stand or espouse an unpopular or controversial idea.
- ~~10-12. Understand, respect and adhere to the rules of order and the Code of Conduct as prescribed by Council.~~
- ~~11-13. Acquire a working knowledge of health system issues and financial issues relevant to the role of a Council member.~~
- ~~12-14. Raise matters arising in the broader environment for Council consideration for action.~~
- ~~13-15. Publicly support the decisions of Council providing rationale as requested.~~
- ~~14-16. Redirect matters to ~~college staff~~the President as appropriate.~~
- ~~15. If subject to a complaint that is relevant to their Council or Committee activity, declare a conflict of interest and, subject to the receipt of advice from legal counsel, the President, or the Registrar, withdraw from Council or committee participation until the matter has been disposed of.~~

Terms of Office

1. Elected Council members are eligible to serve a maximum of ~~three years in one term, three consecutive three year terms~~ to a maximum of nine consecutive years.
2. The appointment of Academic Council members is determined by By-law 3.2(4).
3. Public appointees serve terms as approved by the Lieutenant Governor.
4. Appointment to a statutory committee is one year renewable annually ~~in June to a maximum of nine times on any one Committee, except for the Executive Committee, which has a maximum of five, one year terms during any period of consecutive service on Council.~~



Summary of changes:

- Various changes for clarity and to align with current practice.

Section:	Roles & Responsibilities	Policy #1.3
Title:	Role of a Committee Chairperson	
Date approved:	June 2002	
Date revised:	June 2006, September 2007, September 2009, February 2013	

By-law references:

1. By-law sections 7.6, 7.7

Primary Function

The Committee Chairperson is a member of a statutory Committee, non-statutory Committee or task force and is appointed by Council to serve as Chairperson.

The Chairperson provides leadership and direction to the Committee or task force to ensure it fulfills its mandate. The Chairperson is accountable to Council through regular reporting on Committee activity and progress. The Chairperson collaborates with an identified senior staff person to facilitate the ongoing management of the Committee's work.

Specific Responsibilities

Committee or Task Force Chairpersons are expected to:

1. Provide direction and guidance to the Committee in keeping with its Council approved terms of reference and any related legislative responsibilities.
2. Utilize the Council selected rules of order, approved by-laws, ~~and~~ code of conduct and governance policies in overseeing Committee meetings.
3. Collaborate with appropriate staff to:
 - a. orient new Committee members;
 - b. develop the agenda;
 - c. identify policy issues for consideration by Council where appropriate;
 - d. prepare Committee reports and recommendations for presentation to Council;
 - e. develop objectives and long range plans for Committee consideration; and
 - f. identify budget and business plan implications for the Registrar.
4. Encourage broad respectful debate amongst members in achieving decisions or direction on Committee matters.



5. Manage Committee function and introduce strategies to resolve conflicts when they arise. When the issues are not manageable, consult with the President. Manage circumstances where Committee function is less than optimum, including introducing strategies to resolve conflicts which may arise. In such circumstances, consultation with the President may be of assistance.
6. Act as the principal spokesperson for the Committee in reporting to Council at all ~~general and annual~~ meetings.
7. Raise matters arising in the broader environment related to committee mandate for Council consideration for action.
8. Conduct regular evaluation of Committee members and processes to ensure high levels of performance.
9. Where a committee chair identifies a performance issue or concern with a committee member, inform the President in order to facilitate the ability of the President to manage the issue or concern appropriately.
10. Attend required orientation(s).
11. Be available to mentor and assist new Committee members.
- 9.12. To authorize a committee member to claim additional preparation time above what is allowed in the Honoraria and Expenses Policy.

Terms of Office

1. Committee Chairs are nominated by the Executive Committee and appointed annually by Council members at the ~~June annual general~~ meeting. The number of times a Council member can be appointed as a Chair to any particular Committee, ~~other than the Executive Committee,~~ is nine times.
2. Committee members may serve as Chair when it is in the best interest of the continuity of the ongoing work of the Committee.



Summary of changes:

- Changes to create consistency with Policy 1.2 (Role of a Council member).
- Change to Item 9 in recognition that not all matters discussed and decided at Committee are confidential in nature.

Section:	Roles & Responsibilities	Policy #1.4
Title:	Responsibility of a Non-Council Committee Member / Member of a Task Force and Advisory Groups	
Date approved:	June 2002	
Date revised:	June 2006, June 2007, March 2010, February 2013	

By-law references:

1. By-law section 7.5

Definition

Committee members and members of a Task Force or an Advisory Group are appointed in accordance with College By-laws and established selection criteria.

Primary Function

Committee members and members of a Task Force or an Advisory Group are working participants of Council statutory committees, task forces and advisory groups and facilitate the achievement of desired outcomes as approved by the Council.

Specific Responsibilities

1. Serve on the Committee, Task Force or Advisory Group to which they are appointed.
2. Attend ~~specific required~~ orientation-(s).
3. Review all materials sent in advance of meetings.
4. Acquire and apply a working knowledge of the statutory requirements, terms of reference, and policies related to the Committee, Task Force or Advisory Group.
- ~~5.~~ Be available for meetings and attend them.
- ~~5-6.~~ Be available to mentor and assist new Committee members.
- ~~6-7.~~ Raise issues in a respectful manner that encourages open discussion.
- ~~7-8.~~ Demonstrate independent judgment through ~~his or her~~their willingness to voice concerns, take an independent stand or espouse an unpopular or controversial idea.
- ~~8-9.~~ Understand, respect, and adhere to the rules of order and the Code of Conduct.



~~9.10.~~ 9.10. Maintain confidentiality of ~~all~~ matters discussed and ~~all~~ decisions made at Committee that are confidential in nature.

~~10. If subject to a complaint that is relevant to their Committee activity, declare a conflict of interest and, subject to the receipt of advice from legal counsel, the President, or the Registrar, withdraw from Council or committee participation until the matter has been disposed of.~~



Summary of changes:

- Several changes to the President’s duties to reflect their role as the senior most official of the College, and corresponding changes to how the President will work together with the Registrar.
- The Working Group suggested that the President’s role in nominating a person to serve as a director of the CAPR board be incorporated into this policy.
- In the Working Group’s discussion about Policy 8.2: Succession Planning, it was noted that a President can reach out to a past President for information and advice, the past President does not need to be a member of Council or Executive Committee for that to happen. The option to reach out to a past President should be articulated in the policy about the Role of the President.

Section:	Roles & Responsibilities	Policy #1.5
Title:	Role of President	
Date approved:	June 2002	
Date revised:	June 2006, June 2007, December 2009, December 2011, February 2013, March 2014	

Primary Function

The President is elected by Council to serve as its most senior officer in facilitating governance effectiveness and alignment with the mission and vision. For greater clarity, the President is the senior most official of the College. The President works effectively with the Registrar, acts as a key representative in public forums, and highlights Council’s stewardship role in the self-regulation of the profession.

Term

The President serves a one year term and is elected annually in March and takes office at the Annual General Meeting. An individual may hold this office twice during any period of consecutive service on Council. These appointments may be consecutive.

Specific Responsibilities

In addition to duties outlined in By-law 6.3(1), the President shall:

1. Provide direction to the Registrar on behalf of Council in between meetings of Council.
- ~~1.2.~~ Promote, in conjunction with Registrar, the establishment and evaluation of the College’s strategic plan.
- ~~2.3.~~ Collaborate-In coordination with the Registrar, to identify issues, develop objectives and establish priorities to be deliberated by the Council and oversee the planning, chairing and evaluation of all Council meetings including the annual meeting.



- ~~3.4.~~ Act as a signing authority for by-laws, regulations, contracts and cheques on behalf of the College as required.
- ~~4.5.~~ Serve as the Chair of the Executive Committee and participate on other Committees and Task Forces as directed by Council.
- ~~5.6.~~ Serve as a member of the Finance Committee.
- ~~7.~~ In ~~conjunction~~ coordination with the Registrar, represent the College at public functions and official liaison opportunities to promote the development of beneficial relationships with other organizations.
- ~~6.8.~~ Act as the key spokesperson of the College.
- ~~7.9.~~ Represent the College on external committees or representational opportunities or appoint a member of the Council to represent the Council in keeping with the by-laws or as directed by Council.
- ~~8.10.~~ _____ Receive all matters directed to the attention of Executive Committee and Council and review and determine, with the Executive Committee as appropriate, a best course of action on such matters related to the performance of committees or Councillors.
- ~~9.11.~~ _____ To develop the Council agenda and identify matters that should be discussed in camera.
- ~~10.12.~~ _____ Maintain awareness of activities and of issues facing the Council, external and internal to the College; and ~~in conjunction with the Registrar, including acting~~ as a key spokesperson on Council matters ~~as required~~ and the College.
- ~~11.13.~~ _____ On behalf of Council and in accordance with policy, negotiate the Registrar's contract and ~~coordinate~~ lead the Registrar's annual performance review.
- ~~12.14.~~ _____ Advise Councillors or committee members on issues relating to conflicts of interest in consultation with the ~~R~~Registrar and legal counsel as required.
- ~~15.~~ Establish an ongoing Councillor and non-council committee performance management system which includes providing individual Council members with performance feedback on an annual basis and managing any performance issues or concerns in accordance with the College's code of Conduct.
- ~~16.~~ Each year the College President, in consultation with the members of the Executive Committee, will nominate a person to serve as a director of the CAPR board.
- ~~17.~~ Monitor and manage all risk-related matters and periodically reports this information to Council.
- ~~18.~~ The President's duties also include other duties as defined in the College by-laws and these governance policies.
- ~~19.~~ In fulfilling these duties, the President may contact a past President for information, advice and guidance as needed.



Summary of changes:

- Changes to the Vice President's duties to correspond to proposed changes to the President's duties in Policy 1.5.

Section:	Roles & Responsibilities	Policy #1.6
Title:	Role of Vice President	
Date approved:	June 2002	
Date revised:	June 2006, June 2007, December 2011, February 2013, March 2014	

Primary Function

The Vice President is elected by Council to serve as an officer of the College and to assist and collaborate with the President in his/her role.

Term

The Vice President serves a one year term and is elected annually in March and takes office at the Annual General Meeting. An individual may hold this office twice during any period of consecutive service on Council. These appointments may be consecutive.

Subject to the election process, incumbents in the Vice President's role will typically take over the role of the President when the President has completed ~~his or her~~their term(s).

Responsibilities

In addition to duties outlined in By-law 6.3(2), the Vice-President shall:

1. In the absence of the President, perform the President's duties including:
 - ~~a.~~ provide direction to the Registrar on behalf of Council in between meetings of Council;
 - ~~a.b.~~ set the agenda and chairing Council and Executive Committee meetings;
 - ~~b.c.~~ acting as a signing officer of the College;
 - ~~d.~~ receiving and reviewing all matters directed to the attention of the Council
 - ~~e.~~ act as the key spokesperson of the College;
 - ~~e.f.~~ monitor and manage all risk-related matters and periodically report this information to Council; and
 - ~~d.g.~~ representing the College at public functions and official liaison opportunities.
2. Serve as a member of the Executive Committee and participate on other Committees and Task Forces as directed by Council.
3. Serve as a member of the Finance Committee.



4. As advised by the President ~~and the Registrar~~, develop ~~his or her~~their personal knowledge of the role and duties of the President in order to prepare to undertake this role.
5. Chair an appeal process where the Registrar has concerns or disagrees with the performance review process or the outcome. (Policy # 8.5– Registrar’s Performance Review).
6. Assist and advise the President ~~as requested~~in performing their duties.



Summary of changes:

- Changes to articulate the Registrar’s accountability relationship to Council and who will provide direction to the Registrar.
- Changes to the Registrar’s duties to correspond to changes to the President’s duties in Policy 1.5, such that the Registrar’s role is to support the President in fulfilling their role as the senior most official of the College

Section:	Roles & Responsibilities	Policy #1.7
Title:	Role of Registrar	
Date approved:	June 2002	
Date revised:	June 2006, March 2007, February 2013	

Definition

The Registrar is the principal staff member retained by Council to act as the College’s Chief Executive Officer.

Primary Function

The Registrar is the only employee of the Council, and reports to the President and to Council through and with approval of the President. If the Registrar and the President disagree about what should be reported to Council, the Registrar can consult the Vice President. The Registrar is subject to direction from Council and in between meetings, the direction from the President. The Registrar acts as a collaborative leader in the development and implementation of the College’s vision, mission, values and strategic goals. The Registrar is responsible for directing and managing the day to day operations of the College within ~~set~~ financial targets as set by Council. The Registrar hires and maintains an effective staff organization which includes providing timely and relevant policy and program information and recommendations to Council and its Committees. The Registrar fulfills the statutory mandate of the role and assists Council in meeting its governance and legislative obligations.

Specific Responsibilities

The Registrar is accountable for the following subsets of responsibilities:

1. Executive Leadership/Organizational Management
 - a. Plans and directs the organization’s activities to achieve stated/agreed targets and standards for legislative adherence, financial performance and culture.
 - b. Develops and implements strategy for operational management of the organization.
 - c. Implements processes to ensure continuous quality improvement of the organization and its activities.
 - d. Meets statutory obligations as defined by the Regulated Health Profession Act.



2. Financial, Risk and Facilities Management

- a. Recommends yearly budget for Council approval and prudently manages the College's resources within those budget guidelines according to current laws and regulations.
- b. Provides relevant, timely and complete financial information to facilitate informed decision making by Council.
- c. Sets risk assessment strategy with Council to ensure financial controls and compliance mechanisms are managed and monitored.
- d. Establishes a risk analysis and mitigation framework.
- e. Identifies, contains and resolves any issues where consequences could result in liability and damage to the organization.
- f. In coordination with the President, Monitors and manages all risk related matters and assists the President in preparing risk periodically reports ~~this information~~ to Council.
- g. Creates a safe and efficient work environment that supports the effective utilization of all resources.

3. Governance and Strategy

- a. Facilitates the coordination and implementation of regular review of strategic objectives of the organization including its vision, missions, values and goals.
- b. ~~With Assists~~ the President in their role to, enables the Council to fulfill its governance function.
- c. Supports operations and administration of the Council including advising and informing Council members, interfacing between Council and staff (through the President).
- d. ~~Collaborates with~~Provides support to the President in preparing Council and Executive Committee agendas, background information and materials.
- e. Collaborates with the President in identifying issues and trends relevant for Council consideration and potential action, including policy recommendations.
- f. Collaborates with the President to identify the skills that the Vice President requires to improve their capacity to serve as President and assists the Vice President to gain these skills in advance of their normal appointment as President.
- g. ~~Develops and i~~mplements a tactical plan to facilitate accomplishing defined strategic objectives and reports to Council on progress.
- h. Ensures operational systems support reporting (i.e. the Dashboard or other measures) and monitoring

4. Human Resource Management



- a. Effectively manages the human resources of the College according to personnel policies and procedures that fully conform to current laws and regulations.
 - b. Develops and maintains an effective staff organization and structure which provides appropriate policy and program recommendations for consideration by the Council and its committees, and which delivers services, programs and information consistent with the legislative framework and regulations that govern the College's functions.
5. Public Relations
- ~~a.~~ Supports the President in their role as the key spokesperson for the College ~~in collaboration with the President.~~
 - ~~a.b.~~ Ensures that any public statement and College communications that references Council's position is consistent with the official position of Council.
 - ~~b.c.~~ Maintains and develops organizational culture, values and reputation (always consistent with the direction of the President and Council) with the public, government, staff, registrants, stakeholders, partners and regulatory peers.
6. Other
- a. The Registrar must notify the President when they appoint a senior employee of the College to act as the interim Registrar during absences.



Summary of changes:

- The Working Group recommended removing this policy, except the process to annually nominate a person to serve as a director of the CAPR board, which should be incorporated into Policy 1.5 (Role of the President).

<u>Section:</u>	Roles & Responsibilities	Policy #1.8
Title:	Role of Canadian Alliance of Physiotherapy Regulators (CAPR) Board Nominee/Director	
Date approved:	March 20, 2018	
Date revised:		

~~By-law Reference~~

~~2.9—Membership in Associations~~

~~Primary Function~~

~~The CAPR director works with other members of the CAPR board by providing information and input on operational and regulatory matters in order to make decisions on CAPR's services and operations.~~

~~Specific Responsibilities~~

~~The CAPR director will, in conjunction with other members of the CAPR board:~~

- ~~1.—Develop industry standards and undertake projects on national and international issues related to physiotherapy.~~
- ~~2.—Support CAPR's role as a contract provider of evaluation services by providing guidance on operational issues relating to evaluation services.~~
- ~~3.—Support CAPR's coordinating role in regulatory standard and research services by providing regulatory advice and input into the process.~~
- ~~4.—Assist in decision making about how CAPR runs its own business.~~
- ~~5.—Provide guidance and strategic advice to assist CAPR fulfill its role.~~
- ~~6.—Provide information on operational and regulatory matters that are of importance to the College.~~

~~The CAPR director will understand their fiduciary duties and the potential for conflict of interest in their role and have the ability to set aside their personal and professional interests and manage any real, potential or perceived conflict of interest.~~



~~The CAPR director will have the relevant practical, operational and regulatory knowledge required to fulfil the role.~~

~~The CAPR director will accept that each regulator belonging to CAPR may make different contributions to its business.~~

~~The CAPR director will ensure that Council receives a regular report on non-confidential aspects of CAPR's activities.~~

Term of Office

~~Each year the College President, in consultation with the members of the Executive Committee, will nominate a person to serve as a director of the CAPR board.~~

~~The person nominated to serve as the director of the CAPR board will be chosen on the basis of:~~

- ~~• the skills and competencies required for the role by CAPR, and~~
- ~~• the person's ability to fulfil the responsibilities associated with the role.~~

~~The CAPR Board nominee must be approved by the CAPR board to serve as a member of the CAPR Board~~

~~Once approved, the CAPR director serves for a period of one year with the term being renewable.~~

~~The CAPR director will be reimbursed for honoraria and expenses as per relevant College policies.~~



Summary of changes:

- Changes to various duties to reflect current practice and statutory requirements.
- The Working Group suggested that term limits for Committees be removed from Policy 1.2 (Role of a Council Member) and be included in the Terms of Reference of each individual Committee.
- Removed sections in the document that duplicate content in the Code.

Section:	Terms of Reference	Policy #32.1
Title:	Inquiries, Complaints and Reports Committee	
Date approved:	March 2009	
Date revised:	June 2010, February 2013, September 2013	

Type

Statutory

Legislative / By-law References

1. Health Professions Procedural Code: 10, 11, 25, 25.1, 25.2, 26, 27, 28, 28.1, 29, 36, ~~37~~, 38, 54, 57, 58, 59, 60, 61, 62, 63, 64, 79
2. By-laws: 7.1(3)

Role

The role of the Inquiries, Complaints and Reports Committee (ICRC) is to investigate complaints and consider reports as per section 79 of the Code related to the conduct or action, competencies or capacity of registrants as it relates to their practicing the profession.

Accountability

Council

Duties

1. To investigate complaints, reports and inquiries filed with the Registrar regarding the conduct or actions of a registrant in accordance with the requirements of the legislation.
- ~~2.—To consider available prior decisions involving the registrant unless its decision was that the matter was frivolous and vexatious.~~
- ~~3.~~2. To consider investigation reports provided by the Registrar as per section 79 of the Code. Reports of this nature are generated by Registrar's inquiries, mandatory reports or referrals from the Quality Management Committee.
- ~~4.~~3. To make inquiries as to whether a registrant may be incapacitated as per sections 58 and 59 of the Code.



~~5.—To refer concerns about incapacity to the Fitness to Practise Committee.~~

~~6.4.~~ To dispose of complaints in accordance within to the timelines prescribed in the Code.

~~7.—To dispose of investigation reports in keeping with the guidelines established by the Council.~~

~~8.5.~~ To consider the need for interim orders and emergency appointments of an investigator where required.

~~9.6.~~ To dispose of complaints and investigation reports (mandatory reports, Registrar's Inquiries) in accordance with the Committee's powers as specified in the Code.

~~10. To issue to the parties a written decision with reasons.~~

~~11. To issue to the parties a notice of the right to request a review of the decision through the Health Professions Appeal and Review Board.~~

~~12.7.~~ _____ To consider the feedback provided, where available, To deliberate on matters returned from the Health Professions Appeal and Review Board as related to decisions of the ICRC or its predecessor.

~~13. To prepare regular reports to Council.~~

~~8.~~ To monitor environmental trends that are relevant to the mandate of the committee and inform Council of issues that are relevant.

~~14.9.~~ When needed, to develop policies on matters outside of the Committee's legislative decision-making authority and recommend them to the Executive Committee and Council for consideration and approval.

Composition

1. Committee

Composition of the Committee is determined by Section 7.1(3) of the College by-laws.

2. Panel

~~a.—Composition: The Chair may select a panel to review and decide complaint matters or reports received from the Registrar as per section 79 of the Code. The Chair may select a member of the Committee to act as lead of a panel.~~

Quorum: Quorum for panels of the Inquiries, Complaints and Reports Committee is indicated in section 25 (3) of the Code.

Term of Office

Appointment to the Inquiries, Complaints and Reports Committee is one year renewable annually to a maximum of nine consecutive times.



Summary of changes:

- Changes to various duties to reflect current practice and legislative requirements.
- Changes to improve clarity.
- The Working Group suggested that term limits for Committees be removed from Policy 1.2 (Role of a Council Member) and be included in the Terms of Reference of each individual Committee.
- Removed sections in the document that duplicate content in the Code.

Section:	Terms of Reference	Policy #32.2
Title:	Discipline Committee	
Date approved:	May 1995	
Date revised:	December 2003, December 2008, June 2010, September 2013	

Type

Statutory

Legislative / By-law References

1. Health Professions Procedural Code: 10, 11, 36 to 56, 70, 71, 71.1, 71.2, 73
2. By-laws: 7.1(4)

Role

The role of the Discipline Committee is to, through panels, hold hearings related to specified allegations concerning a registrant's conduct or competence and to determine whether the registrant has committed an act(s) of professional misconduct or is incompetent as defined in the legislation and/or regulation.

Accountability

Courts and Council

Duties

1. To hold hearings, by way of panels, on specified allegations of a registrant's conduct and/or competence referred by the Investigations, Complaints and Reports Committee, in accordance with the requirements of the legislation.
- ~~2. To issue to the parties a written decision with reasons at the conclusion of the proceedings.~~
- ~~3.2.~~ To consider applications from persons who are not parties to the hearing to participate in the hearing according to the circumstances defined in section 41.1 of the Code and to determine the extent of the participation.



- 4.3. To make orders excluding the public from a hearing or a part of a hearing in accordance with the circumstances defined in section 45 of the Code.
- 5.4. To make orders preventing public disclosure of matters discussed at the hearing in accordance with section 45 of the Code.
- 6.5. To, ~~upon request of a witness in a sexual abuse case,~~ make an order, upon request of a witness in a sexual abuse case, that no person shall publish the identity of the witness in accordance with section 47 of the Code.
6. ~~To make an order(s) for penalty and/or costs,~~ when a registrant has been found to have committed an act of professional misconduct or to be incompetent, ~~make an order(s) for penalty or costs~~ in accordance with section 51, 54, 53, and 53.1 of the Code.
7. To consider the need for interim orders where required.
8. When needed, to develop policies on matters outside of the Committee's legislative decision-making authority and recommend them to the Executive Committee and Council for consideration and approval.
9. ~~To have decisions and reasons, or a summary of decisions and reasons published in the College's annual report.~~
10. ~~To monitor environmental trends that are relevant to the mandate of the committee and inform Council of issues that are relevant.~~
11. ~~To prepare regular reports to Council.~~

Composition

1. Committee

Composition of the Committee is determined by Section 7.1(4) of the College by-laws.

2. Panel

The Chair of the Discipline Committee shall select a panel from among the members of the Committee to hold a hearing of any matter referred to the Committee.

- a. Composition: In the event that the Chair selects a five member panel, at least two of the members shall be persons appointed to the Council by the Lieutenant Governor in Council and at least one member shall be a professional member on the College Council.
- b. Quorum: Quorum for panels of the Discipline Committee is indicated in subsection 38 (5) of the Code.



Term of Office

Appointment to the Discipline Committee is one year renewable annually to a maximum of nine consecutive times.



Summary of changes:

- Changes to various duties to reflect current practice and statutory requirements.
- Changes to improve clarity.
- Change to the term of office.

Section:

Terms of Reference

Policy #32.3

Title:

Executive Committee

Date approved:

February 2002

Date revised:

June 2003, June 2006, September 2007, March 4, 2009 in effect June 2009, June 2010, September 2010, September 2011, October 2012, February 2013, September 2013, March 2014, March 2015

Type

Statutory

Legislative / By-law References

1. Health Professions Procedural Code: 10, 11, 12
2. By-laws: 7.1(1)

Role

The role of the Executive Committee is to provide leadership to Council, to promote governance excellence at all levels, to facilitate effective functioning of the College, to act on behalf of Council between meetings with respect to matters that, in the Committee's opinion, require immediate attention, and when required, to reconstitute itself as the College Privacy Committee to deal with appeals regarding the manner in which personal information is managed by the College.

Accountability

Council

Duties

1. Governance Excellence
 - a. To regularly monitor, evaluate and recommend practices that will promote and enhance overall governance excellence at both the level of Council and Committee.
 - ~~a.b.~~ To provide oversight on individual and general education of Council and Committee members.
 - ~~b.~~ To determine which Councillors should be encouraged to participate in educational opportunities.



- ~~c. To determine which Councillors should be funded to attend the educational conferences that the College targets for Councillor's attendance each year by assessing applications for funding.~~
2. Administrative Matters
- a. Without unduly exercising Council's authority, to exercise all the powers of Council between Council meetings with respect to matters that, in the Committee's opinion, require immediate attention. Exceptions include the power to make, amend or revoke regulations or by-laws, or where policy dictates limitations.
 - b. To report to Council on all decisions in which the Committee exercised the Council's authority.
 - c. To ~~regularly~~ review by-laws, governance policies, and the College's official documents to ensure currency and the need for Council review.
 - d. To recommend the Committee, task force or advisory group slate for presentation and approval by Council.
 - e. To provide direction and support to committees and Council as requested.
 - ~~e.f.~~ To act as the advisory panel to the President.
 - ~~f.~~ To seek candidates for the annual College awards program and consider all applications/nominations for recommendation to Council.
3. Policy Development
- a. To maintain current awareness of issues that affect the College's mandate and strategic direction and to provide recommendations and advice to Council on such matters.
 - ~~b.~~ To direct the College's strategic planning process and monitor related College and committee activities to ensure consistency with the stated direction.
 - ~~e.b.~~ To provide guidance and support, as requested, to policy development or operational projects at staff, task force or committee level and to make recommendations to Council with respect to policy direction, as required.
4. Working with the Registrar
- a. To provide guidance and support to the Registrar.
 - ~~a.b.~~ To provide direction to the Registrar on matters that require immediate attention in between meetings of Council.
 - ~~b.c.~~ To receive and adjudicate grievances of staff reporting to the Registrar.
 - ~~e.d.~~ To ensure that the Registrar is involved in the annual performance review of the Registrar ~~is completed~~.



- ~~d.e.~~ To ensure the employment contract of the Registrar and any related amendments are confirmed by Council.
5. College Privacy Committee
 - a. To reconstitute itself as the College Privacy Committee to deal with appeals regarding the manner in which personal information is managed by the College, including concerns regarding an individual's request for access to ~~his or her~~their personal information.
 6. Registrar's Performance Review Panel
 - a. To reconstitute itself as the Registrar's Performance Review Panel in order to gather and assemble feedback about the Registrar's performance and to provide a recommendation to Council as to the outcome of the Registrar's annual performance ~~assessment~~review.

Composition

Composition of the Committee is determined by Section 7.1(1) of the College by-laws.

Term of Office

Appointment to the Executive Committee is one year renewable annually ~~in June to a maximum of five times in any period of consecutive service on Council.~~



Summary of changes:

- Changes to various duties to reflect current practice.
- The Working Group suggested that term limits for Committees be removed from Policy 1.2 (Role of a Council Member) and be included in the Terms of Reference of each individual Committee.

Section:	Terms of Reference	Policy #<u>32</u>.4
Title:	Fitness to Practise Committee	
Date approved:	September 1995	
Date revised:	December 2003, December 4, 2008, March 4, 2009, in effect June 2009, June 2010, September 2013	

Type

Statutory

Legislative / By-law References

1. Health Professions Procedural Code: 10, 11, 61, 62, 64, 65, 66, 67, 68, 69, 70, 71, 72 and 73
2. By-laws: 7.1(5)

Role

The role of the Fitness to Practise Committee is, through panels, to hold hearings related to specified allegations concerning a registrant's capacity to practice the profession and to determine whether the registrant is an incapacitated member of the profession as defined in the legislation.

Accountability

Courts and Council

Duties

1. To hold hearings, by way of panels, on specified allegations concerning a registrant's capacity to practice the profession as referred by the Investigations, Complaints and Reports Committee.
2. ~~To, if~~ When a panel finds a registrant to be an incapacitated registrant, make orders in accordance with section 69 of the Code.
3. To issue to the parties a written decision with reasons at the conclusion of the proceedings.
4. When needed, to develop policies on matters outside of the Committee's legislative decision-making authority and recommend them to the Executive Committee and Council for consideration and approval.
5. ~~To monitor environmental trends that are relevant to the mandate of the committee and inform Council of issues that are relevant.~~



~~6.—To prepare regular reports to Council.~~

Composition

1. Committee

Composition of the Committee is determined by section 7.1(5) of the College by-laws.

2. Panel

The Chair of the Fitness to Practise Committee shall select a panel from among the members of the Committee to hold a hearing of any matter referred to the Committee by the Investigations, Complaints and Reports Committee.

- a. Composition: A panel shall be composed of at least three persons, at least one of whom shall be a person appointed to the Council by the Lieutenant Governor in Council.
- b. Quorum: Quorum for panels of the Fitness to Practise Committee is indicated in subsection 64 (3) of the Code.

Term of Office

Appointment to the Fitness to Practise Committee is one year renewable annually to a maximum of nine consecutive times.



Summary of changes:

- Changes to the list of duties to reflect current practice.
- The Working Group suggested that term limits for Committees be removed from Policy 1.2 (Role of a Council Member) and be included in the Terms of Reference of each individual Committee.

Section:	Terms of Reference	Policy #32.5
Title:	Patient Relations Committee	
Date approved:	August 1994	
Date revised:	September 2002, December 2008, December 2010, September 2013	

Type

Statutory

Legislative / By-law References

1. Health Professions Procedural Code: 10, 11, 84, 85, 85.7
2. By-laws: 7.1(7)

Role

The role of the Patient Relations Committee is to advise Council with respect to the patient relations program and to administer the program to provide funding for therapy and counseling.

Accountability

Council

Duties

1. To develop, implement, and evaluate measures for preventing and dealing with the sexual abuse of patients as defined in the RHPA, Section 84(3). These measures include:
 - a. educational requirements for registrants; and
 - b. guidelines for the conduct of registrants with their patients;~~;~~
 - ~~c. training for the College's staff, Council and non-Council members; and~~
 - ~~d. provision of information to the public.~~
- ~~2. To develop, implement and evaluate College policy and resources related to the prevention of other forms of abuse including physical, verbal, emotional and financial and maintenance of professional boundaries, as directed by Council.~~



~~3.2.~~ To review applications for funding for therapy and counseling from sexual abuse victims and determine eligibility.

~~4.3.~~ To administer the Therapy and Counseling Fund.

~~5.4.~~ To ~~monitor and~~ advise Council with respect to the College's Patient Relations Program.

~~6.5.~~ When needed, to develop policies on matters outside of the Committee's legislative decision-making authority and recommend them to the Executive Committee and Council for consideration and approval.

~~7.~~ To monitor environmental trends that are relevant to the mandate of the committee and inform Council of issues that are relevant.

~~8.~~ To prepare regular reports to Council.

Composition

Composition of the Committee is determined by section 7.1(7) in the College's by-laws.

Term of Office

Appointment to the Patient Relations Committee is one year renewable annually to a maximum of nine consecutive times.



Summary of changes:

- Change to the Committee's name and role description to align with the Code.
- Changes to the list of duties to reflect current practice.
- The Working Group suggested that term limits for Committees be removed from Policy 1.2 (Role of a Council Member) and be included in the Terms of Reference of each individual Committee.
- Removed sections in the document that duplicate content in the Code.

Section:	Terms of Reference	Policy # 32 .6
Title:	Quality Management Assurance Committee	
Date approved:	October 1994	
Date revised:	January 2003, June 2006, July 2008, March 2009, September 2013	
Date confirmed:	June 2011	

Type

Statutory

Legislative / By-law References

1. Health Professions Procedural Code: 10, 11, 80, 80.1, 80.2, 81, 82, 83, 83.1
2. By-laws: 7.1(6)

Role

The role of the Quality ~~Management Assurance~~ Committee is to administer the College's Quality ~~Management Assurance~~ program as defined in section 80.1 of the Code ~~that is intended to assure the quality and safety of professional practice and promote continuing competence among the registrants.~~

Accountability

Council

Duties

1. To administer the Quality ~~Management Assurance~~ Program as defined in Section 80.1 of the Code ~~that is intended to assure the quality and safety of professional practice and promote continuing competence among the registrants.~~
2. To evaluate and recommend improvements to the Quality ~~Management Assurance~~ Program for Council consideration.
3. To appoint assessors ~~and Practice Enhancement coaches~~ to assess a member's practice and prepare a report for submission to the Committee.



4. To make decisions regarding registrants who participate in the Quality Management Assurance Program in accordance with section 80.2 of the Code.
- ~~5. To direct the Registrar to impose terms, conditions or limitations for a period to be determined by the Committee on the certificate of registration of a member in accordance with the legislation and the program's framework.~~
- ~~6. To direct the Registrar to remove terms, conditions or limitations before the end of the specified period, if the Committee is satisfied that the member's knowledge, skill and judgment are satisfactory.~~
- ~~7.5.~~ To monitor environmental trends that are relevant to the mandate of the committee and inform Council of issues that are relevant.
- ~~8.6.~~ To prepare regular reports to Council.
- ~~9.7.~~ When needed, to develop policies on matters outside of the Committee's legislative decision-making authority and recommend them to the Executive Committee and Council for consideration and approval.

Composition

Composition of the Quality Management Assurance Committee is defined by Section 7.1(6) of the College's by-laws.

Term of Office

Appointment to the Quality Assurance Committee is one year renewable annually to a maximum of nine consecutive times.



Summary of changes:

- The Working Group suggested that term limits for Committees be removed from Policy 1.2 (Role of a Council Member) and be included in the Terms of Reference of each individual Committee.
- Removed sections in the document that duplicate content in the Code.

Section:	Terms of Reference	Policy #32.7
Title:	Registration Committee	
Date approved:	April 1996	
Date revised:	June 2003, June 2006, June 2008, June 2010, September 2013	

Type

Statutory

Legislative / By-law Reference

1. Health Professions Procedural Code: 10, 11, 15, 17, 18, 19, 20, 21, 22, 23
2. By-laws: 7.1(2)

Role

The role of the Registration Committee is to make decisions on registration applications that do not meet the criteria for issuance of a certificate of registration by the Registrar and to ensure that processes related to entry are fair, transparent and objective.

Accountability

Council

Duties

1. To consider applications referred to it by the Registrar, ~~when the Registrar:~~
 - ~~a. has doubts on reasonable grounds, about whether the applicant fulfills the registration requirements;~~
 - ~~b. is of the opinion that terms, conditions or limitations should be imposed on a certificate of registration of the applicant and the applicant does not consent to the imposition; or~~
 - ~~c. proposes to refuse the application.~~
2. To review applications from registrants who apply for removal or modification of any term, condition or limitation imposed on their certificate.
3. To make decision regarding applications in accordance with the Committee's powers as specified in the Code.



- ~~3. To issue written orders/reasons for decision regarding all applications referred to it and ensure that applicants are apprised of their right to a review or hearing by the Health Professions Appeal and Review Board.~~
4. To monitor environmental trends that are relevant to the mandate of the committee and inform Council of issues that are relevant.
5. To monitor and advise Council with respect to the College's registration program.
6. To prepare regular reports to Council.
7. When needed, to develop policies on matters outside of the Committee's legislative decision-making authority and recommend them to the Executive Committee and Council for consideration and approval.

Composition

1. Committee:

Composition of the Registration Committee is defined by Section 7.1(2) of the College by-laws.

2. Panel:

- a. Composition: Composition of a panel of the Registration Committee is defined by Section 17 (2) of the Code.
- b. Quorum: Quorum for a panel of the Registration Committee is defined by Section 17 (3) of the Code.

Term of Office

Appointment to the Registration Committee is one year renewable annually to a maximum of nine consecutive times.



Summary of changes:

- Changes to improve clarity.
- The Working Group suggested that term limits for Committees be removed from Policy 1.2 (Role of a Council Member) and be included in the Terms of Reference of each individual Committee.
- Previously there was no term limit defined for appointment to the Finance Committee; the Working Group agreed to use the same term limit as statutory committees for consistency.

Section:	Terms of Reference	Policy #32.8
Title:	Finance Committee	
Date approved:	December 2010	
Date revised:	September 2011, October 2012, February 2013, September 2013	

Type

Non-Statutory

Legislative/By-law References

By-laws 7.3(1)

Role

The role of the Finance Committee is to monitor ~~significant~~ financial planning, management and reporting matters of the College, to make recommendations and deliver reports to Council, and to serve as the College's audit committee.

Accountability

Council

Duties

1. To make recommendations for Council approval and/or deliver reports to Council in the following areas:
 - a. Annual operating and capital budget;
 - b. Annual audited financial statements;
 - c. Appointment of auditors; and
 - d. Policies related to financial management.
2. To report to Council at each Council meeting on:
 - a. ~~Significant~~ Financial planning, management and reporting issues;



- b. Interim financial reports;
 - c. Reports from auditors and administration on internal control issues; and
 - d. Other matters.
3. To monitor environmental trends that are relevant to the mandate of the committee and inform Council of issues that are relevant.
4. To serve as the Audit Committee:
- a. To review the audited annual financial statements, in conjunction with the report of the external auditors, and obtain an explanation from management of:
 - i. all ~~significant~~ variances between comparative reporting periods;
 - ii. a response to any identified weakness; and
 - iii. observations related to the financial efficiency and future viability of the organization.
 - b. To enquire into the ~~major~~ financial risks faced by the organization, and the appropriateness of related controls to minimize their potential impact.
 - c. To discuss with the auditor any recommended changes to the existing accounting policies and practices.
 - d. To meet privately with the external auditors (without the presence of management) and with senior management (without the external auditors) to obtain full ~~and frank~~ disclosure about any concerns with the audit process prior to the Council meeting at which the audited statements are received.
 - e. To recommend, when appropriate, approval of the audited financial statements to the Council.
 - f. To annually evaluate the performance of the external auditors and recommend to the Council the appointment or changes to the appointment of a firm of chartered accountants as the organization's external auditors.
 - g. To oversee, ~~through the Director, Corporate Services,~~ the tendering for an audit firm, when directed by Council.
5. When needed, to develop finance policies and recommend them to the Executive Committee and Council for consideration and approval.

Composition

Composition of the Finance Committee is defined by Section 7.1(1) of the College's by-laws.



Term of Office

Appointment to the Finance Committee is one year renewable annually to a maximum of nine consecutive times.



Summary of changes:

- The Working Group recommended changes to this process where individuals only need to sign the confidentiality undertaking once when they start their role with the College, and to add a requirement to annually review the confidentiality obligations.

Section:	Confidentiality	Policy #43.1
Title:	Confidentiality – General	
Applicable to:	Councillors, members of statutory committees, non-statutory committees, task forces, advisory groups, staff, and any agents of the College acting in any capacity	
Date approved:	June 2006 (Replaced previous 4.6, Confidentiality of Council Information, Rescinded, June 2006)	
Date revised:	March 2010, February 2013	

Policy

Councillors, members of statutory committees, non-statutory committees, task forces, advisory groups, staff, and any agents of the College acting in any capacity shall acknowledge and adhere to the confidentiality provisions set out in Sections 36 of the Regulated Health Professions Act, and Section 83 of the Health Professions Procedural Code.

Procedure

1. ~~On an annual basis,~~ Every person to whom this policy applies will review the confidentiality provision set out in the RHPA and sign a confidentiality undertaking, provided by the College, indicating that they have read, understood and are willing to comply with the confidentiality requirements that apply to their activities on behalf of the College.

1.2. On an annual basis, every person to whom this policy applies will review the confidentiality provision set out in the RHPA.



The Working Group directed staff to re-draft this policy so that it is clearer and more succinct.

It was also noted that the Privacy Code referred to in the policy will need to be reviewed and updated as well.

This review and re-drafting is in progress. An updated version of this policy will be available at the Council meeting

Section:	Confidentiality	Policy #4.33.2
Title:	College Privacy Code – Requests for Access or Corrections and Compliance Concerns	
Date approved:	September, 2010	
Date revised:		

Policy

The College will consider requests for access or corrections to College-held personal information or concerns regarding non-compliance with the College's voluntary Privacy Code in keeping with the process laid out in this document.

Procedures – Non-Compliance

1. General
 - a. Concerns related to alleged non-compliance with the College's voluntary Privacy Code by College staff, agents or Council members must be submitted to the College in writing (or some generally equivalent recorded method).
 - b. The responsibility to review concerns will rest with the Privacy Officer.
 - c. A decision made by the Privacy Officer is appealable to the College's Privacy Committee.
 - d. Except as a result of unforeseen circumstances, the College will resolve concerns related to alleged non-compliance within 30 days.
2. Privacy Officer
 - a. The Associate Registrar, Policy is designated as the College's Privacy Officer.
 - b. Upon receipt of a concern, the Privacy Officer will:
 - i. provide written notice of the receipt of the concern to the College Registrar, and
 - ii. acknowledge the receipt of the concern to the person who expressed it.
 - c. The Privacy Officer will review the concern based on the following considerations:
 - i. the expectations outlined in the College's voluntary Privacy Code;



- ii. relevant College policies and/or procedures;
 - iii. relevant statutes of Ontario and Canada; and
 - iv. relevant extenuating circumstances.
 - d. In circumstances where the College review indicates that non-compliance with the Privacy Code occurred, the College will immediately take appropriate measures to rectify the situation. This may include:
 - i. Ceasing or beginning certain actions,
 - ii. Changing its privacy practices, or
 - iii. Issuing an apology.
 - e. Upon completion of the review, the Privacy Officer will provide a written decision to the individual who identified the concern.
 - f. The written decision will include as a minimum:
 - i. the decision;
 - ii. the reasons for the decision;
 - iii. an indication of the steps that the College has taken or will take to rectify the situation; and
 - iv. a notice that the decision may be appealed to the College Privacy Committee.
3. Privacy Committee
- a. Upon receipt of an appeal to a decision, the Privacy Committee will acknowledge the receipt of the appeal to the individual making the appeal.
 - b. The Privacy Committee will review the appeal based on the following considerations:
 - i. the expectations outlined in the Privacy Code;
 - ii. relevant College policies and/or procedures;
 - iii. relevant statutes of Ontario and Canada;
 - iv. the previous review of the matter by the Privacy Officer; and
 - v. relevant extenuating circumstances.
 - c. In circumstances where the Privacy Committee review indicates that non-compliance with the Privacy Code occurred, the Committee will direct the College to immediately take appropriate measures to rectify the situation. This may include directing the College to:
 - i. Cease or begin certain actions;



- ii. Change its privacy practices; or
 - iii. Issue an apology.
- d. Upon completion of the appeal, the Privacy Committee will provide a written decision to the person who made the appeal.
- e. The written decision will include as a minimum:
 - i. the decision;
 - ii. the reasons for the decision; and
 - iii. an indication of the steps that the College was directed to take to rectify the situation.

Procedures – Access to/Correction of Personal Information

1. General

- a. Requests for access to, or corrections of, personal information must be submitted to the College in writing (or some generally equivalent recorded method).
- b. The responsibility to review requests for access to, or corrections of, personal information will rest with the Privacy Officer.
- c. A decision made by the Privacy Officer is appealable to the College's Privacy Committee.
- d. Except as a result of unforeseen circumstances, the College will resolve requests for access or corrections within 30 days.

2. Privacy Officer

- a. Upon receipt of a request from an individual to access or correct personal information, the Privacy Officer will:
 - i. provide written notice of the receipt of the request to the College Registrar, and
 - ii. acknowledge receipt of the request to the person who made it.
- b. The Privacy Officer will review the request to determine if access or correction could reasonably be expected to interfere with the administration or enforcement of the Legislation or if it impracticable or impossible for the College to retrieve the information².
- c. Following the review of the request, the College will make a decision on the matter. The decision would indicate the College's intent to do one or more of the following:
 - i. Permit or deny access;

² The Privacy Code includes a number of these circumstances.



- ii. Permit or deny correction;
 - iii. Refer the individual to the person or organization that created the record;
 - iv. Amend the information through correction; or
 - v. Impose a fee to provide access to the information.
 - d. Upon completion of the review, the Privacy Officer will provide a written decision to the individual who made the request.
 - e. The written decision will include as a minimum:
 - i. the decision;
 - ii. the reasons for the decision³; and
 - iii. a notice that the decision may be appealed to the College Privacy Committee.
3. Privacy Committee
- a. Upon receipt of an appeal to a decision, the Privacy Committee will acknowledge the receipt of the appeal to the individual who is making the appeal.
 - b. The Privacy Committee will review the request to determine if access or correction could reasonably be expected to interfere with the administration or enforcement of the Legislation or if it is impracticable or impossible for the College to retrieve the information⁴. The prior review of the request by the Privacy Officer will be considered as a component of this review.
 - c. Following the review of the request, the Privacy Committee will make a decision on the matter. The decision will direct the College to do one or more of the following:
 - i. Permit or deny access;
 - ii. Permit or deny correction;
 - iii. Refer the individual to the person or organization that created the record,
 - iv. Amend the information through correction or addition⁵; or
 - v. Impose a fee to provide access to the information.
 - d. Upon completion of the review, the Privacy Committee will provide a written decision to the individual who made the request.
 - e. The written decision will include as a minimum:

³ Except in circumstances where providing reasons may compromise the ability of the College to administer the Legislation.

⁴ The Privacy Code includes a number of these circumstances.

⁵ This would require that the individual requesting the correction be able to successfully demonstrate that personal information of a factual nature was inaccurate or incomplete.



- i. the decision; and
 - ii. the reasons for the decision, (except in circumstances where providing reasons may compromise the ability of the College to administer the Legislation).
4. Privacy Committee – Procedural Considerations
 - a. The function of the Privacy Committee is to review appeals to College decisions on personal information matters including:
 - i. non-compliance with the College Privacy Code;
 - ii. requests to access personal information held by the College; or
 - iii. requests to correct personal information held by the College.
 - b. Meetings of the College Privacy Committee will be scheduled to occur during meetings of the College Executive Committee.
 - c. Meetings of the Privacy Committee will have their own:
 - i. notice of meeting;
 - ii. agenda; and
 - iii. minutes.
 - d. The Chair of the Executive Committee will serve as the Chair of the Privacy Committee.
 - e. At the beginning of any Executive Committee meeting at which a Privacy Committee meeting is scheduled, the Chair will seek the agreement of the committee members as to the appropriate time for the Privacy Committee to conduct its business.
 - f. At the agreed upon time the Executive Committee would conclude or recess its meeting and the meeting of the Privacy Committee would occur.
 - g. At the conclusion of the Privacy Committee meeting, the Chair would announce either that the Executive Committee meetings would resume or that the meetings for the day were concluded.

Definitions

1. *Privacy Committee*: The Executive Committee of the College when it is constituted to deal with appeals regarding the manner in which personal information is managed by the College, including concerns regarding an individual's request for access to ~~his or her~~their personal information.



Summary of changes:

- Minor edits for clarity and to align with current practice.
- The Working Group has suggested a number of changes to the honoraria and expenses rules.
- Updates to the rates and added information about how they are updated or benchmarked.

Section:	Finance	Policy #54.1
Title:	Honoraria and Expenses	
Applicable to:	Councillors who are members of the profession⁶, committee members, members of task forces and working groups, where applicable, staff	
Date approved:	March, 2015	
Date revised:	December 2017, April 2018	

Legislative References

None

Policy

Honoraria are paid to Councillors who are members of the profession; non-Council committee members; ~~and~~ members of task forces and working groups; and College assessors² for participating in activities that are relevant to College business. This includes attending scheduled meetings (including teleconferences and meetings involving deliberations) or participating in other assigned activities ~~(e.g. decision writing or attending College-mandated education sessions)~~. Honoraria are also paid for the time spent travelling to and from College business and the time spent preparing for meetings. Payments are made on the basis of the rules and the rates in this policy.

Eligible expenses are reimbursed to Councillors who are members of the profession; non-Council committee members; members of task forces and working groups; College assessors; and, where applicable, staff, when they are incurred while conducting College business. Reimbursement is made on the basis of the rules and the rates in this policy.

~~In order to maintain currency the Policy on~~ Honoraria rates are updated annually geared to the Cost of Living Allowance (COLA) and rates for expenses is to will be reviewed biennially by the College's Executive Committee.

⁶ Councillors who are appointed to Council by the Lieutenant Governor (public appointees) are paid by the government and as such the rules for their compensation and expenses are established and monitored by the Ministry of Health and Long-Term Care.

⁷ Except for assessment fees which are defined outside of this policy.



Procedure

1. Claims for honoraria or expenses ~~are to~~must be submitted to the College within 30 calendar days of the activity that resulted in the claims.
- ~~1.2.~~ Claims not submitted within 30 days will be referred to the President for appropriate follow-up.
- ~~2.3.~~ Claims should be submitted to the College through Corporate Services.
- ~~3.4.~~ Corporate Services will seek approval of the claim from the director or manager with oversight for the activity that resulted in the claims.
- ~~4.5.~~ Once approved, all claims are to be submitted to the ~~Director, Corporate services~~Accounting Coordinator.
- ~~5.6.~~ The College will endeavor to pay claims within one month of receiving them.
- ~~6.7.~~ Any discrepancies between what this policy permits and claims will be addressed with the claimant by the ~~Director, Corporate Services~~Registrar.

NOTE: Claims for time are considered to be taxable income by the Canada Revenue Agency and as such are processed through the College's payroll office. In keeping with Canada Revenue Agency Rules, the College will annually prepare and provide T4As to those who claim time-based honoraria from the College.

Definitions

1. *Honoraria/Honorarium*: An honorarium is a payment for time spent on College-related business. Honoraria are composed of per diems, travel time and preparation time.
2. *Per Diem*: A per diem is a payment to someone for time spent working or attending meetings for the College. Per diems are paid on a daily or hourly basis, consistent with the rules and the rates in this policy. They are based on a full day being seven hours of work.
3. *Travel Time*: Travel time is a payment to someone for time spent getting to and from College-related business. Travel time is paid on an hourly basis, consistent with the rules and the rates in this policy.
4. *Preparation Time*: Preparation time is a payment to someone for time spent getting prepared for College-related business. Preparation time is paid on an hourly basis, consistent with the rule and the rates in this policy.

Rules for Honoraria

1. General
 - a. A daily claim for honoraria may include any or all of per diems, travel time and/or preparation time in keeping with the rules and rates in this policy.



- b. Teleconferences are meetings and are therefore considered to be time that may be claimed.
- c. Honoraria will be paid to people who are requested by the College to attend a function for representation or education purposes.
- d. Honoraria rates are to be updated annually at the beginning of each fiscal year to adjust for a Cost of Living Allowance (COLA) and this update will be communicated via email once new rates are established

2. Per Diem - General

- a. For meetings that are three hours or less in duration, the actual number of full or partial hours up to a maximum of three hours may be claimed.
- b. For meetings that are more than three hours in duration, the full day per diem may be claimed. This is the maximum per diem time that may be billed in any one day although other types of honoraria (travel or preparation time) may be claimed for the same day or meeting.
- c. If a meeting or function is cancelled without at least 48 hours notice, those who were scheduled to attend may claim up to three hours per diem.

~~e.d.~~ Per diems will not be paid for College activities that have been compensated by one's employer.

~~3. Per Diems – Councillor/Committee/Task Force Member~~

- ~~a. Meetings involving deliberation of a panel will be considered to be scheduled meetings and are eligible for per diems.~~
- ~~b. Time spent writing decisions will be paid the hourly per diem rate. The amount of time people can bill for decision writing will be determined by the chair of the panel.~~
- ~~c. Per diems for Councillor/committee/task force members are paid in accordance with the rate section of this policy.~~

4.3. Per Diem - Chairs

- a. Committee chairs are paid a higher per diem rate when they are acting in the capacity of the chair at a scheduled meeting.
- b. A chair's participation in any other College activity is remunerated at the Councillor/committee/task force member per diem rate.
- c. Per diems for chairs are paid in accordance with the rate section of this policy.

5.4. Per Diem - President



- a. The President may claim for the time ~~he or she~~they spends performing the duties of the President at the rate a committee chair receives.
- b. A President's participation in any other College activity is remunerated at the Councillor/committee/task force member per diem rate.
- c. Per diems for chairs are paid in accordance with the rate section of this policy.

6.5. Preparation Time

- a. The time billed for preparation should be less than or equal to the time billed for the meeting. (e.g.:
 - i. For meetings of up to three hours duration, the maximum preparation time is three hours.
 - ii. For meetings of more than three hours duration that have been billed for seven hours, the maximum preparation time is seven hours).
- b. When a committee member requires more time for preparation than is permitted under a., the committee member may ask the committee chair to authorize additional preparation time.
- c. When a committee chair requires more time for preparation than is permitted under a., a request for additional preparation time may be approved by the ~~program manager~~President.
- d. There are no restrictions on the number of requests for additional preparation that a committee member or chair may make.
- e. Preparation time is paid in accordance with the rate section of this policy.

7.6. Travel Time

- a. The first hour of travel each way is not subject to reimbursement.
- b. Travel time should be billed in increments of one half hour.
- c. A maximum of six hours travel time may be billed in any day.
- d. Time spent travelling is calculated from the time at which the trip begins/ends (i.e. home or place of employment) and the first/last point of business.
- e. Travel time is paid in accordance with the rate section of this policy.

Rules for Expenses

8.7. Expenses General



- a. Detailed itemized invoices or receipts are required for all expense claims⁸.
- b. Invoices and or receipts must include a description of the goods purchased or services rendered, the cost, taxes and if applicable, HST Registration Number⁹.

9-8. Travel Expense

- a. Travel includes:
 - i. Economy airfare for flights ~~of six hours duration or less;~~
 - ii. ~~Business class airfare for flights of six hours duration or more;~~
 - iii. ii. Economy class train fare for trips of ~~three two~~ hours or less;
 - iv. iii. First class train fare for trips of greater than ~~three two~~ hours;
 - v. iv. Local public transportation;
 - vi. v. Taxi; or
 - vii. vi. Use of a personal automobile.
- b. The cost of the most economical or practical mode of travel may be claimed unless other means are more practical and this is evident from the explanation on the claim form¹⁰.
- c. Local taxis may be used when warranted by expedience and practicality.
- d. Travel expenses incurred in traveling to/from home or place of employment, or to/from the point of business and public transportation terminal may be claimed when they are part of a larger journey.
- e. An allowance per kilometer will be paid for the use of a personal automobile in accordance with the rate section of this policy.

10-9. Accommodation

- a. Where overnight stays are required, the cost of the standard room rate at a conveniently located hotel will be reimbursed. Additional costs for upgrades to premium or larger rooms are not covered.
- b. For ~~single day~~ meetings in Toronto, hotel accommodation will be provided to individuals who reside beyond a ~~40-25~~ kilometer radius of the meeting site.

⁸ Credit card receipts or statements do not provide sufficient detail to process expense claims.

⁹ For internet purchases, a copy of the payment confirmation should also be included.

¹⁰ Such reasons may include: urgency, inconvenient train or bus schedules, more than one person travelling together by car, multiple locations, taxi because of baggage, automobile and parking instead of public transportation, reduction of time factor if a fee is also involved, etc.



~~c.~~ For multi-day meetings, hotel accommodation will be provided to individuals who reside beyond a 25 kilometer radius of the meeting site.

~~d.c.~~ Where overnight stays are required for meetings held at the College, people may choose to stay at the hotel at which the College has negotiated a corporate rate, or another hotel, in which case the maximum reimbursement will be the lesser of the actual price paid at the other hotel or the corporate rate at the College hotel.

~~e.d.~~ Hotel accommodation at conventions, congresses etc. should take advantage of any special group or convention rates at the conference hotel or be taken at another hotel where the rate does not exceed the conference hotel rate.

~~f.e.~~ When private accommodations (e.g. friends or family) are used in lieu of hotel accommodation, claims for reimbursement may be submitted in accordance with the rate section of this policy.

~~11.10.~~ Meals

- a. Meal expenses incurred while travelling on College business may be claimed when the travel time exceeds two hours.
- b. Meal expenses incurred when attending external meetings or business may be claimed when the external meetings or business exceeds four hours.
- c. For ~~single day~~ meetings ~~at the College in Toronto~~, meal expenses may be claimed when the individual resides beyond a ~~40-25~~ kilometer radius of the meeting site.
- ~~d.~~ For multi-day meetings at the College, meal expenses may be claimed when the individual resides beyond a 25 kilometer radius of the meeting site.
- ~~e.d.~~ Meal expenses claimed when the College provides a meal during its meetings are not eligible for reimbursement (except in circumstances where the supplied meal is unacceptable for religious or similar reasons).
- ~~f.e.~~ Actual meal expenses may be claimed in accordance with the rate section of this policy.

~~12.11.~~ Gratuities

- a. Gratuities for meals may be claimed over and above the maximum allowable for the meal. (i.e. for a meal of \$35.00, the expense claim may include the \$35.00 meal and a gratuity for a total of \$35.00 + gratuity = claim).
- b. Gratuities for accommodation and taxis should be included in the cost claimed along with the accompanying receipt.
- c. A reasonable amount may be claimed for gratuities paid for other services (such as porters, delivery, etc.).



13.12. Other Allowable Expenses (when incurred during the performance of College business or when traveling on behalf of the College)

- a. Parking. ~~Multiple parking claims may be submitted in a given day however the maximum reimbursement is for 24 hours of parking in each calendar day (i.e. no overlapping claims for parking).~~
- b. Telephone. One personal long distance telephone call of reasonable duration for each day away from home.
- c. Postage and delivery.
- d. Tolls.
- e. Purchased services such as typing, copying etc., when they cannot conveniently be provided through the College office.
- f. Internet. The most economical rate for hotel internet costs when the internet is reasonably required for the College business being conducted.

14.13. Expenses which are not Allowed

- a. Costs for entertainment (e.g. videos and pay movies).
- b. Costs for personal services (laundry, dry cleaning) unless away from home for more than five days.
- ~~b.c.~~ Costs for alcohol and cannabis.

15.14. Additional Interpretation

- a. For expenses not explicitly covered in these rules, the Finance Executive Committee shall determine whether the expense is compensable.

Rates for Honoraria¹¹ and Expenses

1. Allowance for use of personal automobile¹²
 - a. \$4052 per kilometer

¹¹ Honoraria rates below reflect rates effective as of April 1, 2020. Honoraria rates are updated annually geared to the Cost of Living Allowance (COLA).

¹² The College's rate is geared to the Travel, Meal and Hospitality Expenses Directive from Ontario's Management Board of Secretariat.



2. Meal Expense (receipts required)
 - a. Breakfast - \$25.00
 - b. Lunch - \$35.00
 - c. Dinner - \$60.00
3. Private Accommodations
 - a. \$40 per night may be claimed for the use of private accommodation in lieu of hotel accommodation.
4. Per Diem Rate - Councillors/committee/task force members
 - a. Council/Committee/task force member – meeting time
 - i. Full day per diem (for meetings over 3 hours duration) - ~~\$326.00~~\$340.00
 - ii. Hourly rate - ~~\$46.00~~\$48.00
5. Chairs' (and President's) Per Diem Rate
 - a. Chair – meeting time (or President's duties)
 - i. Full day per diem (for meetings over 3 hours duration) - ~~\$444.00~~\$464.00
 - ii. Hourly rate - ~~\$63.00~~\$65.00
6. Preparation time rate
 - a. ~~\$46.00~~\$48.00 per hour
7. Travel time
 - a. ~~\$28.00~~\$30.00 per hour
8. ~~Corporate Hotel Rate for 2018~~Rate for hotel stay
 - a. ~~\$269.00 + taxes and service fees = \$312.06~~The best available rate at the College's corporate hotel up to a maximum of \$350/night + taxes and fees¹³

¹³ The rate for hotel stay will be reviewed annually.



Summary of changes:

- Reiterate that no one should be approving their own expenses.
- Specify who the two signatories should be for single expenditures above \$7,500.

Section:	Finance	Policy # <u>5-34.2</u>
Title:	Signing Officers	
Applicable to:	Council and staff	
Date approved:	December 2007	
Date confirmed:	March 2009	
Date revised:	December 2011, March 2014	

Policy

For the purposes of Section 2.5, subsections (2), (3), (4) and (5) and Section 2.6 of the By-laws, the signing officers for the College will be the President, Vice-President, the Registrar, and the Associate Deputy Registrar(s).

No one will approve their own expense claims.

Two signatories are required on all single expenditures above \$7,500:

- One of the President or Vice-President, and
- One of the Registrar or the Deputy Registrar.



Section:	Finance
Title:	Investments and Investment Strategy
Applicable to:	Council
Date approved:	December 2007
Date revised:	June 2009
Date confirmed:	September 2011

Policy #~~5-44.3~~

Policy

The primary objective of the College's investment portfolio is ~~strategically focused on~~ the preservation of capital ~~and modest growth to at least the rate of inflation.~~ The return objective is to attain a growth rate that is consistent with the rate of inflation, however, because the primary objective is capital preservation, there are times when the return objective will not be achieved so that the objective of capital preservation can be satisfied.

Funds held by the College that are not immediately required for operating expenses will be invested according to a two part investment strategy; one part focused on the short-term investment of annual fees, and the second part focused on long term reserves.

The investment strategy will be developed in accordance with Council approved By-law 2.45 and relevant governance policies to ensure the long-term stability of the College

Procedure

1. The College's investment portfolio will aim to maximize the use of instruments that are insured by the Canadian Deposit Insurance Corporation (CDIC), and to align the amounts invested in those instruments to the CDIC's coverage limit.

2.

Short-term investments will be invested in easily cashable instruments which will yield the best results and will mature within a 12 month period or less. Long-term investments will be invested in federal, provincial and municipal governments, bank and trust companies, corporations, mortgage backed securities, coupons and residuals rate R1 or better for money market instruments and A or better for bonds, as determined by the Dominion Bond Rating Service. The proportion of the investment portfolio held in corporate funds shall not exceed 20% and, the amount invested with any one issuer is limited to \$300,000.00.

3. Excluded from the corporate funds portion of the College's portfolio, Guaranteed Income Certificates (GICs) is a separate class. No single GIC issue will exceed \$100,000.

~~2.4.~~ The College will adopt a ladder investment strategy for its long term investments, ensuring maximum return, staggered fund release, and a minimum of a four-year platform.



~~3.5.~~ The Registrar will present the status of College investments ~~will be presented~~ as part of the finance statements at every Council meeting.

~~4.6.~~ The investment strategy and the specific investment instruments will be reviewed annually or more often if necessary.

~~5.7.~~ The Council will meet annually with a representative of the investment firm to discuss and review independently the status of the Colleges' investments and investment strategy.

~~6.8.~~ Funds for short term investments are cashed for the use of annual College operations. Long term investments are only cashed at the direction of Council.



Summary of changes:

- Specify that the general liability insurance should cover the College for losses resulting from cyber crime and attacks.
- Specify who will review the insurance coverage annually.

Section:	Finance
Title:	Insurance
Applicable to:	Council
Date approved:	December 2007
Date revised:	December 2009
Date confirmed:	December 2011

Policy #~~5.54.4~~

Policy

The College obtains and maintains four types of insurance coverage:

1. Commercial,
2. Errors & Omissions and Directors' and Officers' Liability,
3. General Liability (including computer and social engineering fraud), and
4. Accident/Business Travel to support its' risk management strategy.

Insurance coverage is reviewed annually by the Finance Committee and Council against environmental trends as part of the budget process, or as necessary.



Summary of changes:

- Update to reflect current practice.

Section:	Finance
Title:	Capital Assets
Applicable to:	Council
Date approved:	March 2008
Date revised:	March 2010
Date confirmed:	September 2011

Policy #5-74.5

Policy

The College currently holds capital assets which contribute to the organization's value and net worth. Capital assets are attained and maintained in accordance with a planning cycle which supports the on-going work of the College. Capital asset expenditures are considered annually as one component of budget planning.

Definition

Capital assets comprise "property, plant and equipment" that meet all of the following criteria:

1. are held for use in the production or supply of goods and services, for rental to others, for administrative purposes or for the development, construction, maintenance or repair of other capital assets;
2. have been acquired with the intention of being used on a continuing basis; and
3. are not intended for sale in the ordinary course of business.

For further clarification, capital assets include buildings, furniture, purchased computer software, computer hardware, equipment, leasehold improvements, and assets acquired by capital lease.

Procedure

1. Planning for capital asset need and expenditure is the responsibility of the Registrar in keeping with accountabilities related to operationalizing the approved business plan and budget.
2. A proposed capital assets budget is considered and approved annually by Council within broader budget discussions.
3. Capital assets are amortized in accordance with the auditor's recommendations and the published Generally Accepted Accounting Principles (GAAP).
4. The College will maintain a capital asset ledger.
5. Capital assets are reviewed within a regular maintenance schedule to ensure preservation and full utilization.



Section:	Policy	Policy #6-25.1
Title:	College Policy Review Schedule	
Applicable to:	Council members, members of statutory or non-statutory Committees and Task Forces, staff	
Date approved:	June 2002	
Date revised:	October 2008, September 2010, March 2014	

Policy

In order to ensure that they remain relevant in a changing practice and legal environment, all of the College's existing policies, by-laws and official documents* are reviewed periodically.

Procedure

1. While governance policies, by-laws and official documents are in effect, they will be monitored by staff and Council to assess whether any emerging issues suggest a requirement for an expedited review and/or require flagging at the time of the regularly scheduled review.
2. Unless a need to review them is identified sooner:
 - a. College governance policies and by-laws will be reviewed every year; and
 - b. official documents will be reviewed at least every three years.
3. If, as a result of the reviews of College governance policies, by-laws or official documents, changes are proposed, these will be considered by Council using the policy 6.3 - Approval of Official Documents.
4. When changes in current circumstances or the current practice, regulatory and legal environment suggest the need, existing governance policies, by-laws or official documents will undergo immediate review regardless of when a prior review took place.
5. * Official documents include:
 - a. Regulations;
 - b. Standards; and
 - c. Position statements.
6. Documents that are not official documents for these purposes include:
 - a. reports, proposals and presentations;
 - b. brochures and similar informational materials;
 - c. guides to official documents;
 - d. information bulletins;
 - e. forms; and



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f. general web site content.



Summary of changes:

- The Working Group recommended changing this policy to capture the intent that any College communications that refer to an official position should be consistent with that position.

Section:	Policy	Policy #6.35.2
Title:	Approval of Official Documents Positions	
Applicable to:	Council members, members of statutory or non-statutory Committees and Task Forces, staff	
Date approved:	June 2002	
Date revised:	October 2008, September 2010, March 2014	

Policy

The Council will approve official positions of the College by a formal motion and vote. Any College communication that references an official position must be consistent with that position.

~~All governance policies, by-laws and official documents* of the College must be approved by Council prior to their use or distribution.~~

Procedure

- ~~1.—Any proposed official documents, governance policies or by-laws developed according to the governance policy 6.2—College Policy Review Schedule will be reviewed and approved by Council prior to being used or distributed.~~
- ~~2.—Following Council approval, all official documents, governance policies and by-laws of the College will be labeled with information to help users assess whether the information they are using is the most current version. As a minimum this information will include:
 - ~~a.—document name;~~
 - ~~b.—approval date;~~
 - ~~c.—an indication that the information may be time limited; and~~
 - ~~d.—list of documents that are obsolete by virtue of the new document.~~~~
- ~~3.—Other information such as the following should also be provided if it is available:
 - ~~a.—reference number;~~
 - ~~b.—active date;~~
 - ~~c.—publication date; or~~
 - ~~d.—scheduled date of next review (if there is one).~~~~
- ~~4.—* Official documents include:~~



- ~~a.—Regulations;~~
- ~~b.—Standards; and~~
- ~~c.—Positions statements.~~
- ~~5.—Documents that are not official documents for these purposes include:~~
 - ~~a.—reports, proposals and presentations;~~
 - ~~b.—brochures and similar informational materials;~~
 - ~~c.—guides to official documents;~~
 - ~~d.—information bulletins;~~
 - ~~e.—forms; and~~
 - ~~f.—general web site content.~~



Summary of changes:

- The Working Group recommended rescinding this policy.

Section:	Policy	Policy #6.4
Title:	Partnerships in Advancing Public Policy	
Applicable to:	Council	
Date approved:	March 2012	
Date revised:		

Policy

In keeping with its mandate and, specifically, its vision — *Innovative Regulatory Leadership Promoting a Healthier Ontario*, the College of Physiotherapists of Ontario actively seeks opportunities to influence and advance public policy. Such opportunities are grounded in principled leadership focussed on:

1. — public protection;
1. — the government health system agenda, and
2. — population health.

All proposed policy partnerships must be consistent with the College's mission, vision and the current strategic objectives set by Council. Such opportunities may be formal or informal but all must facilitate outcomes that further the public interest.

Procedure

1. — When pursuing or assessing an opportunity to engage in public policy activity, the College will specifically consider whether or not the opportunity is consistent with this policy, and is based on the sharing of information and data that contributes to influencing a quality health care and safety agenda.
1. — Prior to engaging in any public policy partnership, the College will establish appropriate parameters for the opportunity that clearly define mutual obligations and objectives.
2. — The College's partnerships in advancing public policy will be based on:
 - a. — mutual trust and respect;
 - b. — mutual credibility and competence;
 - c. — regular, consistent and clear communication;
 - d. — development of a shared vision to be achieved by the relationship; and
 - e. — transparency.
3. — The College will not pursue or enter into public policy partnerships where:



- a. ~~The College determines that the relationship may result in an actual or perceived conflict of interest or bias; or~~
- b. ~~The College's activities have the potential to be interpreted by a reasonable observer as being in conflict with the College's mandate and/or its mission and vision.~~
- 4. ~~The College will not involve itself in public policy partnerships that require reciprocal actions. It is inappropriate for the College to agree to provide data or other resources in turn for particular attention or outcomes.~~
- 5. ~~In any public policy partnership, the College will retain the ability to dissolve it without a notice period.~~



Summary of changes:

- Specify that elected officers take office at the annual general meeting.
- The Working Group recommended adding the provision described in Procedure #2 to the relevant section of the bylaw regarding the election of the President, Vice President and members of the Executive Committee.

Section:	Policy	Policy #6.4.15.3
Title:	Elected Officers	
Applicable to:	Council	
Date approved:	February 2013	

Policy

In keeping with its duty defined in the by-laws to elect officers, the Council shall annually elect a President, Vice-President and members of its Executive Committee at the last meeting of Council prior to an election of Council members. The officers elected at this meeting shall take office at the first meeting of Council following an election of Council members.

Procedure

1. The election shall be carried out in a manner consistent with the College's by-laws.
2. If an officer who is elected fails to be re-elected or appointed to Council and is therefore unable to serve as an officer of the College, ~~his or her~~their position will be declared vacant and be filled at the first successive meeting of the Council in a manner consistent with the College by-laws.



Summary of changes:

- Specify that Council will make decisions about the College’s intellectual property and related uses.
- Remove references to the College’s Policy on Relationships with External Organizations which has been rescinded.

Section:	Stakeholders	Policy #7.26.1
Title:	Intellectual Property and Related Uses	
Applicable to:	Council members, staff, contractors, College partners	
Date approved:	February 2004	
Date revised:	December 2008, March 2011	

Policy

The development of intellectual property is an inherent product of College work- related activity. Without limiting the generality of the preceding, intellectual property may be produced through policy analysis, research, or program evaluation. The College retains its rights to this intellectual property to ensure appropriate use, dissemination and attribution unless otherwise agreed to ~~by Council through a partnership agreement approved under the College’s Policy on Relationships with External Organizations.~~

Procedure

1. Ownership
 - a. Any intellectual property arising from research or work activity funded, sponsored or commissioned by the College, in whole or in part, is owned by the College (unless ~~otherwise agreed to by Council~~ the provisions of an agreement approved under the ~~College’s Policy on Relationships with External Organizations specify otherwise~~).
 - b. Where such intellectual property is of commercial value, the associated proceeds (including without limitation financial proceeds, the right to publish, or intangibles such as academic recognition) shall be shared ~~as agreed to by Council~~ where expressly ~~provided for in an agreement based on the College’s Policy on Relationships with External Organizations~~. The sharing of proceeds associated with College intellectual property does not apply to College employees, agents or contractors.
 - c. The copyright for any materials resulting from any research or work activity that is funded, sponsored or commissioned by the College in whole or in part belongs to the College and is not attributable to any other individual or person, unless ~~otherwise agreed to by Council~~ the provisions of an agreement based on the ~~College’s Policy on Relationships with External Organizations specify otherwise~~.
2. Publication/Dissemination



- a. Unless the prior written approval by the Registrar has been obtained, a researcher contracted by the College may not publish the results of College research or evaluation.
 - b. Research or evaluation outcomes may only be published ~~as approved by Council under the terms of an agreement based on the College's Policy on Relationships with External Organizations.~~
 - c. When considering requests to publish, the Registrar will consider whether:
 - i. the proposed publication tool or vehicle is in keeping with the College's mandate, mission and vision and strategic initiatives;
 - ii. the publication would undermine the College's regulatory function;
 - iii. the publication would infringe on existing commercial, property or moral rights of which the College is aware;
 - iv. confidential data is included in the publication;
 - v. personal information is included in the publication; or
 - vi. there is a need to adhere to an agreement specifying a delayed publication date.
3. Authorship
- a. Any material published by the College that is intended to portray the College's position or advice on particular issues, or to inform registrants or other persons of the College's activities will be published without an attributed author (unless the Registrar determines otherwise).
 - b. Any material published by the College intended to serve as a report of research that was conducted or supported in whole or part by the College may be published with one or more authors being designated. Designated author(s) will be determined by the ~~Registrar Council or identified pursuant to the provisions of an agreement established under the College's Policy on Relationships with External Organizations.~~
 - c. Any material published by the College, regardless of authorship decision, will acknowledge the specific College committee at which the primary content development occurred (as the ~~Registrar Council~~ determines appropriate); if the ~~Registrar Council~~ determines that it is inappropriate to acknowledge a specific College committee, then the College's Council will be acknowledged (unless the ~~Registrar Council~~ determines that such acknowledgement is inappropriate).



Summary of changes:

- The Working Group recommended adding a statement that clarifies the purpose of strategic planning.
- Staff suggest moving this policy from the “Finance” section to the “General” section as this policy is not about finance.

Section:

FinanceGeneral

Policy #5.87.1

Title:

Strategic Planning Cycle

Date approved:

December 2009

Date revised:

December 2011, February 2013

Policy

The purpose of strategic planning is to guide the College to achieve its statutory mandate now and in the future, grounded in the concept of quality assurance. The Council is deliberate in its use of strategic discussion and direction setting to enhance its mandated objectives. It utilizes a vision statement within a framework to set tactics which further its goals of safe, quality physiotherapy care in the public interest. Council regularly evaluates its progress within its most current plan and determines opportunity to revisit its framework not less than every three years.

Procedure

1. Council has established key elements for its strategic framework which may include, but are not limited to:
 - a. a vision statement;
 - b. a set of assumptions about its future;
 - c. a series of objectives and high level tactics; and
 - d. critical success factors and key indicators of success.
2. Progress against the Strategic Plan is measured and reported to Council at every Council meeting.
3. Planning for the development of a new framework is started by the President and the Registrar.



Summary of changes:

- The Working Group recommended rescinding this policy and incorporating the content into Policy 8.10: Council Education.

Section:	General	Policy #8.1
Title:	Orientation Program	
Applicable to:	Council and non-Council members of statutory Committees	
Date approved:	June 2002	
Date revised:	November 2006, June 2007, December 2009, December 2011, February 2013	

Policy

Timely orientation to the College mandate, governance framework, the prevention of sexual abuse and organization culture is critical to facilitate the effective involvement of all members. The provision of relevant information on individual roles and responsibilities, the current strategic plan and issues of focus is also a necessity. All members are required to participate in annual orientation programming prior to attending any meeting of a committee to which they have been appointed. Current Councillors and staff act as mentors in supporting new member integration and understanding.

Procedure

1. Orientation of Councillors and committee members will continue as needed and in keeping with the Governance Policy on Council Education, the requirements of Councillors and committee members and direction from the President and the Executive Committee.



Summary of changes:

- Remove the term limit for Executive Committee.
- A President can reach out to a past President for information and advice, the past President does not need to be a member of Council or Executive Committee for that to happen. The option to reach out to a past President should be articulated in the policy about the Role of the President.
- The Working Group felt that most relevant factor when considering a candidate for Vice President and President is their performance on Council, and that the other factors are not really needed.

Section:	General
Title:	Succession Planning
Applicable to:	Executive Committee members
Date approved:	February 2013, March 2014

Policy #~~8.1.17.2~~

Policy

The College will establish and maintain a transparent process of succession planning for key roles on the Council's Executive Committee to promote the Council's capacity to achieve and maintain optimal performance in its role.

Procedure

1. Term limits for the President and the Vice President shall be no more than two terms for each position ~~and not more than five terms on the Executive Committee overall~~, during any period of consecutive service on Council¹⁴.
2. In order to ensure that successive Presidents of the College have an opportunity to learn the key skills required to perform effectively in this role, it is desirable that Vice Presidents, subject to the Council election process, succeed into the role of the President following the completion of the President's term.
- ~~3. In circumstances where the President has completed one term, and through personal choice or the election process, has not been elected to serve a second term, it is desirable that the most recent past President be elected to the Executive Committee to serve as an advisor to the current resident.~~
- ~~4.3.~~ When considering candidates for the positions of Vice President and President, it is desirable that the Council consider factors including their previous performance as members of Council.:
 - ~~a. Their previous performance as members of council and committees;~~

¹⁴ The establishment of term limits is intended to enable Presidents and Vice Presidents to be able to rotate into and out of these roles while still being eligible to serve as members of Council and to enable them to transfer knowledge and skills to their successors.



- ~~b.—Whether they have a sufficient period of eligibility to serve on Council remaining in order to permit them to fulfill a maximum commitment of two years as a Vice-President and two years as a President; and~~
- ~~c.—Any eligibility criteria for the appointment as members of statutory/non-statutory committees that Council has developed.~~



The Working Group did not recommend any changes to this policy.

Section:	General	Policy #<u>8.27.3</u>
Title:	Public Member Representation on College Committees	
Applicable to:	Statutory and Non-Statutory College Committees	
Date approved:	June 2002	
Date confirmed:	December 2008, September 2010	

Policy

It is a core value of the College of Physiotherapists of Ontario that the input of the public, as represented by the publicly-appointed members of Council, should be a part of all decision-making processes.

In order to ensure that this core value is upheld, All College's statutory and non-statutory committees must include at least one member of Council who has been appointed by the Lieutenant Governor (a publicly-appointed member of Council) in their composition.

This requirement must be met regardless of any other rules in statute, regulation or by-law prescribing the composition of committees.

Procedure

1. When the Executive Committee prepares its annual proposed membership of nominees for positions on the College's statutory and non-statutory committees, the Executive Committee must ensure that the proposed membership of each committee includes at least one publicly-appointed member of Council.
2. When Council approves the annual membership of the College's statutory and non-statutory committees, each approved committee membership must include at least one publicly-appointed member of Council.
3. If the publicly-appointed member of a College statutory or non-statutory committee must be replaced prior to the annual approval of College committee membership, the revised committee composition must still include at least one publicly-appointed member.
4. Regardless of other considerations, the membership of College statutory or non-statutory committees must still meet all other requirements for committee composition prescribed in statute, regulation or by-law.



Summary of changes:

- This policy should only apply to statutory committees.
- Retain the requirement to ensure availability of public members when scheduling meetings, while allowing flexibility for meetings to be held if public members are not available due to exceptional circumstances.
- It is already true that statutory requirements would supersede governance policies, so it does not need to be stated.
- Remove duplication between the Policy and Procedure sections.

Section:	General	Policy #8.37.4
Title:	Public Member Attendance at Committee Meetings	
Applicable to:	Statutory and Non-Statutory Committees	
Date approved:	June 2002	
Date confirmed:	December 2008, September, 2010	

Legislative references:

1. Health Professions Procedural Code: 17, 25, 38, 64

~~1.2.~~ By-laws: 7.1

Policy

It is a core value of the College of Physiotherapists of Ontario that the input of the public, as represented by the publicly appointed members of Council, should be a part of ~~all~~ decision-making processes.

In order to uphold this core value, meetings of statutory ~~or non-statutory~~ committees, or panels of such committees, must not be ~~held/scheduled, except in exceptional circumstances,~~ unless at least one of the committee member(s) appointed by the Lieutenant Governor (a publicly-appointed member(s) of Council) is/are available to attend the meeting. Meetings of statutory committees, or panels of such committees, should not be held, other than in exceptional circumstances, unless at least one of the committee member(s) appointed by the Lieutenant Governor (a publicly-appointed member(s) of Council) is/are available to attend the meeting.

~~This requirement must be met regardless of any other rules in statute, regulation or by-law prescribing the quorum for committees or panels of committees.~~

Procedure

~~1.—When meetings of statutory or non-statutory committees are being arranged, the meeting must be set for a date and time that will permit at least one publicly appointed member of Council to attend the proposed meeting.~~



1. If at least one publicly-appointed member is not able to attend the meeting of a statutory ~~or non-statutory~~ committee, the meeting should be postponed until such time as the publicly-appointed member is able to attend. In exceptional circumstances, a meeting may proceed when the planned attendance of the publicly-appointed member is interrupted by unforeseen immediate personal circumstances. In that case, decisions on registrants that are statutory in nature cannot be discussed without the presence of a publicly-appointed member.
2. ~~Regardless of other considerations, any meeting of a statutory or non-statutory committee, or a panel of such a committee, must still meet all other requirements for committee composition and quorum prescribed in statute, regulation or by-law.~~



Summary of changes:

- Only Council should confirm appointments.
- The Executive Committee does typically recommend committee chairs.
- Physiotherapists, rather than non-physiotherapists, with specific expertise may be solicited to participate on a Committee, Task Force or Advisory Group.
- The reference to the by-law is redundant.

Section:

General

Policy #8.47.5

Title:

Selection of Individuals to Committees, Task Forces and Advisory Groups

Applicable to:

Council, Committees, Task Forces and Advisory Groups

Date approved:

June 2002

Date revised:

**June 2006, March 2007, March 2010, February 2013,
March 2014**

By-law reference

1. By-law: 7.5

Policy

The College will establish and maintain a transparent process for the appointment of individuals to serve on Committees, Task Forces or Advisory Groups of Council. Selection will be based on criteria developed to meet the terms of reference and needs of a specific initiative or purpose as established by Council including the ongoing development of Councillor competencies. Appointments will be confirmed by Council ~~or its delegate~~.

Procedure

1. The Executive Committee, after considering expressions of interest, will recommend individuals to serve on statutory and non-statutory committees at the College's Annual General Meeting, and from time to time as required.
2. The Executive Committee will include in its recommendations, the identification of suggested committee chairs, ~~if it so desires~~.
3. The Executive Committee will base its recommendations on selection criteria including:
 - a. Availability;
 - b. Eligibility;
 - c. Experience;
 - d. Interest;
 - e. Previous performance;



- f. Development of Councillor competencies;
 - g. Avoidance of foreseeable conflicts of interest; and
 - h. Recommendations from Committee Chairs
4. Individual ~~non~~-physiotherapists with specific expertise may be solicited to participate on a Committee, Task Force or Advisory Group dependent on the Council-determined terms of reference.
 5. All Committee, Task Force or Advisory Group appointments will be for one year or the set term of the Task Force or Advisory Group, unless specific circumstances require a different term length.
 - ~~6.—Committee appointments are renewable as per By-law 34, Appointment of Non-Council Members to Statutory Committees of the College.~~



Summary of changes:

The Working Group is proposing a complete revision to the performance review process for the Registrar.

Section:	General	Policy #8-57.6
Title:	Performance Review Process for Registrar	
Date approved:	December 2003	
Date revised:	June 2006, March 2007, June 2009, March 2012, February 2013, March 2015	

Policy

The evaluation of the Registrar's performance will be conducted by the President. The final review of the Registrar's performance will be made by the Council, *in camera*.

~~The Registrar's performance will be evaluated during the probationary period, and thereafter annually. Performance will be measured against pre-identified role and leadership competencies and outcomes in relation to annual performance objectives. The evaluation will be conducted by the Executive Committee, which will make recommendations for an annual performance assessment to Council. The final assessment of the Registrar's performance will be made by Council *in camera*. The Registrar's performance assessment and the associated compensation decisions are conducted in alignment with the College's overall staff performance management and compensation system.~~

Procedure

1. The President will conduct the Registrar's annual performance review, based on:
 - a. goals set annually by Council, including direction on priorities, and
 - b. operational performance indicators, including timelines.
2. The president will meet semi-annually with the Registrar to determine and help facilitate the requirements to help the Registrar accomplish such goals.
3. The annual review cycle is to be initiated no later than October.
4. The performance review will gather and assemble multi-source feedback about the Registrar's performance from:
 - a. all Councilors
 - b. senior staff
 - c. relevant external contacts, identified by both the Registrar and the President.



5. The Registrar will provide the President with contact information for staff and external contacts to facilitate the review. The President may identify additional external contacts from whom to obtain input.
 6. The President will write a draft report, tabulating all comments from the above sources, as well as the President's own experiences with the Registrar. The report is to provide feedback, to assist the Registrar toward optimal performance.
 7. The Registrar will then be given the draft to review and provide commentary.
 8. The President will then present the draft report with the Registrar's comments to the Executive Committee for consideration.
 9. The Executive Committee will make a recommendation regarding the draft report to Council.
 10. The President will present the final draft report to Council *in camera*. Council will make any changes it sees fit, and approve the final performance review.
 11. The President will report Council's performance review to the Registrar.
- ~~1.—The Executive Committee will conduct the Registrar's annual performance review.~~
 - ~~2.—The performance review will have two functions:
 - a.—to gather and assemble feedback about the Registrar's performance against set role and leadership competencies and annual performance objectives; and
 - b.—to provide a recommendation to Council as to the Registrar's annual performance assessment.~~
 - ~~3.—The annual review cycle is to be initiated no later than the end of February.~~
 - ~~4.—The Executive Committee, in consultation with the H.R. Generalist or an appropriate alternative expert will determine the appropriate mechanism by which to gather information to conduct the review.~~
 - ~~5.—The Registrar will complete a written self assessment in relation to the competencies and annual objectives.~~
 - ~~6.—The Registrar will provide the President with contact information for staff and external stakeholders in order to facilitate the gathering of information. The President may identify additional stakeholders from who to obtain input.~~
 - ~~7.—The President, on behalf of the Executive Committee, obtains performance feedback from Council members, external stakeholders and senior staff as appropriate. The President collates this feedback together with objective information related to achievement of performance objectives (if available), and the Registrar's self-assessment.~~



- ~~8. The President will present the gathered information to the Executive Committee which will assess the Registrar's performance and develop a recommendation to Council.~~
- ~~9. The assessment of the Registrar's performance will lead to recommendations for salary adjustment based on the performance management and compensation system that applies to all College staff.⁴⁵~~
- ~~10. The President will ensure a timely completion of the review and will meet with the Registrar and another member of the Executive Committee no later than three weeks prior to Council meeting to review performance over the past year and establish annual objectives for the coming year.~~
- ~~11. Council will consider Executive Committee's recommended performance assessment in-camera. The President will report Council's decision to the Registrar.~~
- ~~12. Where the Registrar disagrees with the performance review process or the outcome, the Registrar may appeal in writing to Council for consideration. Council will set a new review panel to consider the collected performance feedback and other evidence related to the Registrar's performance and will determine whether any variation from Council's decision is warranted. The decision of the review panel will be provided to the Registrar in writing and will be considered final.~~
- ~~13. Copies of the Registrar's performance review and new annual compensation package if any will be provided to the Registrar by the President and to the HR Generalist, for payroll, retention and future reference.~~

⁴⁵ The salary scale that the College has adopted is set by an annual market review. Market in this respect considers comparable work within a comparable work setting. Pay at market value involves comparing jobs of similar responsibility and authority in other comparable organizations, considering environmental trends in job retention and hire for certain skills, and changes in cost of living indexes. Our external target market at the College includes the regulatory community, the broader not for profit sector, the public sector and some for profit components. This review will include a formal review process not less than every 2 years.



Summary of changes:

- Remove references to risk management from this policy.
- The President should be included in the Emergency Response Team, which makes Procedure #6 redundant.
- The President should be the one reporting to Council on managing emergencies.

Section:

General

Policy #~~8.67.7~~

Title:

Emergency Management Plan

Applicable to:

Council, Committees, Staff and Agents

Date approved:

March 2011 (replaces previous 4.24 Pandemic Influenza, September 2009)

Date revised:

Policy

The College of Physiotherapists of Ontario maintains an overarching Emergency Management Plan to ensure a consistent approach to all emergencies, in particular ensuring the safety of all Councillors, committee members, staff and agents of the College. The Plan also consists of specific subsets related to Fire and Pandemic ~~Influenza~~ given their unique features and urgent risks. All parties to whom the Emergency Management Plan applies will receive an annual orientation to its contents.

~~While the Emergency Management Plan does apply to particular risk areas of the College, it is not a substitute for nor does it apply to all areas of the College's approach to risk management as detailed in governance policy 5.6.~~

The Emergency Management Plan addresses events that can be classified as emergencies ~~(refer to policy 5.6—Risk Management)~~. These include but are not limited to:

1. Access to the building because of fire, flooding, etc.;
2. Technological incidents including electronic data processing and telecommunications disruptions;
3. Staffing disruption due to illness, weather; and
4. Public health crisis that may be of a small or large magnitude (such as pandemics).

Procedure

1. The Emergency Management Plan is developed in keeping with best practices, incorporating a consistent cycle of mitigation and response (see Appendix A)
2. The Emergency Management Plan establishes an Emergency Response Team consisting of the President, the Registrar, ~~the Director—Corporate Services, and the Director of Communications~~ and the Registrar's designates.



3. The Emergency Management Plan has three components:
 - a. An overarching structure which applies in all circumstances;
 - b. A specific set of additional elements relevant to fire safety; and
 - c. A specific set of additional elements relevant to influenza-a pandemic.
4. The Emergency Management Plan is reviewed bi-annually by the Registrar and Director, Corporate Services, to ensure it is current and relevant.
5. All new staff, Councillors, Committee members and agents will receive an orientation to the Emergency Management Plan and its components on an annual basis, including training drills where relevant.
- ~~6. The President is informed by the Registrar in all circumstances when the Emergency Management Plan is enacted. The President is included in the response phase when appropriate.~~
- ~~7.6.~~ The Registrar-President will report to Council any events resulting in the initiation of the Emergency Management Plan through periodic reports on risk assessment.



APPENDIX A

Emergency Management Continuum



* EMP = Emergency Management Plan



Summary of changes:

- Clarify what can and cannot be included in a candidate's statement.
- The Working Group asked the Registrar to consider whether the College can implement a mechanism to ask registrants for consent to disclose their email addresses for the purpose of election campaigning.
- Define a process for reviewing candidates' statements to ensure adherence to this policy.

Section:	General	Policy #8-77.8
Title:	Election Campaign	
Applicable to:	Council members and election nominees	
Date approved:	February 2004	
Date revised:	March 2009, March 2011, February 2013	

Policy

A fair and democratic election process for selecting physiotherapist Councillors to Council is important to the profession as one element in ensuring a strong governance structure. Elected individuals provide the profession's perspective to a self-regulatory, public interest model. Registrants eligible to vote require adequate, reliable and consistent information about each electoral candidate to assist them in exercising an informed vote. The College facilitates this process through the distribution of candidate materials in its voting package. In addition, to promote registrant engagement, the College provides a means for nominees to provide campaign materials to voters in the relevant district, separate and apart from the College processes.

Procedure

1. Individual physiotherapists, who are nominated and are eligible for election as per By-law 3.1, will provide the College with their biographical information and a statement, using language provided by the College, confirming their understanding of their obligation to act in the public interest if elected to Council.
2. Candidates may also provide a candidate statement to be included with the other election materials.
3. A candidate's statement cannot exceed 300-500 words.
4. ~~A candidate's statement will speak to the candidate's skills and experience in relation to the College mandate, and may include their personal interests in running for Council.~~ Candidates may must frame his/her remarks in relation to self-regulation and the public interest. A candidate who is a current Committee member or agent of the College (e.g. assessor) must not comment on College business that is not in the public domain. A candidate must not make disparaging remarks about the College. A candidate's statement must not include a photograph.



5. The Registrar will review candidates' statements to ensure adherence to this policy. If a candidate's statement does not adhere this policy, the Registrar will request that the candidate revise their statement. If the candidate is unwilling to revise their statement to adhere to this policy, then the matter will be brought to the Executive Committee, who may make a recommendation to Council. Only Council can decide whether to disqualify a candidate from running in the election.

~~5-6.~~ The College will circulate the materials provided by candidates to all eligible voters in the respective candidates' districts.

~~6-7.~~ A candidate may choose to campaign within his/her district. To facilitate this process, all candidates will be provided with a means to contact the eligible voters in their district that is in keeping with the College's statutory confidentiality obligations.

~~7-8.~~ Campaign materials are not reviewed or endorsed by the College.

~~8-9.~~ Candidates will make every effort to ensure that the views portrayed are verifiable, true and consistent with their stated understanding of their obligation to act in the public interest if elected to the Council of the College.

~~9-10.~~ Information contained in this policy will be disclosed to all candidates at the time of nomination confirmation.



Summary of changes:

- The Working Group recommended rescinding this policy as the College has not had an awards program for some time.

Section:	General	Policy #8.9
Title:	External Awards Program	
Applicable to:	Registrants	
Date approved:	March 2007	
Date revised:	October 2008, December 2010, June 2012, March 2014	

Policy

The Council of the College of Physiotherapists of Ontario believes in the importance of recognizing the contribution of physiotherapists to quality practice in the public interest. As such, it supports an awards program focused on “Celebrating Quality Care”. Two awards have been established:

1. One promoting research by Physiotherapists working in clinical roles that contributes to safe quality physiotherapy care — ~~the Award for Clinical Research Advancing Quality Care;~~ and
1. One recognizing significant contribution to quality and standards within the profession and the broader community — ~~the Award of Distinction.~~

Awards recipients are determined annually⁴⁶ by Council and recognized at the Council’s annual event. Individuals who are members of Council at the time of application are ineligible for these awards (previous Councillors may be eligible).

Procedure

1. Selection Process
 - a. The awards are announced annually in the fall through a variety of mediums.
 - b. Applications/submissions for each award are received until January 31.
 - c. All applications/submissions are provided to the Executive Committee for consideration and review.
 - d. Pre-set criteria for scoring are utilized to determine individual rankings for each award. These criteria are reviewed not less than every three years to ensure their relevance in relation to award goals.
 - e. Individual rankings are determined by consensus by the Executive Committee.

⁴⁶Please note that at the December 2013 Council Meeting, Council put the External Awards Program on hold till the completion of the 2013-2016 Strategic Planning Cycle, at which point the need for the program will be revisited.



- f. ~~Award submissions receiving the highest consensus score are recommended to Council for final decision as to the successful award recipients.~~
 - g. ~~When more than one application is considered eligible, the Executive Committee may recommend up to two recipients to Council.~~
 - h. ~~When no applications are considered eligible, no recommendation will be made.~~
 - i. ~~In making its determination, Council will review the recommendation(s) put before it by Executive Committee.~~
 - j. ~~The decision of Council will be final.~~
2. ~~Process for Notification of Award~~
- a. ~~Successful applicants/submissions will be notified both by phone and in writing by the President.~~
 - b. ~~Unsuccessful applicants/submission will be notified in writing once the successful individuals are informed. The President will be the signatory.~~
 - c. ~~Staff will invite recipients to attend the Council's annual event at which recipients are recognized.~~
3. ~~Recognition~~
- a. ~~The successful applicant of the Award for Clinical Research Advancing Quality Care will receive a \$5,000 monetary contribution. Promotion of the research outcome will be encouraged on the College website in collaboration with the award recipient.~~
 - b. ~~The successful nominee of the Award of Distinction will receive a distinct recognition statue.~~
 - c. ~~Recipients will be identified on the honors wall situated in the Council chamber.~~
 - d. ~~Recipients will be recognized publicly through College communications.~~
 - e. ~~Recipients will be invited to attend the Council's event and their expenses will be covered according to the relevant College policy.~~



Summary of changes:

- The Working Group recommended rescinding Policy 8.1: Council Orientation and incorporating the content into this policy.
- Governance is included in Councillor orientation, and therefore Procedure #3 is redundant.
- Procedure #4 should not be included in this policy as it refers to training that is specific to certain Committees.
- Changes to align with current practice.
- For public members, the College should cover registration fees, but per diems and expenses should be paid by the government.

Section:	General	Policy
Title:	Council Education	#8.107.10
Applicable to:	All Councillors and Committee members	
Date approved:	March 2009	
Date revised:	March 2011, March 2013	

Policy

~~The Council of the College believes that to achieve governance excellence, informed and educated members are essential. All Council and Committee members are required to participate in annual orientation programming, including sexual abuse prevention training, prior to attending any meeting of a committee to which they have been appointed. Current Councillors and staff act as mentors in supporting new member integration and understanding.~~

~~The College is committed to equipping Councillors and committee members with the requisite skills and knowledge, and it invests annually in specific education initiatives. Such investment focuses on developing cohesion on the principles of good governance. Additional sessions on differing topics including the awareness of the importance of sexual abuse prevention are provided internally as well as through programs external to the College. While the funding system for education is different for public appointees, every effort is made to ensure Councillor exposure to a broad base of information.~~

Procedures

~~1. Orientation of Councillors and committee members will continue as needed and in keeping with this policy, the requirements of Councillors and committee members and direction from the President and the Executive Committee.~~

~~1.2. The Executive Committee is charged annually with the task of identifying the education needs of Council and its committees.~~



- ~~2.3.~~ The Executive Committee sets an annual education strategy based on identified needs, in collaboration with the Registrar. Proposed Council education is budgeted and approved by Council annually in March.
- ~~3.~~ ~~Every year, the Executive Committee ensures a Council session on good governance is held with new and current Councillors.~~
- ~~4.~~ ~~The College may take advantage of education sessions offered by the Federation of Health Regulatory Colleges of Ontario and the Ontario Regulators for Access. The aim is to ensure that all Councillors receive exposure to these sessions within the first year on Council or committee.~~
- ~~5.4.~~ Education opportunities external to the College, ~~and not referenced in 4.0,~~ are considered on an individual basis by the Executive Committee. All requests must be directly relevant to the College mandate and the competency development needs of the requestor. ~~When reviewing requests, Executive Committee members will apply an objective rating scale and submit it to the President and Registrar for tallying.~~
5. Registration fees ~~expenses~~ for such events are covered by the College, for both professional and public members. Per diems and expenses for professional members are also covered by the College. Public members' per diems and expenses are paid by the Ministry and require pre-approval by the Ministry prior to attendance at any external education session. Pre-approval is coordinated by the Registrar and ~~Director of Corporate Services~~ Governance Analyst.
6. All Councillors and Non-Council Committee Members must participate in sexual abuse prevention training.



Summary of changes:

- Clarify the accountability relationship between the Registrar and Council.
- Define an additional process if a matter of concern cannot be resolved with the involvement of the President and the Registrar.

Section:

General

Policy

Title:

Council – Staff Relations

#~~8.117~~.11

Date approved:

December 2009

Date revised:

February 2013, March 2014

Policy

The College, its Council and its staff, fosters a culture of clear, open, honest, and transparent communication focused on mandate, the collective vision, and organizational values. Communication channels acknowledge and respect the difference between governance and operations. All communications, whether verbal or written (including electronic) aim to positively further the work of the College, effectively and efficiently.

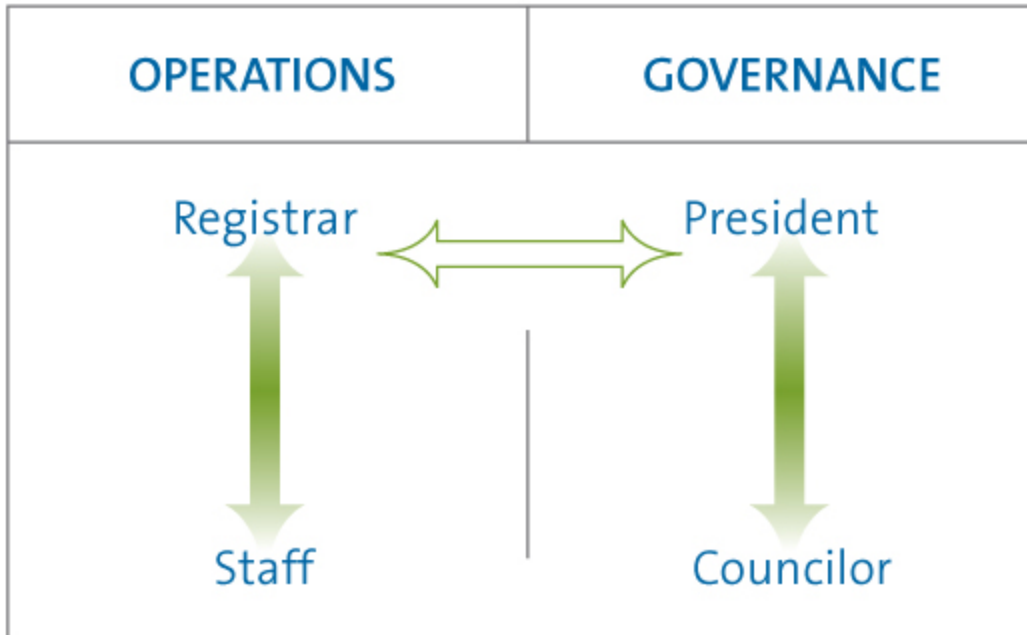
Procedure

1. ~~The Council has one staff person, the Registrar~~The Registrar is accountable to Council.
2. Council matters related to the staff and Council relationship are managed at the level of the President and the Registrar.
3. Committee matters related to the relationship between staff and committee members are first managed at the level of the senior staff and the Committee Chair. Should any matter not be resolved, either the Registrar via the staff person or the President via the Committee Chair can be consulted to assist with the resolution of the issue.
4. Where any matter either at a Council or a Committee level remains an ongoing concern, the President and the Registrar will convene a meeting of relevant parties to seek a satisfactory resolution. If the matter cannot be resolved, it should be brought to the Executive Committee for consideration. The Executive Committee will make a decision, which will be final, except for matters related to the Code of Conduct, which will be brought to Council for consideration.

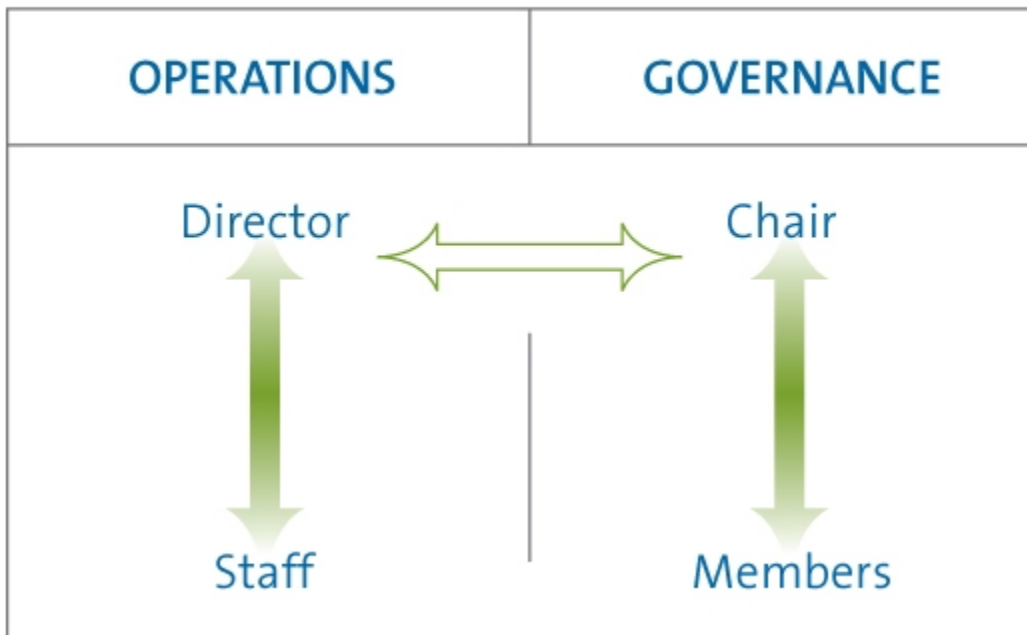


Communication Framework

Council



Committee





Summary of changes:

- Changes to the reporting mechanism and frequency for task forces and advisory groups.
- Changes to the process and requirement for establishing and approving terms of reference.
- Changes to how task force and advisory group members should be reimbursed.

<u>Section:</u>	General	Policy
Title:	Appointment of a Task Force and/or an Advisory Group	#8.127.12
Applicable to:	Council, Task Forces and Advisory Groups	
Date approved:	March 2010	
Date revised:		

By-law Reference

Policy

From time to time, to accomplish a specific initiative, Council may choose to establish a Task Force or an Advisory Group. Either entity is under the development and direction of Council and may be comprised of Councillors, registrants, and/or individuals with specific expertise external to the profession. All deliverables of a Task Force or an Advisory Group are provided to Council for final approval.

Procedure

1. A Task Force or an Advisory Group is appointed by Council for a specific purpose and duration.
2. Either entity, once appointed will report directly to ~~either Council, or through~~ the Executive Committee, ~~as determined by Council.~~
3. Council will ~~establish and~~ approve the terms of reference of a Task Force or an Advisory Group. Such terms will include, at a minimum, its membership including a chair, objectives, and deliverables.
4. A Task Force or an Advisory Group will report ~~regularly~~ on its progress toward set objectives, ~~not less than quarterly at every meeting of Council.~~
5. Professional Members of a Task Force or an Advisory Group will be reimbursed for honoraria and expenses by the College as per relevant College policies. Publicly appointed members of a Task Force or an Advisory Group must seek approval from the government to pay for their per diems and expenses. Pre-approval is coordinated by the Registrar and Governance Analyst.
6. Every Task Force or Advisory Group will be supported by staff as designated by ~~Council~~ the Registrar.
7. The process and outcomes of every Task Force and Advisory Group will be evaluated for effectiveness and impact.



Summary of changes:

- The Working Group recommended rescinding this policy and making a corresponding change to the Restricted Titles, Credentials and Specialty Designations Standard such that the College will no longer recognize specialty designations going forward.
- The Working Group recommended that registrants who currently have College-approved specialty designations be allowed to continue using them.
- The Working Group directed the Registrar to seek legal advice on this proposed change and bring the issue forward to Council for consideration.
- [The requested legal advice is in process and is planned to be available for Council.](#)

Section:	General	Policy #8.15
Title:	Specialty Designation	
Date approved:	March 2012	
Date revised:		

Policy

Section 1, paragraph 20, of Ontario Regulation 388/08, Professional Misconduct, indicates that it is professional misconduct for a registrant to use the title “specialist” unless the registrant holds a specialty designation approved by the College. In keeping with this requirement, the College will consider the approval of specialty certifications recognized by the Canadian Alliance of Physiotherapy Regulators (The Alliance), as designations that College registrants are entitled to use in conjunction with the title “specialist”.

Procedure

1. The College, as a member of The Alliance Board of Directors, will approve the policy and processes used to recognize specialty certification programs relevant to the practice of physiotherapy in Canada and in Ontario.
2. The Alliance will approve specialty certification programs relevant to the practice of physiotherapy in Canada. The decisions of the Alliance respecting the approval of specialty certification programs in Canada are not subject to appeal through the College.
3. A specialty certification program approved by The Alliance Board of Directors as meeting the level of rigor required to satisfy use of a title of “specialist” in Canada will be presented to the Council for consideration of its approval prior to recognition in Ontario. The College will maintain a list of all specialty certification programs and their designations approved by Council.
4. A registrant may apply to the College to use the title “specialist”. In his or her application the registrant must identify the specialty certification program from which his or her specialty was conferred. If the specialty designation is on the list approved by Council, the registrant will be entitled to use the title “specialist”.



5. Where a registrant applies to use the title “specialist” and his or her specialty certification program is not recognized (on the list), the registrant may provide the details of his or her program to The Alliance for national review and consideration. If the specialty certification program is then approved by The Alliance, procedures #3 and #4 above must occur before the registrant is entitled to use the title “specialist” in Ontario. If the specialty certification program is not approved, the registrant will not be permitted to use the title “specialist” in Ontario.
6. Any registrant entitled to use the title specialist will have the relevant information indicating the type of specialist certification(s) he or she holds listed on the College’s public register.
7. Any registrant entitled to use the title “specialist” in Ontario will use his or her registered title first (i.e. physiotherapist) and then acknowledge his or her specialty with a designation (i.e. Orthopaedic specialist or specialist, orthopaedics).



This is a new policy being proposed. There is currently no clear process defined for how to manage in camera minutes of Council. Council discussed this issue and provided some feedback in December 2019.

Section: General **Policy #7.14**
Title: Council In Camera Minutes – Storage and Access
Applicable to: Council, Staff
Date approved:
Date revised:

Legislative reference:

1. Health Professions Procedural Code: 7

Policy

From time to time, Council holds *in camera* discussions. These discussions typically involve proprietary matters, human resources matters, or other such matters that are appropriately not to be in the public domain.

Records of such meetings must be stored in a secure environment, and access to such records must be limited to Council. The conduit of access to such records are the President, Vice President, and chair of the Finance Committee.

Access to these Minutes is to be strictly restricted to the officials named above. Anyone caught attempting to access these Minutes may be subjected to severe sanctions.

Procedure

1. During *in camera* meetings, a recorder will be appointed by the President.
2. Upon approval of such *in camera* minutes, and signed by the President and Vice President, the document will be scanned into a secure section of the College's computer systems.
3. All *in camera* minutes are accessible by all Council members upon request. Access to all *in camera* minutes will be by the President, Vice President and chair of Finance Committee.
4. The Registrar may request access to specific *in camera* minutes. Such requests will be made to the President, and the President will seek approval from Council to release the *in camera* minutes.



5. The documents will be password protected. The password will be passed from President to President.
6. Every President is required to change the password upon taking office, and to share the new password with the Vice President and the Chair of the Finance Committee.
7. Staff are to be made aware that it is a serious offence to attempt to access *in camera* minutes. Such actions are cause for termination of employment, and any other action that Council decides.
 - a. The President and Executive Committee will investigate incidents of attempted unauthorized access of *in camera* minutes and bring the matter to Council for decision. If the attempted unauthorized access involves staff, then the President will investigate the matter in consultation with the Registrar, and Council will consider the matter *in camera*.



Summary of changes:

- The policy should not mandate the use of a balanced scorecard specifically, it is only one example of performance measurement tools that the College can use.
- Changing the process used to evaluate the performance of Councillors, Committee members and Committee Chairs.

Section:	Evaluation	Policy #98.1
Title:	Measurement and Reporting	
Applicable to:	Council and Committee Members	
Date approved:	June 2002	
Date revised:	September 2007, December 2009, February 2013, March 2015	

Policy

The Council of the College is committed to an organizational culture that measures and reports on organizational performance and continually evaluates and improves the performance of its Council and committees.

To demonstrate its commitment to these goals, the College will:

1. Incorporate mechanisms into its operational activities to assure that data are regularly gathered to measure effectiveness. This data forms a basis on which the College reports annually to the Minister on meeting expectations within its mandated public interest role.
2. Annually conduct performance evaluations of its Council and committee members and use the output of this evaluation to improve its orientation, education and committee appointment processes.

Procedure

1. Measurement
 - a. The College will use performance measurement tools, such as a balanced scorecard approach, to collect and assess organizational performance data and report on this data using the current version of the College's dashboard.
2. Evaluation
 - ~~a.—Council and its committees will annually assess individual member and collective performance related to role and function according to the current performance evaluation process approved by Council.~~
 - ~~b.—Committee chairs are responsible for managing the evaluation of each committee and reporting any identified issue or concern, whether about the Committee or one of its members, to the President.~~



- a. Committee chairs will evaluate the performance of every member of the Committee based on the performance expectations for Committee members as defined in by-laws and governance policies and provide that information to the President.
- b. The President will evaluate the performance of every member of Council based on the performance expectations for Council members as defined in by-laws and governance policies.
- c. The President will evaluate Committee chairs based on the best information available to them.
- d. The President will collate the evaluation information for Council and Committee members and have a discussion with each of them.
- e. The President is responsible for managing any performance issues or concerns in accordance with the College's code of Conduct.



COLLEGE OF
PHYSIOTHERAPISTS
of ONTARIO

2017

Official By-Laws of

**The College of Physiotherapists of Ontario/ L'Ordre
des Physiothérapeutes de l'Ontario**

Official By-Laws of The College of Physiotherapists of Ontario/ L'Ordre des Physiothérapeutes de l'Ontario

Approved by Council March 22, 2017, Revised December 14, 2017,
Revised March 20, 2018

Made pursuant to section 94 of the *Health Professions Procedural Code* (being Schedule 2 of the
Regulated Health Professions Act, 1991)

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Official By-Laws of the College of Physiotherapists of Ontario

Revised March 22, 2017, Revised December 14, Revised March 20, 2018.

All previous by-laws relating to the administration of the affairs of the College are hereby repealed and replaced with this by-law.

Part 1—Definitions

DEFINITIONS

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

- (a) “Academic Councillor” means a Councillor who is selected from a faculty of physiotherapy or physical therapy of a university in Ontario in accordance with section 3.2 of these By-laws and section 6(1)(c) of the Act;
- (b) “Act” means the *Physiotherapy Act, 1991*;
- (c) “~~Associate-Deputy~~ Registrar” means a senior employee of the College with signing authority as set out in the By-laws and policies of the College;
- (d) “Auditor” means the person or firm appointed under subsection 2.7 (1) of the By-laws;
- (e) “By-laws” means the By-laws of the College;
- (f) “Chair” means the person designated to preside over meetings of Committees or panels of Committees of the College;
- (g) “Code” means the Health Professions Procedural Code, being Schedule 2 to the RHPA;
- (h) “College” means the College of Physiotherapists of Ontario (l’Ordre des Physiothérapeutes de l’Ontario);
- (i) “Committee” means a committee mentioned in Part 7 of these By-laws and includes those committees set out in section 10 of the Code;
- (j) “Council” means the Council of the College established by section 6 of the Act;
- (k) “Councillor” means a member of Council and includes an Elected Councillor, an Academic Councillor and a Publicly-Appointed Councillor;
- (l) “Elected Councillor” means a Councillor who is a Member and who is elected or appointed in accordance with section 3.1 of these By-laws;
- (m) “Fiscal Year” means April 1 to March 31;
- (n) “Mail” means regular postal mail, courier mail, facsimile, or email;
- (o) “Member” means a member of the College as set out in section 13 of the Code;
- (p) “Minister” means the Minister of Health and Long-Term Care;
- (q) “Non-Council Committee Member” means a person who is not a Councillor and who is appointed to serve on a Committee in accordance with section 7.5 of these By-laws;

- (r) “Place of Practice” means any location where the Member practises physiotherapy;
- (s) “President” means the President of Council and Chair of the Executive Committee;
- (t) “Publicly-Appointed Councillor” means a Councillor who is appointed by the Lieutenant Governor in Council in accordance with section 6(1)(b) of the Act;
- (u) “Registrar” means the Registrar of the College as required by the Code and as further described in section 2.10 of these By-laws;
- (v) “Regulations” mean the regulations under the RHPA and the Act;
- (w) “RHPA” means the *Regulated Health Professions Act, 1991*, and includes the Code;
- (x) “Signing Officer” means the Registrar, Associate-Deputy Registrar(s), President and Vice-President; and
- (y) “Vice-President” means the Vice-President of Council.

Part 2—College Administration

SEAL



- 2.1. The seal depicted on the right is the seal of the College.

BANKING

- 2.2. (1) Council shall appoint one or more Canadian banks chartered under the Bank Act (Canada) for the use of the College.

- (2) All money belonging to the College shall be deposited in the name of the College, at such banks without deduction for any purpose whatsoever.
- (3) A staff member designated by a Signing Officer of the College may endorse a negotiable instrument for collection on account of the College through the bank or for deposit to the credit of the College with the bank.

BORROWING

- 2.3. (1) ~~When authorized by resolution of Council, The President or Vice-President~~, together with the Registrar and such other officer or person ~~as may be authorized by resolution of Council~~, may:
- (a) borrow money on the credit of the College;
 - (b) limit or increase the amount or amounts that may be borrowed;
 - (c) issue, sell or pledge debt obligations of the College, including without limitation bonds, debentures, notes or similar obligations of the College, whether secured or unsecured; and
 - (d) charge, mortgage, hypothecate or pledge all or any currently owned or subsequently acquired real or personal, moveable or immovable property of the College, including book debts, rights, powers, franchises and undertakings, to secure any such debt obligations or any money borrowed or other debt or liability of the College.

INVESTMENT

- 2.4 The Registrar may invest or reinvest funds of the College in keeping with the financial policies of the College.

CONTRACTS AND EXPENDITURES

- 2.5. (1) Council shall approve annually,
- (a) an operating budget for the College for each Fiscal Year; and
 - (b) a capital budget for the College for each Fiscal Year.
- (2) One or more Signing Officers may obtain services for the benefit of the College as set out in the financial policies of the College.
 - (3) One or more Signing Officers may authorize the purchase or lease of capital goods for the benefit of the College as set out in the financial policies of the College.
 - (4) One or more Signing Officers may sign or authorize a cheque, electronic funds transfer or other document with financial implications for the College as set out in the College's financial policies as approved by Council.
 - (5) A Signing Officer of the College must conduct ~~his or her~~their duties as set out in the College's financial policies as approved by Council.

OTHER DOCUMENTS

- 2.6. (1) A Signing Officer may impress the seal of the College upon a document if the seal is required.
- (2) The Registrar, or ~~one of the College's Associate Registrars~~ the Deputy Registrar when designated by the Registrar, may sign notices and other documents on behalf of any Committee of the College, except where otherwise provided by law.
- (3) No person shall sign or seal a document affecting the College unless authorized by the Act, the Regulations or these By-laws.

AUDIT

- 2.7. (1) Council shall appoint annually one or more Auditors who are licensed under the *Public Accounting Act, 2004* to audit the College's financial statements.
- (2) Financial statements for the College shall be prepared at the close of each Fiscal Year and audited financial statements, together with the Auditor's report, shall be presented annually to Council.
- (3) The Auditor shall serve for a term of one year, but if an appointment is not made the Auditor shall continue to serve until a successor is appointed.
- (4) The Auditor may be re-appointed provided that the Auditor does not serve for more than five consecutive one-year terms.
- (5) If the Auditor is unable to continue ~~his or her~~ their duties or in the event Council is dissatisfied with the Auditor, Council may appoint a new Auditor. At a minimum, the College will issue tenders for audit services every five years, which does not preclude the current audit firm from submitting a proposal.
- (6) Council shall cause the performance of the Auditor to be evaluated on an annual basis and shall take such evaluation into account when considering the re-appointment of the Auditor.
- (7) Council shall ~~set the remuneration of the Auditor and~~ confirm the appointment and remuneration of the Auditor in writing.
- (8) The Auditor has a right of access at all reasonable times to all records, documents, books, accounts and vouchers of the College and is entitled to require from the Councillors, officers and employees and relevant payees of the College such information as in ~~his or her~~ their opinion is necessary to enable ~~him or her~~ them to report as required by law or under this section.
- (9) The Auditor is entitled to attend any meeting of Council and to be heard at any such meeting that ~~he or she~~ they attends on any part of the business of the meeting that concerns ~~him or her~~ them as Auditor. The Registrar shall provide reasonable notice of every Council meeting to the Auditor for this purpose.

BY-LAWS

- 2.8. (1) The making, amending or revoking of a by-law shall be determined by a majority vote of the Councillors present and voting. Advance notice is required for all motions or resolutions applying to the making, amending or revoking of a by-law.

- (2) Proposed By-laws made under the authority of clauses (l.2), (l.3), (s), (t), (v), (w) or (y) of subsection 94 (1) of the Code shall be circulated to every Member at least 60 days before they are approved by Council.
- (3) Every by-law shall be signed by the President ~~or Vice-President~~ and by the Registrar.
- (4) Every by-law, including every amendment and revocation, shall be maintained in the College's records.
- (5) The College shall ~~provide copies of~~ make the By-laws available to the Minister and each Member and make them available to the public during normal business hours as set out in section 94 of the Code.

MEMBERSHIP ~~IN ASSOCIATIONS~~ WITH EXTERNAL ORGANIZATIONS

- 2.9.** (1) The College shall maintain membership in the Canadian Alliance of Physiotherapy Regulators (CAPR) to ensure opportunity for networking and issue development related to national physiotherapy regulatory matters. This shall include,
- (a) payment of the annual or other fees,
 - (b) regular representation at business meetings by a person designated in accordance with the governance policies of the College, and
 - (c) representation on working groups and at meetings by College members, College staff and Councillors as permitted by the by-laws of ~~the Alliance~~ CAPR and in keeping with conflict of interest provisions.
- (2) The membership referred to in subsection (1) shall not include representation on the Evaluation Services Committee or any related subcommittees.
 - (3) The College may maintain memberships in any organizations that are of benefit to the College, and shall pay the annual fees and other fees required for the memberships.

THE REGISTRAR

- 2.10.** (1) The Registrar is the chief executive officer of the College.
- (2) The Registrar is subject to the direction of Council and between meetings, the ~~related guidance of the Executive Committee and~~ direction of the President.
 - (3) If the office of the Registrar becomes vacant, Council or the Executive Committee shall immediately appoint ~~an employee of the College~~ a person to act as interim Registrar, ~~and that person cannot be a sitting Councillor.~~
 - (4) In circumstances where Council or the Executive Committee is not able to meet promptly to make the appointment referred to in subsection (3) the President may appoint ~~an employee of the College~~ a person to act as interim Registrar, ~~and that person cannot be a sitting Councillor.~~ This appointment is subject to the ratification of Council or the Executive Committee.
 - ~~(5) During absences, the Registrar may appoint, in writing, a senior employee of the College to act as the interim Registrar.~~
 - ~~(6)~~ (5) The Registrar has the ~~powers and responsibilities and shall~~ authority and responsibility to perform the duties set out in the RHPA, the Act, the Regulations and the By-laws and the policies approved by Council.

~~(7)~~(6) An interim Registrar has all of the ~~powers authority~~ and responsibilities and shall perform all of the duties of the Registrar.

MANAGEMENT OF COLLEGE PROPERTY

2.11. The Registrar shall maintain responsibility for the management and maintenance of all College property.

~~RELATIONSHIPS WITH EXTERNAL ORGANIZATIONS~~

- ~~**2.12.** (1) Any proposal for a relationship with an external organization, grant proposal or funding request made by the College shall be consistent with the RHPA, the Act, the Regulations and the By-laws and the policies approved by Council.~~
- ~~(2) The Registrar shall assume responsibility for monitoring relationships with external organizations and for the use of any grant or other money received.~~

Part 3—Election or Appointment of Councillors

ELECTIONS

Electoral Districts

- 3.1.** (1) The following electoral districts are established for the purpose of the election of members to Council:
- (a) Electoral district 1 (the south western electoral district): composed of the counties of Bruce, Elgin, Essex, Grey, Huron, Lambton, Middlesex, ~~and~~ Oxford and Perth, and the municipality of Chatham-Kent.
 - (b) Electoral district 2 (the central western electoral district): composed of the counties of Dufferin and Wellington, the regional municipalities of Niagara and Waterloo, and the municipalities of the City of Hamilton, Haldimand County, Norfolk County, the County of Brant, and [the City of Brantford](#).
 - (c) Electoral district 3 (the central eastern electoral district): composed of the counties of Haliburton, Northumberland and Peterborough, the regional municipalities of Durham and York, and the municipality of the City of Kawartha Lakes.
 - (d) Electoral district 4 (the eastern electoral district): composed of the counties of Frontenac, Hastings, Lanark, Lennox and Addington, Renfrew, Leeds and Grenville, Prescott and Russell and Stormont, Dundas and Glengarry, and the municipalities of the City of Ottawa and Prince Edward County.
 - (e) Electoral district 5 (the northern electoral district): composed of ~~the city of Greater Sudbury~~, the districts of Algoma, Cochrane, Kenora, Manitoulin, Nipissing, Parry Sound, Rainy River, Sudbury, Thunder Bay and Timiskaming and the District Municipality of Muskoka.
 - (f) Electoral district 6 (the Toronto west electoral district): composed of the City of Toronto to the west of the centre of Yonge Street.
 - (g) Electoral district 7 (the Toronto east electoral district): composed of the City of Toronto to the east of the centre of Yonge Street.
 - (h) Electoral district 8 (the central electoral district): composed of the county of Simcoe and the regional municipalities of Halton and Peel.
- (2) If it is unclear to which electoral district a Member should be assigned, the Registrar may assign the Member to one of the electoral districts.
- (3) The counties, regional municipalities, districts, district municipalities, and single-tier municipalities described in this section are those that existed as of ~~October 19, 2016~~[August 13, 2020](#) and the geographical territory of each electoral district shall be interpreted to ensure that all parts of Ontario fall into one of the above counties, united counties, regional municipalities, district municipalities, cities and districts. For greater certainty, separated

municipalities found within the geographical territory of counties will fall within the electoral district of the county.

Entitlement to Vote

- (4) A Member is entitled to vote in an election if, 90 days before the election:
 - (a) the Member is registered with the College;
 - (b) the Member practises or resides in Ontario; and
 - (c) the Member's home address registered with the College is in the electoral district for which an election is being held or, if the Member resides outside Ontario, the Member's primary business address is in the electoral district for which an election is being held.

Number of Members Elected

- (5) One Member shall be elected to Council for each electoral district.

Term of Office

- (6) The term of office of an Elected Councillor is approximately three years, commencing with the first regular Council meeting after the election and expiring when ~~his or her~~their successor takes office at the first regular Council meeting after the next election in ~~his or her~~their electoral district, unless the Councillor resigns, dies, is disqualified as set out in subsection (25) or is removed from office in accordance with the Code of Conduct in Appendix C.

Election Date

- (7) (a) There shall be an election,
 - ~~(i) for south western and central western electoral districts, in 2019 and every third year thereafter,~~
 - ~~(ii)~~(i) for central, eastern and northern electoral districts, in 2017-2020 and every third year thereafter, and
 - ~~(ii)~~ for central eastern and Toronto east and west electoral districts, in 2018-2021 and every third year thereafter.
 - (iii) for south western and central western electoral districts, in 2022 and every third year thereafter
- (b) An election shall be held on the third Wednesday in April.
- (c) If there is an interruption ~~in Mail service or~~ in access to the electronic voting system during a nomination or election, the Registrar shall extend the holding of nominations and the election for such minimum period of time as the Registrar considers necessary to compensate for the interruption.

Eligibility for Election

- (8) A Member is eligible for election to Council for an electoral district if:

- (a) the Member is entitled to vote in an election in accordance with subsection (4);
- (b) at all times between the 90th day before the election and the date of the election:
 - (i) the Member continues to be registered with the College
 - ~~(ii) the Member continues to for~~ practise or reside in Ontario;
 - ~~(ii)(iii)~~ the Member's home address registered with the College continues to be in the electoral district for which the election is being held or, if the Member resides outside Ontario, the Member's primary business address is in the electoral district for which an election is being held;
 - ~~(iii)(iv)~~ the Member is not in default of any obligation to the College under the Regulations or the By-laws; and
 - ~~(iv)(v)~~ the Member is not the subject of Discipline or Fitness to Practise proceedings;
- (c) the Member has not been found guilty of professional misconduct, to be incompetent, or to be incapacitated in the six years before the election;
- (d) ~~the Member's certificate of registration has not been revoked or suspended for professional misconduct, incompetence or incapacity at any time in the six years immediately before the election;~~
- (e) the Member has not been found to be mentally incompetent under the *Substitute Decisions Act, 1992*, or the *Mental Health Act*;
- (f) the Member's certificate of registration has not been subject to a term, condition or limitation other than a term, condition or limitation prescribed by the Regulations in the six years before the election;
- (g) the Member has not been found guilty of an offence under the *Criminal Code* or the *Health Insurance Act* that is relevant to the Member's suitability to serve as a Councillor, unless a pardon or record suspension has been granted with respect to the finding;
- (h) the Member has not been disqualified or removed from Council in the three years before the election;
- (i) the Member is not and has not been in the 12 months before the election, a director, officer, committee member, employee, or holder of any position of decision-making influence of any organization of physiotherapists that has as its primary mandate the promotion of the physiotherapy profession;
- (j) the Member does not hold and has not held in the 12 months before the election, a responsible position with any organization or group whose mandate or interests conflict with the mandate of the College;
- (k) the Member is not a participant (other than on behalf of the College) in a legal action or application against the College;
- (l) the Member does not have a current notation on the register of an interim order, caution, undertaking or specified continuing education or remediation program directed by the Inquiries, Complaints or Reports Committee;
- (m) the Member is not and has not been in the 12 months before the election an employee of the College; and

- (n) the Member discloses all potential conflicts of interest in writing to the Registrar within five business days of being nominated and either does not have a conflict of interest to serve as a Councillor or has agreed to remove any such conflict of interest before taking office.
- (9) Any disputes about a person’s eligibility for election shall be determined by the Executive Committee. If the Executive Committee determines that a Member is ineligible for election, the Member may appeal that decision to Council and Council’s determination shall be final, without appeal.

Notice of Election and Nominations

- (10) At least 90 days before the date of an election, the Registrar shall send by Mail to every Member entitled to vote in an election a notification that an election will be held to elect a Councillor and detailed instructions about the nomination procedure.

Nomination Procedure

- (11) (a) A Member who is eligible for election to Council may be nominated for election in an electoral district if the Member:
 - (i) is nominated by a Member who is entitled to vote in the election and if the nomination is:
 - (A) in the form and manner required by the Registrar; and
 - (B) received by the Registrar no later than two o’clock in the afternoon Eastern Standard Time on the date set by the Registrar; and
 - (ii) consents to the nomination.
- (b) A candidate in an election may withdraw ~~his or her~~their candidacy by notifying the Registrar of the withdrawal in writing no later than two business days before voting starts, within ten days of the date set by the Registrar.
- (12) (a) At the close of the nomination period, if no candidates eligible to be nominated in an electoral district have been nominated, the Registrar shall establish a new election schedule, including, where necessary, a new date for the election.
 - (b) The new election schedule may permit two additional calls for nomination, after which time the office of the Councillor will be declared vacant in accordance with subsection (23).

Acclamation

- (13) If only one eligible candidate is nominated for election in an electoral district the Registrar shall declare the candidate elected by acclamation.

Administration

- (14) (a) The Registrar shall supervise the nomination and election of Elected Councillors.
 - (b) The Registrar shall appoint an independent electronic voting organization to administer the voting process and the counting of electronic ballots.

- (c) All questions arising in the counting of ballots, the recording of results or the determination of the result shall be decided by the Registrar.
- (d) When a candidate withdraws from the election during the voting period, the Registrar shall inform all voters of the withdrawal and the option to re-cast their votes.
- ~~(d)~~(e) Where the By-laws do not address an issue, the Registrar shall use his or her~~their~~ best judgment to ensure that the election is fair and democratic.

Voting

- (15) (a) Except for an election in which the Registrar has declared a candidate elected to Council by acclamation, the Registrar shall, at least 30 days before the date of an election, send by Mail to every Member entitled to vote in the election:
 - (i) access to an electronic ballot listing all eligible candidates;
 - (ii) instructions for voting, including information on the electronic voting process; and
 - (iii) suitable biographical information about each candidate and any statement from each candidate in accordance with the College's governance policies as approved by Council.
- (b) The electronic ballot shall contain the name of each candidate in random order.
- (c) A Member entitled to vote in the election and who does not, for any reason, obtain access to an electronic ballot may ask the Registrar for replacement access to an electronic ballot and the Registrar shall provide the Member with such access provided the request is received at least 48 hours before the election day.
- (16) A Member may cast only one vote in an election for the electoral district in which the Member is entitled to vote.
- (17) Only electronic ballots cast by two o'clock in the afternoon Eastern ~~Standard~~ Time shall be counted.

Counting Votes

- (18) (a) The electronic voting organization appointed by the Registrar shall accept electronic ballots until two o'clock in the afternoon Eastern Standard Time on the election day and, promptly after that time, shall:
 - (i) count and record the total number of votes cast and the number of votes cast for each candidate in each election;
 - (ii) subject to paragraph (b), determine the candidates who received the highest number of votes in each election; and
 - (iii) provide a report of the voting results to the Registrar.
- (b) If two or more candidates receive the same number of votes in an election, the Registrar shall have the votes recounted.
- (c) The counting of the electronic votes shall be secret and conducted so that no person knows for whom any Member voted.

By-election Where a Tie Occurs

- (19) (a) If following the recount in subsection (18) (b), two or more candidates have received the same number of votes in an election, the Registrar will hold a by-election in the electoral district in which the tie occurred.
- (b) The candidates in the by-election shall be only those candidates who were tied.
- (c) The by-election shall be held in accordance with the procedures for a general election, with necessary modifications as determined by the Registrar.
- (d) In the event that the by-election results in a tie, the Registrar and the President shall select by random draw one name from the names of the candidates who were tied and the Registrar shall declare that person to be elected.

Documentation and Notification of Results

- (20) (a) Promptly after receiving the report of the voting results from the electronic voting organization, the Registrar shall:
- (i) sign a copy of the report and retain the report in the College’s records;
- (ii) declare the name of the candidate elected in each election; and
- (iii) inform:
- (A) The President of the results of the election;
- ~~(A)~~(B) The elected candidate and other ~~each~~ candidates of the results of the election and the right to seek a review of the validity of the voting and counting process report from the electronic voting organization in accordance with subsection (21);
- ~~(B)~~(C) Council and the Members of the results of the election; and
- ~~(C)~~(D) each elected candidate of the time and place of the first regular Council meeting following the election.
- (b) ~~For each election, the Registrar shall require the electronic voting organization to retain an electronic record of all electronic ballots.~~
- (c) Unless the results of an election are challenged, the Registrar shall require the electronic voting organization to retain an electronic record of all electronic ballots ~~direct the electronic voting organization to destroy all ballots~~ and other material from the election until 31 days after the election.

Validity of Election and Inquiries

- (21) (a) The Registrar shall provide to all candidates a report of the results of the election as reported by the electronic voting organization.
- (b) Within 30 days of being notified of the results of the election, a candidate may make a written request to the Registrar, ~~together with a payment of \$150 to the College, to obtain a report from the electronic voting organization~~ to review the validity of the voting and counting process.

- (c) The Registrar shall report to Council at its first meeting following any request for a [report review](#) under paragraph (ab), and Council shall,
 - (i) if satisfied with the results, take no further action; or
 - (ii) decide to hold an inquiry under subsection (22).
- (22) (a) If Council is of the opinion that there is a reasonable ground for doubt or dispute as to the validity of the election of any Councillor, Council shall hold an inquiry and decide whether the election of the Councillor is valid and, if an election is found to be invalid, Council shall direct another election to be held.
- (b) No election is invalid merely because a person has not strictly complied with a requirement of this by-law.

Vacancies

- (23) (a) If an Elected Councillor dies, resigns, is disqualified or is otherwise removed from Council, the President shall declare the office of the Councillor to be vacant.
- (b) If, during an election for Council, no candidates eligible for nomination in an electoral district have been nominated after two additional calls for nominations, despite subsection (7) (d), the President shall declare the office of the Councillor to be vacant.

Filling Vacancies

- (24) (a) If the office of an Elected Councillor is declared to be vacant and the remainder of that Councillor's term is less than one year, Council shall:
 - (i) leave the office vacant; or
 - (ii) appoint a successor from among the Members who would be eligible for election if an election were held.
- (b) If the office of an Elected Councillor is declared to be vacant as a result of [lack of nominations during an election as described in](#) subsection (23) (b), Council shall appoint a successor from among the Members who would be eligible for election if an election were held.
- (c) If the office of an Elected Councillor is declared to be vacant [as a result of when an elected Councillor dies, resigns, is disqualified or is otherwise removed from Council as described in](#) subsection (23) (a) and the remainder of the term of the Councillor whose office became vacant is more than one year, the Registrar shall hold a by-election for the electoral district.
- (d) A by-election to fill a vacancy on Council shall be held on a date set by the Registrar and the President.
- (e) A by-election shall be held in accordance with the procedures for a general election, with necessary modifications as determined by the Registrar.

Disqualifications

- (25) (a) [The following are grounds for disqualification for an Elected Councillor sitting on Council](#)~~An Elected Councillor is disqualified from sitting on Council if the Councillor:~~

- (i) ceases to be a Member;
 - (ii) no longer practises physiotherapy in Ontario ~~or~~ and is no longer a resident of Ontario;
 - (iii) is in default of any obligation to the College under the Regulations or the By-laws for over 60 days;
 - ~~(iv)~~ becomes the subject of Discipline or Fitness to Practise proceedings;
 - ~~(v)~~ (iv) is found guilty of professional misconduct, to be incompetent, or to be incapacitated;
 - ~~(vi)~~ (v) is found guilty of an offence under the *Criminal Code* or the *Health Insurance Act* that is relevant to the Elected Councillor’s suitability to serve as a Councillor, unless a pardon or record suspension has been granted with respect to the finding;
 - ~~(vii)~~ (vi) ~~remains or~~ becomes a director, officer, committee member, employee, or holder of any position of decision-making influence of any organization of physiotherapists that has as its primary mandate the promotion of the physiotherapy profession;
 - ~~(viii)~~ (vii) is found to be mentally incompetent under the *Substitute Decisions Act, 1992* or *Mental Health Act*;
 - ~~(ix)~~ (viii) ~~continues to hold or~~ assumes a responsible position with any organization or group whose mandate or interests conflict with the mandate of the College;
 - ~~(x)~~ (ix) becomes a participant (other than on behalf of the College) in a legal action or application against the College;
 - ~~(xi)~~ (x) has a notation posted on the register of an interim order, caution, undertaking or specified continuing education or remediation program directed by the Inquiries, Complaints or Reports Committee;
 - ~~(xii)~~ (xi) fails to attend two consecutive regular meetings of Council without good reason in the opinion of Council; or
 - ~~(xiii)~~ (xii) fails, in the opinion of Council, to discharge properly or honestly any office to which ~~he or she has~~ they have been elected or appointed.
- (b) An Elected Councillor does not become disqualified from sitting on Council merely because ~~his or her~~ their home address registered with the College ceases to be in the electoral district for which ~~he or she was~~ they were elected.
 - (c) Subsections (25) (a) (i), (iv), (v), (vi), (vi), (vii) and ~~(viii), and (ix)~~ shall result in automatic disqualification.
 - (d) Subsections (25) (a) (ii), (iii), ~~(vii), (ix), (x), (x),~~ (xi), and (xii) and ~~(xiii)~~ shall result in a vote by Council regarding disqualification of the Councillor.

Suspension

- (26) If an Elected Councillor sitting on Council becomes the subject of Discipline or Fitness to Practise proceedings, they shall be suspended from sitting on Council until the matter is resolved.

ACADEMIC COUNCILLORS

- 3.2. (1) For the purposes of section 6 (1) (c) of the Act, two Members who are members of a faculty of physiotherapy or physical therapy of a university in Ontario shall be selected in accordance with this section to serve on Council as Academic Councillors.
- (2) A Member is eligible to serve on Council as an Academic Councillor if:
- (a) the Member holds a certificate of registration authorizing independent practice;
 - (b) the Member is not in default of any obligation to the College under the Regulations or the By-laws;
 - (c) the Member is not the subject of a Discipline or Fitness to Practise proceeding;
 - (d) the Member has not been found guilty of professional misconduct, to be incompetent, or to be incapacitated at any time in the six years before the date of the selection;
 - (e) the Member's certificate of registration has not been revoked or suspended for professional misconduct, incompetence or incapacity at any time in the six years immediately before the selection;
 - (f) the Member has not been found to be mentally incompetent under the *Substitute Decisions Act, 1992* or the *Mental Health Act*;
 - (g) in the six years before the selection, the Member's certificate of registration has not been subject to a term, condition or limitation other than one prescribed by regulation;
 - (h) the Member has not been found guilty of an offence under the Criminal Code or the Health Insurance Act that is relevant to the Member's suitability to serve as a Councillor, unless a pardon or record suspension has been granted with respect to the finding;
 - (i) the Member has not been disqualified or removed from Council in the three years before the selection;
 - (j) the Member is not and has not been in the last 12 months before the appointment a director, officer, committee member, employee or holder of any position of decision-making influence of any organization of physiotherapists that has as its primary mandate the promotion of the physiotherapy profession;
 - ~~(j.1) the Member does not hold and has not held in the last 12 months before the appointment, a responsible position with any organization or group whose mandate or interests conflict with the mandate of the College;~~
 - (k) the Member is not a participant (other than on behalf of the College) in a legal action or application against the College;
 - (l) the Member does not have a current notation on the register of an interim order, caution, undertaking or specified continuing education or remediation program directed by the Inquiries, Complaints or Reports Committee;
 - (m) the Member does not hold and has not held in the last 12 months before the appointment a ~~responsible~~ position with any organization or group whose mandate or interests conflict with the mandate of the College; and

- (n) the Member discloses all potential conflicts of interest in writing to the Registrar within five business days of being nominated and either does not have a conflict of interest to serve as a Councillor or has agreed to remove any such conflict of interest before taking office.
- (3) One Member shall be selected from a university mentioned in Column 1 of the following Table in the corresponding years indicated in Column 2:

Column 1	Column 2
University of Toronto	2020 and thereafter every 8-7 and 7-8 years alternatively
University of Western Ontario Western University	2014-2021 and thereafter every 7-8 and 8-7 years alternatively
McMaster University	2015-2023 and thereafter every 8-7 and 7-8 years alternatively
Queen's University	2017-2024 and thereafter every 7-8 and 8-7 years alternatively
University of Ottawa	2018-2026 and thereafter every 8-7 and 7-8 years alternatively

- (4) An Academic Councillor shall be selected by Council in accordance with the above schedule at the first regular Council meeting following an election of Council and the Academic Councillor shall serve for a three-year term of office.
- (5) In a selection year for a university, the physical therapy or physiotherapy faculty at that university shall submit for Council approval the name of a Member who is willing and eligible to serve as a Councillor. The candidate may be any member of the physical therapy or physiotherapy faculty. If the university does not submit a name of an eligible candidate for Council's approval in accordance with this section, Council may nevertheless select a Member that meets the above eligibility requirements from any faculty of physiotherapy or physical therapy of a university in Ontario. [The College encourages universities to consider applicants who are tenured faculty, and who are a member of one of the employment equity groups \(women, aboriginal peoples, persons with disabilities, and members of visible minorities\).](#)
- (6) If an Academic Councillor dies, resigns, is disqualified or otherwise removed from Council, an eligible replacement shall be selected to serve the remainder of the term of office from among the members of the faculty of physiotherapy or physical therapy from which the former Academic Councillor was selected.
- (7) ~~An Academic Councillor selected under this section is disqualified from sitting on Council if the Academic Councillor~~ [The following are grounds for disqualification for an Academic Councillor sitting on Council:](#)
- ceases to be a Member with a certificate of registration authorizing independent practice;
 - no longer is a member of the faculty of physiotherapy or physical therapy from which ~~he or she was~~ they were selected;
 - is in default of any obligation to the College under the Regulations or the By-laws for over 60 days;

- ~~(d)~~ becomes the subject of a Discipline or Fitness to Practise proceeding;
- ~~(e)~~(d) is found guilty of professional misconduct, to be incompetent, or to be incapacitated;
- ~~(f)~~(e) is found guilty of an offence under the *Criminal Code* or the *Health Insurance Act* that is relevant to the Academic Member's suitability to serve as a Councillor, unless a pardon or record suspension has been granted with respect to the finding;
- ~~(g)~~(f) ~~remains or~~ becomes a director, officer, committee member, employee or holder of any position of decision-making influence of any organization of physiotherapists that has as its primary mandate the promotion of the physiotherapy profession;
- ~~(h)~~(g) is found to be mentally incompetent under the *Substitute Decisions Act, 1992*, or the *Mental Health Act*;
- ~~(i)~~(h) ~~continues to hold or~~ assumes a responsible position with any organization or group whose mandate or interests conflict with the mandate of the College;
- ~~(j)~~(i) becomes a participant (other than on behalf of the College) in a legal action or application against the College;
- ~~(k)~~(j) has a notation posted on the register of an interim order, caution, undertaking or specified continuing education or remediation program directed by the Inquiries, Complaints or Reports Committee;
- ~~(l)~~(k) fails to attend two consecutive regular meetings of Council without good reason in the opinion of Council; or
- ~~(m)~~(l) fails, in the opinion of Council, to discharge properly or honestly any office to which ~~he or she has~~ they have been selected or appointed.
- (8) Subsections (7)(a), (b), (d), (e), (f), (g), ~~and~~ (h), and (i) shall result in automatic disqualification.
- (9) Subsections (7)(c), (g), ~~(i)~~, ~~(j)~~, ~~(j)~~, (k), and (l) ~~and (m)~~ shall result in a vote by Council regarding the disqualification of the Councillor.

Suspension

- (10) If an Academic Councillor sitting on Council becomes the subject of Discipline or Fitness to Practise proceedings, they shall be suspended from sitting on Council until the matter is resolved.

DECLARATION OF OFFICE

- 3.3 (1) A person elected, appointed or selected to be a Councillor or non-Council Committee member must sign for the records of the College a declaration of office in the form attached as Appendix A.
- (2) A person cannot act as a Councillor or non-Council Committee member unless and until ~~he or she~~ they signs the declaration of office.

- (3) Any suspected or actual breach by a Councillor ~~or non-Council Committee member~~ of the declaration of office shall be addressed in the same manner as the College addresses a breach or suspected breach of the Code of Conduct.

REMUNERATION OF COUNCILLORS AND COMMITTEE MEMBERS

- 3.4. (1) Councillors and Committee members, other than Publicly-Appointed Councillors, may be paid for hours spent for preparation time, meeting time and travel time in accordance with the College's governance policies as approved by Council.
- (2) Councillors and Committee members, other than Publicly-Appointed Councillors, may be reimbursed for reasonable expenses in accordance the College's governance policies as approved by Council.

INDEMNIFICATION

- 3.5. (1) Every Councillor, Committee member, officer, ~~and~~ employee, ~~agent and appointee of the College, including assessors, investigators and inspectors,~~ and each of ~~his or her~~ their heirs, executors and administrators and estate, respectively, shall from time to time and at all times be indemnified and saved harmless out of the funds of the College from and against:
- (a) all costs, charges, expenses, awards and damages whatsoever that ~~he or she~~ they sustains or incurs in any action, suit or proceeding that is brought, commenced or prosecuted against ~~him or her~~ them, for or in respect of any act, deed, omission, matter or thing whatsoever, made done or permitted by ~~him or her~~ them, in the execution of the duties of ~~his or her~~ their office; and
- (b) all other reasonable costs, charges, expenses, awards and damages that ~~he or she~~ they sustains or incurs in or in relation to the affairs of the College, except such costs, charges, expenses, awards or damages as are occasioned by ~~his or her~~ their own wilful neglect or default.
- (2) The College will purchase and maintain insurance to protect itself and its Councillors, Committee members, officers, ~~and~~ employees, ~~agents or appointees~~ and to provide coverage for the indemnity referred to in subsection (1).

Part 4—Meetings of Council and Committees

COMPOSITION AND DUTIES OF COUNCIL

- 4.1. (1) Council shall be composed of the Elected Councillors elected in accordance with section 3.1, the Academic Councillors selected in accordance with section 3.2, and the Publicly-Appointed Councillors appointed by the Lieutenant Governor in Council pursuant to section 6 of the Act.
- (2) Council has the duties set out in section 2.1 of the Code and as set out in these By-laws and the policies of the College.

REGULAR MEETINGS

- 4.2. (1) Council shall hold at least four regular meetings in each Fiscal Year.
- (2) A regular meeting of Council shall be called by the President.
- (3) At a regular meeting, Council may only consider or transact:
- (a) matters brought by the Executive Committee;
 - ~~(b)~~ recommendations and reports by Committees;
 - ~~(e)~~~~(b)~~ motions or matters where notice was given by a Councillor at the preceding Council meeting or in writing to the Registrar at least 14 days before the meeting;
 - ~~(d)~~~~(c)~~ matters which Council agrees to consider by a majority of those in attendance and voting; and
 - ~~(e)~~~~(d)~~ routine and procedural matters in accordance with the rules of order.

SPECIAL MEETINGS

- 4.3. (1) A special meeting of Council may be called by the President or the majority of Councillors by submitting to the Registrar ~~a written request~~ direction for the meeting containing the matter or matters for decision at the meeting.
- (2) At a special meeting, Council may only consider or transact the specific matter or matters referred to in subsection (1).

NOTICE OF MEETINGS

- 4.4. (1) The Registrar shall provide notice ~~by Mail~~ to all Councillors at least 30 days before a regular meeting of Council.
- (2) The Registrar shall provide notice ~~by Mail~~ to all Councillors at least five days before a special meeting of Council.
- (3) The notice of any meeting of Council shall state the date, time, and location of the meeting, and the nature of the matter or matters to be considered at the meeting. Where the meeting is held by technological means, the notice shall include details on how to access the meeting.

- (4) A College employee involved in the activity of a Committee shall make reasonable efforts to notify all the Committee members of every Committee meeting and to arrange the meeting date and time based on the availability of the Committee members.
- (5) The date of notice shall be the date on which the notice was sent ~~if it was sent by email or five days after the notice was sent if it was sent by regular mail.~~
- (6) Reasonable notice of every meeting of Council shall be given to the Members, the Minister and the public as set out in section 7 of the Code.
- (7) Council meetings shall be open to the public except as provided in section 7 (2) of the Code.
- (8) No Council or Committee meeting shall be made void because of an inadvertent or accidental error or omission in giving notice. In addition, any Councillor may waive notice of a meeting and ratify, approve and confirm any proceedings taken at the meeting.

MEETINGS HELD BY TECHNOLOGICAL MEANS

- 4.5.**
- (1) Any meeting of Council or of a Committee or of a panel of a Committee may be held in any manner that allows all the persons participating to communicate with each other simultaneously and instantaneously. Meetings may be held wholly or partly by technological means.
 - (2) Persons participating in the meeting by such means are deemed to be present at the meeting.
 - (3) A vote called at a meeting under subsection (1) shall be taken in such a manner as determined by the President or Chair unless a member of Council, Committee or panel requests a roll call vote, in which case, a roll call vote shall be taken.
 - (4) ~~This section does not apply to hearings before a Committee or a panel of a Committee.~~

WRITTEN RESOLUTIONS

- 4.6.** A resolution in writing, signed by all persons entitled to vote on that resolution at a meeting of Council or a Committee, is as valid as if it had been passed at a meeting. This section does not apply to hearings before a Committee or a panel of a Committee.

MINUTES

- 4.7.**
- (1) The President shall cause the proceedings of Council meetings to be recorded. The Chair shall cause the proceedings of Committee meetings to be recorded.
 - (2) The written record of the proceedings of Council or Committee meetings when approved at a subsequent Council or Committee meeting, subject to any corrections made at a subsequent meeting, is conclusive proof of the accuracy of the contents of every such record.
 - (3) After its approval, the written record of every Council or Committee meeting shall be retained in keeping with College policies.

RULES OF ORDER

- 4.8. Kerr and King's Procedures for Meetings and Organizations, Third Edition, are the rules of order for meetings of Council and form part of these By-laws.

Part 5 — Conduct of Councillors and Committee Members

CONFLICT OF INTEREST - COUNCIL AND COMMITTEE MEMBERS

- 5.1. (1) A conflict of interest exists where a reasonable person would conclude that a Councillor or Committee member’s personal or financial interest may affect ~~his or her~~their judgment or the discharge of ~~his or her~~their duties to the College. A conflict of interest may be real or perceived, actual or potential, or direct or indirect.
- (2) All Councillors and Committee members have a duty to carry out their responsibilities in a manner that serves and protects the interest of the public. As such, they must not engage in any activities or in decision-making concerning any matters where they have a direct or indirect personal or financial interest. All Councillors and Committee members have a duty to uphold and further the intent of the Act to regulate the practice and profession of physiotherapy in Ontario, and not to represent the views of advocacy or special interest groups.
- (3) Without limiting the generality of subsection (1), a Councillor or Committee member’s personal or financial interests include the interests of the Councillor or Committee member’s ~~spouse or relative~~. For the purposes of this section, ~~the term “spouse” includes a person with whom the Councillor or Committee member has cohabited for at least one year and the term “relative” includes a person to whom the Councillor or Committee member is related by blood, marriage or adoption~~ a “relative” is a person who is related to another person in one of the following ways: spouse or common-law partner, parent, child, sibling, through marriage, or through adoption. ~~“Common-law partners” are people who have lived together as a couple for at least one year, or who have a child together, or who have entered into a cohabitation agreement.~~
- (4) Without limiting the generality of subsection (1), a Councillor or Committee member shall be perceived to have a conflict of interest in a matter and shall not serve on Council or its Committees at all if ~~he or she is~~they are a director, officer, committee member, employee or holder of any position of decision-making influence of any organization of physiotherapists that has as its primary mandate the promotion of the physiotherapy profession.
- (5) Without limiting the generality of subsection (1), a Councillor or Committee member shall be perceived to have a conflict of interest in a matter and should refrain from participating in any discussion or voting on that matter if ~~he or she is~~they are a director, officer, committee member, employee or holder of any position of decision-making influence of an organization where ~~his or her~~their duties may be seen by a reasonable person as influencing ~~his or her~~their judgment in the matter under consideration by Council or the Committee.
- (6) An individual who has a conflict of interest in a matter before Council or a Committee shall:
- (i) declare the conflict to the President, Registrar, Committee Chair or Chair of the panel at the time the individual identifies the conflict;
 - (ii) not participate in the discussion, consideration or voting on the matter;

- (iii) withdraw from the meeting or portion of the meeting when the matter is being considered; and
 - (iv) not attempt in any way to influence the voting or do anything that may be perceived as attempting to influence the decision of other Councillors or Committee members on the matter.
- (7) Every declaration of a conflict of interest shall be recorded in the minutes of the meeting.

CODE OF CONDUCT FOR COUNCILLORS AND NON-COUNCIL COMMITTEE MEMBERS

- 5.2. (1) Councillors and Non-Council Committee Members shall abide by the Code of Conduct for Councillors and Non-Council Committee Members that is attached as Appendix C and forms part of these By-laws.
- (2) Councillors and Non-Council Committee Members may be sanctioned in accordance with the procedures set out in the Code of Conduct.

~~SEXUAL ABUSE PREVENTION~~ COUNCILLOR ORIENTATION AND TRAINING

- 5.3. (1) All Councillors and Non-Council Committee Members shall participate in the required orientation and training, including sexual abuse prevention training, as set out in the College's governance policies approved by Council.

Part 6—Election of Executive Committee

ELECTION OF PRESIDENT AND VICE-PRESIDENT

- 6.1. (1) Council shall annually elect a President, a Vice-President and the three remaining members of the Executive Committee, who shall take office at the first regular Council meeting in the Fiscal Year and hold office until their successors take office.
- (2) Only Councillors are eligible to be elected to the Executive Committee.
- (3) The Registrar shall preside over the elections to the Executive Committee.
- (4) The election of the President and Vice-President shall be conducted in the following manner:
- (a) The Registrar shall call for nominations for the position of President.
 - (b) If only one candidate is nominated for the position of President, the Registrar shall declare that candidate elected by acclamation.
 - (c) If more than one candidate is nominated for the position of President, the Registrar shall conduct an election by secret ballot, which may be done electronically, as follows:
 - (i) Councillors will vote by ranking the candidates in order of preference, i.e., by marking a 1 for their first choice, a 2 for their second choice, and progressively higher numbers for each of their subsequent choices.
 - (ii) The Registrar will ~~ensure that~~ tabulate the scores given to each of the candidates ~~are tabulated~~.
 - (iii) The Registrar will declare the candidate with the lowest total score (i.e., the highest level of support) to be elected.
 - (iv) In the event of a tie for the lowest total score, a second vote will be conducted. The second vote shall only include the names of the candidates who tied for lowest total score. In the event of a tie following a second vote, the Registrar shall determine the election by a random draw from the names of the candidates who tied for lowest total score.
 - (d) Once the President has been elected, the process set out in paragraphs ~~(a), (b), and (c)~~ shall be followed for the election of the Vice-President.
- (5) If the office of the President becomes vacant, the Vice-President shall become the President for the remainder of the term of the office and the office of the Vice-President becomes vacant.
- (6) Council shall fill any vacancy in the office of Vice-President at a special meeting that the President shall call for that purpose as soon as possible after the vacancy is declared.
- ~~(7)~~ (8) The office of President or Vice-President becomes vacant if the holder of the office dies, resigns, ceases to be a Councillor, or is removed from office.
- ~~(7)~~ (8) If the President or Vice-President who is elected fails to be re-elected or appointed to Council and is therefore unable to serve as President or Vice-President, their position will be declared vacant and be filled at the first successive meeting of the Council in a manner consistent with the College by-laws.

ELECTION OF REMAINING EXECUTIVE COMMITTEE MEMBERS

- 6.2. (1) Upon completing the election of the President and Vice-President, the Registrar will call for nominations for the remaining members of the Executive Committee. The election of the members of the Executive Committee shall be conducted in the following manner:
- (a) If only three candidates are nominated for the remaining positions of the Executive Committee and the candidates meet the composition requirements set out in these By-laws, the Registrar shall declare those candidates elected by acclamation.
 - (b) If the candidates do not meet the composition requirements, the Registrar shall call for additional nominations.
 - (c) If more than three candidates are nominated for the remaining positions of the Executive Committee, then the Registrar shall conduct an election by secret ballot, which may be done electronically, as follows:
 - (i) Councillors will vote by ranking the candidates in order of preference, i.e., by marking a 1 for their first choice, a 2 for their second choice, a 3 for their third choice, and progressively higher numbers for each of their subsequent choices.
 - (ii) The Registrar will ensure that ~~tabulate~~ the scores given to each of the candidates are tabulated.
 - (iii) The Registrar will declare the three candidates with the lowest total scores (i.e., the highest levels of support) to be elected to the remaining positions of the Executive Committee, unless the composition requirements set out in these By-laws are not met in which case the Registrar shall declare the candidate with the next lowest score who meets the composition requirements to be elected.
 - (iv) Subject to the composition requirements set out in these By-laws, in the event of a tie for one of the three lowest scores, a second vote will be conducted but the second vote will only include the names of the candidates who tied. In the event of a tie following a second vote, the Registrar shall determine the election by a random draw from the names of the candidates who tied for lowest total score.
- (2) If a member of the Executive Committee who is elected fails to be re-elected or appointed to Council and is therefore unable to serve as a member of the Executive Committee, their position will be declared vacant and be filled at the first successive meeting of the Council in a manner consistent with the College by-laws.

DUTIES AND POWERS OF PRESIDENT AND VICE-PRESIDENT

- 6.3. (1) The duties of the President are to:
- (a) be cognisant of the affairs of the College;
 - (b) give or cause to be given notice of all meetings of Council and the Executive Committee;
 - (c) preside or ensure that a designate presides at all meetings of Council and meetings of the Executive Committee;

- (d) ensure that the College is represented at all relevant meetings;
 - (e) oversee the implementation of all orders and resolutions of the Executive Committee and Council;
 - (f) act as a liaison between the College and other professional organizations as appropriate; and
 - (g) perform other duties as outlined in the College’s governance policies as approved by Council.
- (2) The duties of the Vice-President are to,
- (a) act on behalf of the President in the President’s absence; and
 - (b) perform other duties as outlined in the College’s governance policies as approved by Council.
- (3) The President is the most senior official and representative of the College and the Vice-President shall assist the President in the discharge of the President’s duties.

Part 7—Statutory and Non-statutory Committees

STATUTORY COMMITTEES

The Executive Committee

- 7.1. (1) (a) The Executive Committee shall be composed of five persons of whom:
- (i) at least three are Councillors who are Members; and
 - (ii) at least one and not more than two are Publicly-Appointed Councillors.
- (b) In a manner consistent with subsection (1) (a), the President and Vice-President of the College shall be included in the membership of the Executive Committee.
- (c) The President of Council shall be the Chair of the Executive Committee.

The Registration Committee

- (2) (a) The Registration Committee shall be composed of at least five persons of whom:
- (i) at least one is an Elected Councillor;
 - (ii) at least one is an Academic Councillor;
 - (iii) at least two are Publicly-Appointed Councillors; and
 - (iv) at least one is a Non-Council Committee Member.
- (b) Quorum for panels of the Registration Committee is set out in subsection 17(3) of the Code.

The Inquiries, Complaints and Reports Committee

- (3) (a) The Inquiries, Complaints and Reports Committee shall be composed of at least ~~six~~five persons of whom:
- (i) at least two are Councillors who are Members;
 - (ii) at least two are Publicly-Appointed Councillors; and
 - (iii) at least one is a Non-Council Committee Member.
- (b) Quorum for panels of the Inquiries, Complaints and Reports Committee is set out in subsection 25 (3) of the Code.

The Discipline Committee

- (4) (a) The Discipline Committee shall be composed of at least 10 persons of whom:
- (i) at least two but no more than seven are Councillors who are Members;
 - (ii) at least three are Publicly-Appointed Councillors; and

- (iii) at least one is a Non-Council Committee Member.
- (b) Quorum for panels of the Discipline Committee is indicated in set out in subsection 38 (5) of the Code.

The Fitness to Practise Committee

- (5) (a) The Fitness to Practise Committee shall be composed of at least 10 persons of whom:
 - (i) at least two but no more than seven are Councillors who are Members;
 - (ii) at least three are Publicly-Appointed Councillors; and
 - (iii) at least one is a Non-Council Committee Member.
- (b) Quorum for panels of the Fitness to Practise Committee is set out in subsection 64 (3) of the Code.

The Quality Assurance Committee

- (6) The Quality Assurance Committee shall be composed of at least ~~six~~five persons of whom:
 - (a) at least two are Councillors who are Members;
 - (b) at least two are Publicly-Appointed Councillors; and
 - (c) at least ~~two are~~one is a Non-Council Committee Members.

The Patient Relations Committee

- (7) The Patient Relations Committee shall be composed of at least ~~four~~three persons of whom:
 - (a) at least ~~two are~~one is a Councillors who ~~are~~is a Members;
 - (b) at least one is a Publicly-Appointed Councillor; and
 - (c) at least one is a Non-Council Committee Member.

EXECUTIVE DELEGATION

- 7.2.** ~~Between the meetings of the Council, the Executive Committee has all the powers of the Council with respect to any matter that, in the Committee's opinion, requires immediate attention, other than the power to make, amend or revoke a regulation or by-law. The Executive Committee may exercise all the powers and duties of Council with respect to any matter that, in the opinion of the Executive Committee, requires attention between meetings of Council except to make, amend or revoke a regulation or by-law or unless the Executive Committee is otherwise restricted by the Executive Committee limitations established in the College's governance policies as approved by Council.~~

NON-STATUTORY COMMITTEES

The Finance Committee

- 7.3.** (1) The Finance Committee shall be composed of at least five Councillors, being:
- (a) the President and Vice-President; and

- (b) at least three other Councillors, at least one whom shall be a Publicly-Appointed Member.
 - (2) The Finance Committee shall have the duties set out in the College’s governance policies as approved by Council.
- 7.4. Council may, by resolution, establish non-statutory committees, [task forces and advisory groups](#). For each non-statutory committee, [task force or advisory group](#), Council shall specify in the resolution the duties and responsibilities of the committee, its composition and its termination date or event.

APPOINTMENT OF NON-COUNCIL COMMITTEE MEMBERS

- 7.5. (1) Council may appoint persons who are not Councillors to serve on both statutory and non-statutory Committees.
- (2) A Member is eligible for appointment to a Committee under this section if, on the date of the appointment, the Member meets the eligibility requirements set out in section 3.1.(8) of these By-laws and any other criteria set out in the governance policies as approved by Council.
 - (3) A person who is not a Member is eligible for appointment to a Committee under this section if, on the date of the appointment:
 - (a) the person resides in Ontario;
 - (b) the person is not the subject of a discipline or fitness to practise proceeding before any regulator;
 - (c) the person has not been found guilty of professional misconduct, to be incompetent or to be incapacitated by any regulator in the preceding six years;
 - ~~(d)~~ ~~the person has not had a certificate of registration revoked or suspended for professional misconduct, incompetence or incapacity at any time in the six years immediately before the appointment;~~
 - ~~(e)~~(d) the person has not been found to be mentally incompetent under the *Substitute Decisions Act, 1992*, or the *Mental Health Act*;
 - ~~(f)~~(e) the person has not been found guilty of an offence under the *Criminal Code* or the *Health Insurance Act* that is relevant to the person’s suitability to serve as a Committee member, unless a pardon or record suspension has been granted with respect to the finding;
 - ~~(g)~~(f) the person has not been disqualified or removed from Council or a Committee in the preceding three years;
 - ~~(h)~~(g) the person is not [and has not been in the 12 months before the appointment](#), a director, officer, committee member, employee or holder of any position of decision-making influence of any organization of physiotherapists that has as its primary mandate the promotion of the physiotherapy profession;
 - ~~(i)~~(h) the person does not hold [and has not held in the 12 months before the appointment](#), a responsible position with any organization or group whose mandate or interests conflict with the mandate of the College;
 - ~~(j)~~(i) the person is not an employee of the College;

- ~~(k)(j)~~ the person is not a participant (other than on behalf of the College) in a legal action or application against the College; and
- ~~(k)~~(k) the person meets any other criteria set out in the governance policies as approved by Council.
- (4) A Non-Council Committee Member who is a member is disqualified from serving on a Committee based on the grounds for disqualification as set out in section 3.1 (25).
- (5) A Non-Council Committee Member who is not a Member is disqualified from serving on a Committee if the person:
- (a) ceases to meet the requirements in subsection (2) or (3) (c), (d), (e), (g), (h), or (j), above, which shall result in automatic disqualification or if the person;
- ~~(a)~~(b) ceases to meet the requirements in subsection (3) (a), (i), or (k) above, which shall result in a vote by Council regarding disqualification of the Non-Council Committee Member;
- ~~(b)~~(c) fails to attend two consecutive meetings of the Committee without good reason in the opinion of Council; or
- ~~(c)~~(d) fails, in the opinion of Council, to discharge properly or honestly any office to which ~~he or she has~~they have been appointed.
- (56) If a Non-Council Committee Member who is not a Member becomes the subject of a discipline or fitness to practise proceeding before any regulator, they shall be suspended from serving on a Committee until the matter is resolved.
- (7) The determination of Council as to whether a person is eligible for appointment or becomes disqualified under this section is final and without appeal.

SELECTION OF STATUTORY AND NON-STATUTORY COMMITTEES AND COMMITTEE CHAIRS

- 7.6. (1) As soon as possible after the annual election of the President, the Vice-President and the Executive Committee, Council shall appoint the Chair and members of each Committee in accordance with the College's governance policies as approved by Council.
- (2) If any vacancies occur in the Chair or membership of any Committee, Council ~~or the Executive Committee~~ may appoint a replacement Chair or Committee member in accordance with the College's governance policies as approved by Council.
- (3) Where the Chair of a Committee is unable to act for a matter or a period of time, ~~he or she~~they shall appoint from the Committee a person to act on ~~his or her~~their behalf, ~~failing which the President shall appoint an acting Chair from the Committee. Where the Chair of a Committee is unable to act for more than two consecutive meetings, Council shall appoint a new Chair.~~

STATUTORY AND NON-STATUTORY COMMITTEE PROCEDURES

- 7.7. (1) Each Committee shall meet from time to time at the direction of Council ~~or the Executive Committee~~ or at the call of the Chair at a place in Ontario and at a date and time set by the Chair.

- (2) Subject to subsection (3), unless otherwise provided in the RHPA, the Act or the Regulations, a majority of members of a Committee, or of a panel of a Committee, including at least one Publicly-Appointed Councillor constitutes a quorum.
- (3) Unless otherwise provided in the RHPA, the Act or the Regulations, in exceptional circumstances, the Chair of a Committee may determine that a Committee meeting may proceed without the presence of at least one Publicly-Appointed Councillor.
- (4) The Chair or a designate shall preside over meetings of the Committee.
- (5) Every question which comes before the Committee may be decided by a majority of the votes cast at the meeting (including the Chair's) and, if there is an equality of votes on a question, the question shall be deemed to have been decided in the negative.
- (6) Every appointment to a Committee shall be made in accordance with the College's governance policies as approved by Council.
- (7) A Non-Council Committee Member is eligible for re-appointment to a Committee annually, except that a Non-Council Committee Member may not serve for more than nine consecutive years.
- (8) Where one or more vacancies occur in the membership of a Committee, the Committee members remaining in office constitute the Committee as long as any composition or quorum requirements in the RHPA, the Act or the Regulations are satisfied.
- (9) In addition to other provisions in these By-laws that permit the removal of a Committee member in specific circumstances, any Committee member may be removed from the Committee, with or without cause, by a two-thirds majority vote of the Councillors present at a Council meeting duly called for that purpose.

Part 8 — Members' Obligations

THE REGISTER

- 8.1. (1) (a) A Member's name in the register shall be the Member's full name and shall be consistent with the documentary evidence of the Member's training.
- (b) The Registrar may direct a Member's name in the register to be different than the documentary evidence of the Member's training if the Member applies and satisfies the Registrar that the Member has validly changed [his or her/their](#) name since [his or her/their](#) training and that the use of the newer name is not for an improper purpose.
- (c) The Registrar may give a direction under paragraph (b) before or after the initial entry of the Member's name in the register.
- (2) In addition to the information referred to in subsection 23 (2) of the Code, the following information shall be kept in the register:
- (a) the Member's name and any changes in the Member's name since [his or her/their](#) training;
- (b) the [last two digits of the](#) Member's registration number;
- (c) if the Member ceases to be a Member or has died, a notation of the reason the registration terminated or a notation that the Member has died and the date of death if known;
- (d) information on a former Member that was on the register just before the registration terminated (including due to death);
- (e) the name of the school from which the Member received [his or her/their](#) degree or diploma in physiotherapy and the date the Member received the degree or diploma;
- (f) all classes of certificate of registration held by the Member and the dates that each started and terminated;
- (g) the name, business address, and business telephone number of each current and previous Place of Practice of the Member [on or after April 1, 2018](#);
- (g.1) whether each current Place of Practice of the Member is barrier free;
- (h) a notation of which business address is the Member's primary Place of Practice;
- (i) *Rescinded March 20, 2018*;
- (j) for every matter that has been referred by the Inquiries, Complaints and Reports Committee to the Fitness to Practise Committee under section 61 of the Code and has not been finally resolved, until the matter has been resolved:
- (i) a notation of that fact, including the date of the referral; and
- (ii) the status of the Fitness to Practise hearing;
- (k) a notation of the fact and status of any appeal from a decision of the Discipline Committee or the Fitness to Practise Committee and the anticipated date of the hearing, if the date has been set;

- (l) any information jointly agreed to be placed on the register by the College and the Member;
- (m) where the Member’s certificate is subject to an interim order under section 25.4 or section 62 of the Code, a notation of that fact, the nature of the order and date that the order took effect;
- (n) where the Member’s certificate of registration is subject to a suspension for failure to pay a fee, the reason for the suspension and the date of the suspension in addition to the fact of the suspension;
- (o) *Rescinded, March 20, 2018;*
- (p) the Member’s name as used in their Place(s) of Practice;
- (q) the language(s) in which the Member is able to provide physiotherapy services;
- (r) the Member’s area(s) of practice and categories of patients seen;
- (s) ~~details of~~ the controlled acts (except performing the controlled act of communicating a diagnosis) and other statutorily authorized acts (such as procedures described in subsection 6 (2) of the *Healing Arts Radiation Protection Act* and procedures authorized to Members in regulations made under the *Laboratory and Specimen Collection Centre Licensing Act*) that the Member performs in the course of practising physiotherapy;
- (t) where there have been charges laid against a Member under the *Criminal Code* or the *Health Insurance Act*, made on or after July 1, 2015, or the *Controlled Drugs and Substances Act* made on or after May 1, 2018, and if the person against whom the charges were laid was a Member at the time of the charges, and if the charges are known to the College, a brief summary of:
 - (i) the charges;
 - (ii) the date the charges were laid; and
 - (iii) the status of the proceedings against the Member where known to the College;

provided that any such summary shall be removed upon the written request of the Member if the charges do not result in a finding of guilt against the Member;
- (u) a summary of any existing restriction imposed on or after July 1, 2015, on a Member by a court or other lawful authority and of which the College is aware that, in the reasonable discretion of the Registrar, may restrict or otherwise impact the Member’s right or ability to practise, may prompt a regulatory action on the part of the College or is connected to an existing or ongoing regulatory action by the College. The summary shall include the name of the court or other lawful authority that imposed the restriction and the date on which it was imposed;
- (v) where there has been a finding of guilt against a Member under the *Criminal Code* or the *Health Insurance Act*, made on or after July 1, 2015, or the *Controlled Drugs and Substances Act* made on or after May 1, 2018, if the person against whom the finding was made was a Member at the time of the finding, and if the finding is known to the College, a brief summary of:
 - (i) the finding;
 - (ii) the sentence, if any;

- (iii) where the finding is under appeal, a notation that it is under appeal until the appeal is finally disposed of; and
- (iv) the dates of (i) – (iii), where known to the College;
provided that any such summary shall be removed upon the written request of the Member if the finding is reversed on appeal or if the Member receives a pardon or record suspension;
- (w) whether, on or after July 1, 2015, the Member uses the services of physiotherapist assistants (whether employees or independent contractors) in the course of practising physiotherapy;
- (x) on or after July 1, 2015, information about the Member’s registration with any other regulated professions inside or outside of Ontario;
- (y) on or after July 1, 2015, information about the Member’s registration in any other jurisdictions as a physiotherapist or physical therapist;
- (z) where the College is aware, on or after July 1, 2015, that a finding of professional misconduct or incompetence or similar finding has been made against the Member by a body that governs a profession, inside or outside of Ontario, and that finding has not been reversed on appeal:
 - (i) information on the finding;
 - (ii) the name of the governing body that made the finding;
 - (iii) a brief summary of the facts on which the finding was based;
 - (iv) the penalty and any other orders made relative to the finding;
 - (v) the date the finding was made; and
 - (vi) information regarding any appeals of the finding;

provided that where a decision referred to in paragraph (z) is no longer available to the public in the originating jurisdiction, the information on the finding under paragraph (z) shall be removed from the register upon the written request of the Member.
- (aa) when a decision of the Inquiries, Complaints and Reports Committee, relating to a complaint or report made against the Member on or after July 1, 2015, includes or is contingent upon an undertaking to perform certain obligations given by the Member (except for an undertaking relating to the Member’s capacity):
 - (i) the undertaking;
 - (ii) a summary of the decision; and
 - (iii) where applicable, a notation that the decision has been appealed;

provided that where a decision referred to in paragraph (aa) is overturned on appeal or review, the summary under paragraph (aa) shall be removed from the register.
- (bb) when a decision of the Inquiries, Complaints and Reports Committee, relating to a complaint or report made against the Member on or after July 1, 2015, includes a caution:
 - (i) a summary of the decision; and

- (ii) where applicable, a notation that the decision has been appealed;
provided that where a decision referred to in paragraph (bb) is overturned on appeal or review, the summary under paragraph (bb) shall be removed from the register.
- (cc) when a decision of the Inquiries, Complaints and Reports Committee, relating to a complaint or report made against the Member on or after July 1, 2015, includes a requirement that the Member participate in a specified continuing education or remediation program:
 - (i) a summary of that decision;
 - (ii) where applicable, a notation that the decision has been appealed; and
 - (iii) a notation, if and when applicable, that the requirements of the specified continuing education or remediation program have been fulfilled or completed by the Member;
 provided that where a decision referred to in paragraph (cc) is overturned on appeal or review, the summary under paragraph (cc) shall be removed from the register.
- (3) All the information contained in the register is designated as public for the purposes of subsection 23 (5) of the Code.
- (4) (a) The Registrar may give any information contained in the register that is designated as public to any person in printed or oral form.
- (b) The Registrar may refuse to allow a person to obtain some or all of the information contained in the register that is designated as public if the Registrar has reasonable grounds to believe that the disclosure of the information may jeopardize the Member's safety.

INFORMATION TO BE PROVIDED BY MEMBERS

- 8.2.** (1) A Member shall provide the following to the College when requested to do so by the Registrar:
- (a) information required to be contained in the register by subsection 23 (2) of the Code;
 - (b) information required to be contained in the register by section 8.1 of these By-laws;
 - (c) information that the College is required to collect for the purpose of health human resource planning by the Minister by section 36.1 of the RHPA;
 - ~~(e)~~(d) [information that members are required to report under sections 85.6.1, 85.6.2, 85.6.3, and 85.6.4 of the Code;](#)
 - (e) the Member's date of birth;
 - ~~(e)~~(f) [the Member's gender](#)
 - ~~(e)~~ [the Member's electoral district;](#)
 - ~~(f)~~(g) the Member's home address;
 - ~~(g)~~(h) the Member's home telephone number, if available;
 - ~~(h)~~(i) the Member's mobile telephone number, if available;
 - ~~(i)~~(j) an email address for the Member that is distinct from the email address of any other Member;

- ~~(j)~~(k) the mailing address, and if different, the street address of each current and previous Place of Practice of the Member (provided that no client home address is required where the Member provides home care) and if available, the business facsimile number of each current Place of Practice;
- ~~(k)~~(l) the Member's employment information including the name and business address (including the email address) of the Member's employer, the name and business address (including the email address) of the Member's direct supervisor, the Member's job title, the Member's area and focus of practice, the Member's sector of practice, the Member's employment status (such as full or part-time status), and a description of the Member's place(s) of employment;
- ~~(k)~~.1 the street address of any location or facility where records related to the Member's practice are located;
- ~~(h)~~(m) the Member's practice hours, including the percentage of time spent in each area of practice;
- ~~(m)~~(n) whether the Member's preferred language of communication with the College is English or French;
- ~~(n)~~(o) the following information about any finding of professional misconduct or incapacity or similar finding that has been made against the Member by a body that governs a profession, inside or outside of Ontario, provided that the finding has not been reversed on appeal:
- (i) information on the finding;
 - (ii) the name of the governing body that made the finding;
 - (iii) the date the finding was made;
 - (iv) a summary of any order made; and
 - (v) information regarding any appeals of the finding;
- ~~(e)~~(p) whether the Member successfully completed the examination required for registration and if so, the date;
- ~~(p)~~(q) information required under section 85.6.1 of the Code about any finding of guilt of any offence against the Member made after June 3, 2009;
- ~~(e)~~(r) information required under section 85.6.2 of the Code about any finding of professional negligence or malpractice by a court against the Member made after June 3, 2009; and
- ~~(r)~~(s) information about any post-secondary education (full or partial degree, certificate or program courses) the Member has completed through a college or university, together with evidence of completion.
- ~~(s)~~(t) the following information about charges laid against the Member under the *Criminal Code* or the *Health Insurance Act*:
- (i) the charges;
 - (ii) the date the charges were laid; and
 - (iii) the status of the proceedings against the Member;

~~(t)~~(u) the following information about any restriction imposed on the Member by a court or other lawful authority:

- (i) the name of the court or other lawful authority that imposed the restriction;
- (ii) the date on which it was imposed;

~~(t)~~(v) the following information about a finding of guilt against the Member under the *Criminal Code*, or the *Health Insurance Act*, or the *Controlled Drugs and Substances Act*:

- (i) the finding;
- (ii) the sentence, if any;
- (iii) where the finding is under appeal, a notation that it is under appeal until the appeal is finally disposed of; and
- (iv) the dates of (i) – (iii), where known to the College;

- (2) A Member shall notify the Registrar in writing of any change to any previously provided information within 30 days of the change.

PROFESSIONAL LIABILITY INSURANCE

- 8.3.**
- (1) All Members who provide patient care in the practice of physiotherapy, whether in a paid or volunteer capacity, must hold professional liability insurance in accordance with this section.
 - (2) The professional liability insurance coverage referred to in subsection (1) may be obtained by the Member directly or may be provided through the policy of an employing agency so long as it covers the Member's entire practice of physiotherapy.
 - (3) The professional liability insurance referred to in subsection (1) must have:
 - (a) a liability limit of at least \$5,000,000 for any one incident; and
 - (b) a \$5,000,000 minimum for the annual policy period for each insured individual.
 - (4) The professional liability insurance referred to in subsection (1) must not be subject to a deductible.
 - (5) The professional liability insurance referred to in subsection (1) must provide coverage for incidents that occurred during the Member's physiotherapy practice and must provide coverage for claims made up to 10 years after the Member ceases practice.
 - (6) The professional liability insurance referred to in subsection (1) shall be subject only to such exclusions and conditions and terms as are consistent with standard insurance industry practices.
 - (7) Within 30 days of any request by the College, a Member required to hold the professional liability insurance referred to in subsection (1) shall provide current documentary proof, acceptable to the Registrar, that ~~his or her~~their professional liability insurance coverage complies with the requirements set out in this section.

FEES – REGISTRATION

- 8.4. (1) (a) Upon application for registration, every applicant shall pay a non-refundable application fee and a non-refundable registration fee.
- (b) The application and registration fees are as follows:

Application fee	For an initial application or re-application	\$100.00
Certificate of Registration Authorizing Independent Practice	For a certificate issued until the next March 31 (the College may in its discretion pro-rate registration fees for part year certificates or may bank registration fees for the future credit of a Member for part year certificates in accordance with Appendix B)	\$575.00
Certificate of Registration Authorizing Provisional Practice		\$ 75.00

- (2) (a) Every Member with a certificate of registration authorizing independent practice shall pay a non-refundable renewal fee as follows:

Certificate of Registration Authorizing Independent Practice	For a certificate issued until the next March 31 (the College may in its discretion pro-rate renewal fees for part year certificates or may bank renewal fees for the future credit of a Member for part year certificates in accordance with Appendix B)	\$575.00
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- (3) (a) The renewal fee is due on or before March 31 in each membership year.
 (b) If a Member holding a certificate of registration authorizing independent practice fails to pay a renewal fee on or before the day on which the fee is due, the Member shall pay a penalty in addition to the renewal fee, as follows:

Certificate of Registration Authorizing Independent Practice – Penalty	\$225.00
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- (4) If the Registrar suspends a Member’s certificate of registration for failure to pay a prescribed fee in accordance with section 24 of the Code, the Registrar shall terminate the suspension on:
 - (a) completion of a new application form (in the form of an initial application form) and payment of a new initial application fee; and
 - (b) payment of:
 - (i) all outstanding amounts owing to the College, including the current renewal fee; and
 - (ii) any applicable penalties relating to such outstanding amounts.
- (5) In addition to the amounts set out in subsections (1), (2) and (3), any outstanding fees owing to the College in respect of any decisions made by a Committee and any fees payable under these By-laws will be added to and included in the annual renewal fees.

FEES – REINSTATEMENT

- 8.5.** A person whose certificate of registration was suspended or revoked by a panel of the Discipline Committee or the Fitness to Practise Committee and who applies for reinstatement of his or her/their certificate of registration pursuant to section 72 of the Code shall pay:
- (a) if the person’s certificate of registration was suspended or revoked by a panel of the Discipline Committee, at the time the person makes the first such application, a fee of 1.5 times the fee for a certificate of registration authorizing independent practice;
 - ~~(a)~~(b) if the person’s certificate of registration was suspended or revoked by a panel of the Fitness to Practise Committee, at the time the person makes the first such application, the fee for a certificate of registration authorizing independent practice; and
 - ~~(b)~~(c) at the time the person makes the second or any subsequent application, a fee of 3 times the fee for a certificate of registration authorizing independent practice.

FEES – GENERAL

- 8.6.** (1) The Registrar may charge a fee for anything he or she is/they are required or authorized to do under the RHPA, the Code, the Act, the Regulations or the By-laws.
- (a) The fees for anything the Registrar is required or authorized to do, except for the fees for those things that are set out in these By-laws, are the fees set by the Registrar.
 - (b) ~~The fee for a report regarding the results of a Council election from the electronic voting organization is \$150.00.~~
 - (c) The fee for a copy of any College information or documents required to be provided under sections 3.1(2) or 23(12) of the Code shall be the actual costs to the College of providing the copies.
 - (d) The fee for a letter of Professional Standing is \$50.00.
 - (e) The fee for a returned cheque is \$50.00.
 - (f) The fee for an official certificate of registration with embossed gold logo (also known as a “wall certificate”) is \$25.00.

- (2) The Registrar may charge Members a fee for anything that a Committee is required or authorized to do under the RHPA, the Code, the Act, the Regulations or the By-laws.
- (a) The fees for the following programs or services that Committees are:
- (i) for the College Review Program – the actual cost of the program to a maximum of \$500.00;
 - (ii) for an Onsite Assessment – the actual costs of the assessment to a maximum of ~~\$500.00~~\$1000 (this does not apply to those Members who are ~~randomly~~ selected or volunteer for the annual Quality Assurance Program Competency Assessment process, or who are at the completion of a first cycle of remediation or enhancement at the direction of the Quality Assurance Committee);
 - (iii) for the first ten hours of the first cycle of any specified continuing education or remediation ~~or enhancement~~ program that a Member volunteers for or undertakes at the direction of the Quality Assurance Committee – no charge. All successive hours are billed at the rate of \$100.00 per hour;
 - (iv) for any course or program the College provides to a Member pursuant to an order of the Discipline Committee, Fitness to Practise Committee or Registration Committee – the cost associated with providing the program to the Member;
 - (v) for a specified continuing education or remediation program as required by the Inquiries, Complaints and Reports Committee – the cost associated with providing the program to the Member, and
 - (vi) for fees that the Member agrees to pay in relation to an Acknowledgement & Undertaking– the cost specified in the written agreement.

Part 9 – Professional Corporations

THE REGISTER

- 9.1.** (1) In addition to the information referred to in subsection 23 (2) of the Code, the following information shall be kept in the register,
- (a) the name of the professional corporation as registered with the Ministry of Government and Consumer Services;
 - (b) any business names used by the professional corporation,
 - (c) the name, as set out in the register, and registration number of each shareholder of the professional corporation;
 - (d) the name, as set out in the register, of each officer and director of the professional corporation, and the title or office held by each officer and director;
 - (e) the primary business address, telephone number, and email address of the professional corporation, and if available, the facsimile number;
 - (f) the address and telephone number of all other locations, other than residences of clients, at which the professional services offered by the professional corporation are provided; and
 - (g) a brief description of the professional activities carried out by the professional corporation.
- (2) The information specified in subsection (1) is designated as public for the purposes of subsection 23 (5) of the Code.
- (3) Every Member of the College shall, for every professional corporation of which the Member is a shareholder, provide in writing the information required for the register in subsection (1) on the application and annual renewal forms for a certificate of authorization, upon the written request of the Registrar within 30 days and upon any change in the information within 30 days of the change.

FEES – PROFESSIONAL CORPORATION

- 9.2.** (1) The application fee for a certificate of authorization, including on any reinstatement of a certificate of authorization, for a professional corporation is \$700.00.
- (2) The fee for the annual renewal of a certificate of authorization is \$250.00.
- (3) [The fee for an official certificate of authorization with embossed gold logo is \\$25.00.](#)

Part 10 — Council Approval

COUNCIL APPROVAL

APPROVED BY COUNCIL ON March 22, 2017 as confirmed by the signatures of the President and Vice-President of the College.

President

Vice-President

Appendix A

DECLARATION OF OFFICE FOR COUNCILLORS

I, _____, (Name of Councillor) hereby agree that I will:

- Accept the office as a duly elected, selected or appointed Councillor or non-Council Committee member of the College of Physiotherapists of Ontario;
- Act at all times, while serving as a Councillor or non-Council Committee member, to fulfil the statutory duty of the Colleges “to work in consultation with the Minister to ensure, as a matter of public interest, that the people of Ontario have access to adequate numbers of qualified, skilled and competent regulated health professionals” (Section 2.1 of the Health Professions Procedural Code, being Schedule 2 to the *Regulated Health Professions Act, 1991*);
- Act at all times, while serving as a Councillor or non-Council Committee member, to fulfil the statutory duty of the College to serve and protect the public interest while carrying out the objects of the College (Section 3 of the Health Professions Procedural Code, being Schedule 2 to the *Regulated Health Professions Act, 1991*. A copy of the objects are set out in Schedule 1 to this Declaration);
- Comply with the College’s Code of Conduct, as amended by Council from time to time, including the confidentiality obligations contained therein; and
- Comply with the other policies of the College applicable to Councillors and non-Council Committee members, as amended by Council from time to time.

[Councillor Signature]

Witness Signature

Date

Name of Witness

SCHEDULE 1 TO THE DECLARATION OF OFFICE FOR COUNCILLORS – OBJECTS OF THE COLLEGE

The College has the following objects:

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

Appendix B

REGISTRATION FEES DISCRETION

Pro-Rated Fees

- Physiotherapists who register in the independent practice category after April 1 will only pay for the number of days remaining until the end of the renewal year (March 31), in which they register with the College.

Fee Credits - Effective April 1, 2014

- Physiotherapists who resign more than three months before the end of the registration year (that is a resignation that occurs prior to December 31st in any registration year) will be eligible to receive a fee credit if they are resigning for any of the following reasons:
 - Education leave;
 - Health-related leave;
 - Compassionate/Bereavement/Family-related leave;
 - Maternity/Parental leave
 - Individuals who retire and then re-apply within one year
 - Moving out of province.
- The fee credit is based on the number of days not used in the registration year.
- The fee credit can be applied to the following fees, up to one year from the date of resignation or 18 months in the case of a maternity or parental leave:
 - Fees for online requests (letters of professional standing and wall certificates)
 - Renewal fee
 - application fee
 - initial registration fee
 - late renewal fee.
- Physiotherapists resigning in the final three months of the registration year are not eligible for a fee credit.
- The minimum period of leave to be eligible to receive a fee credit is three months.
- Fee credits will expire one year after the date of resignation if the resignation was for any of the following reasons:
 - Education leave;
 - Health-related leave;
 - Compassionate/Bereavement/Family-related leave;
 - Individuals who retire and then re-apply within one year;
 - Moving out of province; and
 - 18 months in the case of Maternity/Parental leave.

- Fee credits are transferable into the next registration year.
- There are no fee refunds.

Appendix C

CODE OF CONDUCT

Title:	Code of Conduct
Applicable to	Members of Council and Council Committees
Date approved:	December 2003
Date revised:	June 2006, March 2008, June 2010, February 2013, June 2014, March 2017

Purpose

Councillors and Committee members make decisions in the public interest, balancing this responsibility with an understanding of the profession and the settings in which it practices. They establish the College's goals and policies within its statutory mandate.

All Councillors and members of College committees are expected to exhibit conduct that is ethical, civil and lawful, in a manner that is consistent with the nature of the responsibilities of Council and the confidence bestowed on Council by the public and its registrants. The role of a non-Council committee member is considered comparable to that of a Councillor due to their direct participation in the committees that assist Council in fulfilling its statutory duties. Further, Councillors and members of Council committees are expected to aspire to excellence in their roles as governors.

This Code of Conduct serves to provide Council, and its Committees with high standard of conduct to guide and support their work in the best interests of the College, its legislative mandate, and the public. Each individual, and the group as a whole, is accountable for its conduct and performance.

Performance Expectations

In performing his/her role, each Councillor and Committee member will:

1. Promote the public interest in his/her contributions and in all discussions and decision-making.
2. Direct all activities toward fulfilling the College's objects as specified in the legislation.
3. Comply with the provisions of the Regulated Health Professions Act, the Physiotherapy Act, the regulations made under these acts and the by-laws of the College.
4. Conduct him/herself in a manner that respects the integrity of the College by striving to be fair, impartial and unbiased in his/her decision making.
5. Refrain from engaging in any discussion with other Council or committee members that takes place outside the formal Council or committee decision making process and that is intended to influence the decisions that the Council or a committee makes on matters that come before it.
6. Respect the power, authority and influence associated with his/her role and not misuse this for personal gain.

7. Recognize, understand and respect the roles and responsibilities of Council, committees and staff and maintain respectful working relationships with other Council members, committee members and staff members. This includes acknowledging the appropriate authorities of the Registrar and the President.
8. Acquire, apply and maintain knowledge of Council and committee policies, procedures, relevant legislation, College functions and current issues facing the College and the committees he/she participates in.
9. When personal circumstances may affect his/her ability to function objectively in his/her role, address the conflict situation by complying with the College by-laws that govern conduct in this situation by, as a minimum, declaring the conflict, abstaining from discussing or voting on the matter and removing oneself from the meeting.
10. Maintain the confidentiality of information coming into his/her possession in keeping with the provisions set out in the RHPA and the confidentiality policies of the College.
11. Maintain appropriate decorum during all Council and committee meetings by adhering to the rules of order adopted by the Council.
12. Review and consider the information provided for Council and committee meetings and identify any information to enhance effective Council and committee decision-making as needed.
13. Respect the views and the expertise of other Council and Committee members and appreciate the opportunity for varied viewpoints to be brought forward, considered and resolved through robust discussion.
14. Publicly uphold and support the decisions of Council and respect the President's role as Council spokesperson.
15. Attend meetings to the best of his/her ability and be available to mentor and assist new members.
16. Regularly evaluate his/her individual performance, and that of the collective to assure continuous improvement.
17. Promote general interest in the physiotherapy community for Council and non-Council positions.

Sanctions

1. All concerns related to the conduct or performance of a Councillor or of a Council committee member should be brought to the attention of the President of the College.
2. All concerns must be documented, specifically the questionable conduct or performance, in sufficient detail to enable it to be understood. The document should identify the element (s) of the Code that is of concern and include, where relevant, any supporting evidence.
3. After review of the material and dependent on the issue, the President has the discretion to either meet with the Councillor or Committee member and provide individual coaching, or to raise the matter for Council's consideration. At any time the President may seek advice from the Executive Committee and/or the Registrar. All decisions taken are to be recorded and kept in the member's corporate file.
4. When the President identifies that an alleged breach of this Code of Conduct may have occurred and raises it for Council's consideration, Council shall adopt a process to deal with the alleged breach that is consistent with the rules of order of Council and that provides the person whose conduct has been called into question with an opportunity to explain his/her actions.

5. When Council determines that a breach of the Code of Conduct did take place, the Council may, on the basis of a resolution that has been properly moved, seconded and assented to by two thirds of Councillors, impose a sanction that may include one or more of the following:
 - a. Requesting a change in the behaviour of the person;
 - b. Requesting that the person apologize for his/her behaviour;
 - c. Censuring the person for his/her behaviour;
 - d. Declining to appoint a person to any committee or to a specific committee;
 - e. Declining to provide confidential information to the person, in circumstances where concern over breach of confidentiality has occurred;
 - f. Requesting the person's resignation from the Council, committee or other activity in which he/she had been acting on behalf of the College;
 - g. Removing an Elected Councillor or Academic Councillor from the Council, committee or other activity in which he/she had been acting on behalf of the College in accordance with the by-laws;
 - h. Removing a Publicly-Appointed Councillor appointed by the Lieutenant Governor from the committee or other activity that he/she had been acting on, on behalf of the College in accordance with the by-laws; or
 - i. Requesting that the Minister remove a Publicly-Appointed Councillor from the Council.
6. If the Council removes an Elected Councillor it shall treat the circumstances as if the vacancy was a result of the resignation of the Councillor.

Procedural and Other Safeguards

1. In determining whether to impose a sanction, and which sanction to impose, Council shall be mindful of the general principle that sanctions are to be remediative not punitive.
2. Council shall not consider whether to impose a sanction without first providing the person with an opportunity to address Council personally or through legal counsel.
3. A resolution of at least two thirds of the Councillors at a meeting duly called for that purpose shall be required to sanction a member.
4. A Councillor whose conduct or performance is the subject of concern may attend but shall not take part in any Council deliberation respecting his/her conduct or performance and if the person is the subject of a vote taken under this Code of Conduct, he/she shall not vote on the matter.
5. A Councillor whose conduct or performance is the subject of concern shall be excluded from other Council deliberations pending the decision on [his or her/their](#) conduct.
6. Any deliberation or vote taken under this Code of Conduct shall be public except in circumstances where information presented during the deliberation may be detrimental to the person whose conduct or performance is the subject of concern (e.g. information on [his or her/their](#) health status is presented).
7. The College will not be responsible for any costs of the Councillor or Committee member whose conduct is being examined.



COLLEGE OF
PHYSIOTHERAPISTS
of ONTARIO

ORDRE DES
PHYSIOTHÉRAPEUTES
de l'ONTARIO

Motion No.: 6.0

Council Meeting
October 22-23, 2020

Agenda # 6: Motion to go in camera pursuant to section 7(2)(d) of the Health Professions Procedural Code

It is moved by

and seconded by

that:

Council move in camera pursuant to section 7(2)(d) of the Health Professions Procedural Code.

Agenda # 7

Member's Motion/s