



CDHO COUNCIL MEETING

Friday, September 24, 2021

9:00 a.m. – 3:00 p.m.

Location:

Virtual Meeting

CDHO COUNCIL MEETING AGENDA

Friday, September 24, 2021

9:00 a.m. – 4:00 p.m.

Agenda Item	Topic and Relevant Council Policy	Proposed Outcome	Lead if not Chair	Verbal Report/ Attachment	Est. Time
1.0	CALL TO ORDER				9:00
1.1	Roll Call	Council Attendance	C. Lotz	TAB 1	9:00
1.2	Opening Remarks	Council Is Addressed	C. Lotz/J. Keir	--	9:02
1.3	Council Policy Manual Update	Council Is Informed	C. Lotz	TAB 2	9:08
1.4	Council Code of Conduct	Council Is Informed	C. Lotz	TAB 3	9:09
2.0	APPROVAL OF AGENDA				9:10
2.1	Review and Approval of Agenda	Council Approval	C. Lotz	TAB 4	9:10
3.0	DECLARATIONS OF POTENTIAL CONFLICT OF INTEREST				9:12
3.1	Declarations of Conflict of Interest <i>Council will be asked to declare any conflicts of interest that have not been included on their Conflict of Interest form.</i>	Declared Conflicts	C. Lotz	TAB 5	9:12
4.0	CONSENT AGENDA				9:15
	<p>CONSENT AGENDA ITEMS (4.1. – 4.4.2) A consent agenda is a bundle of items that is voted on, without discussion, as a package. It differentiates between routine matters not needing explanation and more complex issues needing examination. The Chair will ask if any one wishes to remove an item from the consent agenda. Any Council member may request an item be removed so it can be discussed. To test whether an item should be included in the consent agenda, ask:</p> <ol style="list-style-type: none"> 1. Is this item self-explanatory and uncontroversial? Or does it contain an issue that warrants board discussion? 2. Is this item for information only? Or is it needed for another meeting agenda issue? 				
4.1	<u>Council Meeting Minutes</u>				
4.1.1	Meeting Minutes – June 11, 2021	Council Approval	C. Lotz	TAB 6	9:15
4.2	<u>Statutory Committee Reports</u>				
4.2.1	Executive Committee	Council Is Informed	C. Lotz	TAB 7	9:15
4.2.2	Discipline Committee	Council Is Informed	E. Betts	TAB 7	9:15

4.2.3	Fitness to Practise Committee	Council Is Informed	TBD	TAB 7	9:15
4.2.4	Inquiries, Complaints and Reports Committee	Council Is Informed	M. Atkinson	TAB 7	9:15
4.2.5	Patient Relations Committee	Council Is Informed	TBD	TAB 7	9:15
4.2.6	Quality Assurance Committee	Council Is Informed	T. Strawn	TAB 7	9:15
4.2.7	Registration Committee	Council Is Informed	M. Atkinson	TAB 7	9:15
4.3	<u>Non-Statutory Committee Reports</u>				
4.3.1	Examinations Committee	Council Is Informed	L. Voytek	TAB 7	9:15
4.4	<u>Incidental Briefing Reports</u>				
4.4.1	Council President’s Report	Council Is Informed	C. Lotz	TAB 8	9:15
4.4.2	Registrar’s Administrative Report	Council Is Informed	J. Keir	TAB 8	9:15
5.0	OWNERSHIP LINKAGE				9:20
5.1	Status of Ownership Linkage Activities <i>The Ownership Linkage Committee has not met since the last Council meeting.</i>	Council Is Informed	C. Grbac	--	9:20
6.0	GOVERNANCE PROCESS ITEMS FOR DECISION				9:20
6.1	2022 Council Meeting Dates <i>Council will be asked to approve the 2022 meeting dates.</i>	Council Approval	C. Lotz	TAB 9	9:20
6.2	Transition Oversight Committee <i>The President will give an update on the Tri-Council work and Council will be asked to appoint members to the Transition Oversight Committee.</i>	Council Approval	C. Lotz	TAB 10	9:45
6.3	Amendment to GP-7 Council Stipend and Expenses: Ad hoc Meeting Remuneration Policy <i>Council will be asked to approve the updated Council remuneration policy.</i>	Council Approval	C. Lotz	TAB 11	10:00
6.4	President’s Compensation <i>The Executive Committee is researching a fair, effective, and transparent way to compensate Council members for their work as President. The Vice-President will provide Council with an update.</i>	Council Is Informed	P. Leroux	TAB 12	10:15
BREAK					10:30
6.5	New Council and Committee Onboarding Plan <i>Council will be asked to approve a new orientation schedule and to direct staff to further develop and implement the plan.</i>	Council Approval	C. Lotz	TAB 14	10:45

7.0	ENDS ITEMS FOR DECISION				11:15
	There are no agenda items at this meeting.				11:15
8.0	COUNCIL REGISTRAR DELEGATION ITEMS FOR DECISION				
	There are no agenda items at this meeting				
9.0	EXECUTIVE LIMITATIONS ITEMS FOR DECISION				11:15
9.1	Policy Content Review: EL 3 Planning	Council Approval	C. Lotz	--	11:15
9.2	Policy Content Review: EL 9 Ethical Behaviour	Council Approval	C. Lotz	--	11:25
10.0	REQUIRED APPROVALS AGENDA				
10.1	Discipline Committee Terms of Reference <i>Council will be asked to approve changes to the Discipline Committee's Terms of Reference.</i>	Council Approval	E. Betts	TAB 15	11:35
11.0	MONITORING BOARD PERFORMANCE				
	There are no agenda items at this meeting.				
LUNCH					12:00
12.0	BOARD EDUCATION				1:00
12.1	Learnings from the Pandemic	Council Is Informed	Rebecca Durcan, SML	--	1:00
12.2	CDHO and the Pandemic	Council Is Informed	CDHO Staff	--	2:30
13.0	SELF-EVALUATION OF GOVERNANCE PROCESS				2:30
13.1	Council Meeting Evaluation	Council Is Informed	C. Lotz	--	2:30
--	COUNCIL MOVES IN CAMERA (ITEMS 14.1-14.2) To discuss personnel matters. Monitoring Reports on Ends and Executive Limitations form part of the Registrar's Performance Evaluation				
14.0	MONITORING CEO PERFORMANCE				2:40
14.1	Internal Monitoring: E 1	Council Approval	J. Keir	TAB 16	2:40
14.2	Internal Monitoring: EL 4(1)	Council Approval	J. Keir	TAB 16	2:50
14.3	Registrar/CEO Transition Committee <i>Council will be provided with an update re progress relating to Registrar Recruitment.</i>	Council Is Informed	T. Strawn		2:55
--	COUNCIL MOVES OUT OF CAMERA				
15.0	NEXT MEETING DATE — December 3, 2021				3:55
16.0	ADJOURNMENT			TAB 17	4:00

Roll Call

Council Meeting

Friday, September 24, 2021

Virtual Meeting

<input type="checkbox"/>	Michelle Atkinson	Elected
<input type="checkbox"/>	Loree Beniuk	Public
<input type="checkbox"/>	Erin Betts	Public
<input type="checkbox"/>	Anne-Marie Conaghan	Academic
<input type="checkbox"/>	Jennifer Cooper	Academic
<input type="checkbox"/>	Jenny Gibson	Elected
<input type="checkbox"/>	Pella Giabanis	Public
<input type="checkbox"/>	Carla Grbac	Elected
<input type="checkbox"/>	Alex Greco	Public
<input type="checkbox"/>	Ehizele Martin Iyamabo	Public
<input type="checkbox"/>	Pauline Leroux	Elected
<input type="checkbox"/>	Meghan Leuprecht	Public
<input type="checkbox"/>	Caroline Lotz	Elected
<input type="checkbox"/>	Vanessa Pereira	Elected
<input type="checkbox"/>	Ilga St. Onge	Elected
<input type="checkbox"/>	Terri Strawn	Elected
<input type="checkbox"/>	Amit Vig	Public
<input type="checkbox"/>	Margaret Wade	Public
<input type="checkbox"/>	Jacqueline White	Elected

/19 total members

BRIEFING NOTE

To: Council

From: Chair

Date: September 24, 2021

Topic: Council Policy Manual Update

The following policies were amended at the June 11, 2021 Council Meeting and the Policy Manual has been updated.

EL 2.7	Compensation and Benefits
GP 4.2.4.7	Benefits to Retired Employees
GP 4.12	CPMF Committee Terms of Reference

COUNCIL CODE OF CONDUCT

4. GLOBAL GOVERNANCE PROCESS POLICY

The purpose of the Council, on behalf of the public of Ontario, is to see to it that the College of Dental Hygienists of Ontario achieves appropriate results for the appropriate people at an appropriate cost, as specified in Council's Ends policies, while avoiding unacceptable actions and situations.

GP-8 Code of Conduct

Council Members shall conduct themselves in accordance with the bylaws.

Excerpt from Bylaw 5

3.7 Council and Non-Council Committee Member Code of Conduct

- (1) This entire Code of Conduct, from sections 3.7 through to and including section 3.9, shall apply to Council Members and with necessary modifications, to Non-Council Committee Members. Any reference to Council Members shall be interpreted as also applying to Non-Council Committee Members as the circumstances may require.

Fiduciary Duties

- (2) Council Members shall act in the best interests of the College and of the public of Ontario. They shall perform their duties in accordance with the Act, the bylaw and any policies of the College.
- (3) Council Members shall conduct themselves in a manner which is ethical, business-like and lawful and upholds the reputation of the CDHO. This includes proper use of authority and appropriate decorum when acting as Council Members. Council Members shall treat one another and staff members with respect, co-operation and a willingness to deal openly on all matters.
- (4) Council Members must have loyalty to the College that supersedes any loyalties to staff, other organizations or any personal interest as a consumer.
- (5) Council Members are accountable to exercise the powers and discharge the duties of their office honestly and in good faith. Members shall exercise the degree of care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.
- (6) Council Members will not attempt to exercise individual authority over the organization.
- (7) When interacting with staff, Council Members must recognize that individual Council Members have no authority to instruct or evaluate employees, and no authority to insert themselves into employee operations.

- (8) Council Members shall recognize that the President or designate is the only person authorized to speak to the media on behalf of the Council. Council Members shall not presume to speak for the Council when interacting with the public. Council Members shall only report actual Council policy decisions when interacting with the public.
- (9) Council Members shall be familiar with the incorporating documents, relevant legislation and regulations, bylaws, and policies of the organization as well as the rules of procedure and proper conduct of a meeting so that any decision of the Council may be made in an efficient, knowledgeable and expeditious fashion.
- (10) Council Members will be properly prepared for, and actively participate in Council deliberation.
- (11) Council Members will support the legitimacy and authority of Council decisions, regardless of the member's personal position on the issue.
- (12) Council Members shall regularly take part in educational activities that will assist them in carrying out their responsibilities.
- (13) Council Members are expected to attend all meetings and to be punctual.
- (14) Council Members who are unable to attend a meeting shall inform the President and the Registrar/CEO of their expected absence and the reason for it.
- (15) Council Members shall be prepared **to serve on** committees and complete individual tasks as assigned by the Council from time to time.

Conflict of Interest

- (16) The terms "conflict of interest" and "appearance of bias" are often used interchangeably. The term "conflict of interest" generally applies to policy or administrative decisions while the term "appearance of bias" generally applies to an adjudicative type of decision. For the purpose of this bylaw, they mean the same thing.
- (17) Council Members must not carry out their duties when they are in a conflict of interest. A conflict of interest exists where a reasonable person could conclude that the personal interests of the individual or a related person or company could improperly influence the individual's judgment in performing his or her duties as a Council Member.
- (18) There must be no self-dealing or any conduct of private business or personal services between any Council Member and the organization, except as procedurally controlled to assure openness, competitive opportunity, and equal access to otherwise "inside" information. Council Members will annually disclose their involvements with other organizations, with vendors, or any associations that might be or might reasonably be seen as being a conflict.
- (19) Council Members may not accept an employment or administrative position with the College, including that of the Registrar, unless one year has passed since he or she was a Council Member or Non-Council Member.

- (20) Council Members will not use their Council or committee position to obtain employment in the organization for themselves, family members, or close associates. Should a Council Member wish to apply for employment, he or she must resign from the Council and not apply before a date twelve (12) months from the effective date of their resignation. Family members are spouse, life partner, child, parent, in-law, live-in grandparent or sibling.

Examples of Conflicts of Interest

- (21) Without limiting the usual and ordinary meaning of “conflict of interest” or “appearance of bias”, some examples of activities or circumstances that would usually constitute a conflict of interest or an appearance of bias for a Council or Non-Council Member include the following:
- (a) Where the decision could confer a more than trivial financial or other benefit or burden to the Council Member or their close relative or friend or affiliated entity;
 - (b) Where the Council Member or their close relative or friend or affiliated entity seeks or accepts more than a nominal gift from a person or entity connected to or affected by the College or its mandate or a gift which could reasonably be viewed as influencing the Council or Committee Member;
 - (c) Where the Council Member or their close relative or friend or affiliated entity uses the Council Member’s position with the College to advance their personal or financial interests;
 - (d) Where the Council Member takes action or counsels another to take action against the College, the reputation of the College or its staff;
 - (e) Where the Council Member is running for national or provincial public office and where the Council or Committee Member has not taken a leave of absence from all Council and committee positions at the College;
 - (f) Where the Council Member agrees to give or gives a presentation on an issue related to the College’s role or activities without prior College approval;
 - (g) Where the Council Member agrees to participate or participates in a committee, working group, task force or other group related to the College’s role or activities without prior College approval;
 - (h) Where the Council Member, who is not the official spokesperson for the College, is in communication with government officials, politicians or the media on any matter related to the College without prior College approval;
 - (i) Where the Council Member publishes, including a posting on social media, a statement that could impair the public’s confidence in the College or compromise the policy or public image of the College or the Council Member’s ability to make transparent, objective, impartial and fair decisions that are in the public interest;
 - (j) Where the Council Member appears to give preferential access to a person or entity that advances the interests of dental hygienists or that has policy-making responsibilities for dental hygienists or that oversees the regulation of dental hygienists without prior College approval;

- (k) Where the Council Member advises or assists anyone in their dealings with the College, including acting as a peer mentor unless the Council Member has prior College approval;
- (l) Where the Council Member demonstrates a closed mind on an issue that is coming up, or is likely to come up, before the College;
- (m) Where the Council Member is the subject of an inquiry or investigation by the College, the police or another authority that impairs the ability of the Council Member to participate in a decision or to continue to serve in his or her position or has the potential to jeopardize public trust in the member, the Council, the Committee or the College;
- (n) Where the Council Member applies for employment with the College without first resigning all Council and committee positions;
- (o) Where the Council Member has a connection with a person or issue to be determined that would reasonably be seen by those who know all of the circumstances as incompatible with his or her responsibilities as an impartial decision-maker; and
- (p) Where the Council Member or their close relative or friend or affiliated entity uses materials developed for the College for commercial purposes without prior College approval.

Preventing and Addressing Conflicts of Interest

- (22) Council Members shall avoid, where feasible, situations where they would have conflicting duties of confidentiality and disclosure between their role with the College and with another person or entity.
- (23) Where a Council Member is in doubt as to whether he or she has a conflict of interest, the Council Member shall consult with an appropriate person such as the Chair of the affected committee, the President, the Registrar, or independent legal counsel in a hearing.
- (24) If a Council Member believes that he or she has a conflict of interest in a particular matter, he or she shall,
 - (a) prior to any consideration of the matter, declare to the Council or the committee that he or she has a conflict of interest that prevents him or her from participating;
 - (b) not take part in the discussion of or vote on any question in respect of the matter;
 - (c) leave the room for the portion of the meeting relating to the matter even where the meeting is open to the public; and
 - (d) not attempt in any way to influence the voting or do anything which might be reasonably perceived as an attempt to influence other Council or Committee Members or the decision relating to that matter.
- (25) Where a Council Member declares a conflict of interest, that fact shall be recorded in the minutes of that meeting of Council or the committee.

- (26) Where a Council Member believes that another Council Member has a conflict of interest that has not been declared despite any appropriate informal communications with the other Council Member, the first Council Member shall advise an appropriate person such as the Chair of the affected committee, the President, the Registrar, or independent legal counsel in hearing matters. The person who is suggested as having a conflict of interest is entitled to address the matter before any decision is made regarding the issue under paragraph 28 of this Article.
- (27) Where a Council Member believes that another Council or Committee Member has already acted in a conflict of interest or is in an ongoing conflict of interest, he or she shall advise in writing an appropriate person such as the Chair of the affected committee, the President, the Registrar or independent legal counsel in hearing matters. The person who is suggested as having a conflict of interest is entitled to make submissions about the matter before any decision is made regarding the issue under paragraph 28 of this Article.
- (28) Where the Council or a Committee concludes that one of its members has a conflict of interest that has not been declared, it can, after allowing the affected member to make submissions regarding the issue, direct that the Council or Committee Member not participate in the discussion or decision, leave the room for that portion of the meeting and not try to or otherwise exert influence in the matter.

Declaration of Conflict of Interest by Council and Non-Council Members

- (29) Every Council Member shall declare, verbally, and where the Council deems it appropriate, in writing, if he or she has an actual or perceived conflict of interest pertaining to his or her duties as a Council or Committee Member. This declaration will take place at the first Council or Committee meeting at which he or she becomes aware of an actual or perceived conflict of interest and subsequently at the first Council meeting of each year.

Confidentiality

- (30) The purpose of this part of the bylaw is to provide helpful explanations as how to comply with the confidentiality provisions of the Code of Conduct. These provisions in no way limit the full extent of the duties set out in the Code of Conduct.
- (31) Council Members shall treat all information learned in the course of their duties, whether or not the information is related to an individual, as confidential and shall not disclose it unless a clearly identified exception applies.
- (32) Council Members shall review at least annually and when there are changes, the provisions in the *Regulated Health Professions Act* (especially section 36) and the Health Professions Procedural Code (especially sections 83 and 83.1), relating to confidentiality.
- (33) Council Members shall generally leave to College staff the disclosure of information under the legal exceptions to the duty of confidentiality. However, in appropriate circumstances, Council Members may disclose information directly when performing their duties, such as in rendering a decision and reasons on behalf of a committee, when appropriately discussing information that is public under the legislation and when consulting with their own legal counsel.

- (34) Even for communications within the College, Council Members shall only obtain or disclose information on a need-to-know basis.
- (35) Council Members will not share or post information on social media that compromises the organization or the Council's policy or public image.
- (36) Council Members shall take reasonable measures to safeguard College information including the safe management of paper documents and portable electronic devices and avoiding the use of unsecure electronic forms of communication or the use of social media for such communications.
- (37) Where a Council Member believes that there has been a breach of confidentiality by a Council or Committee Member, whether intentional or unintentional, he or she shall immediately advise the Registrar in writing providing all of the details. The Registrar shall notify the President as soon as possible of any breach of confidentiality by a Council or Committee Member.
- (38) Council Members will sign annually their agreement to abide by the Code of Conduct in its entirety.

3.8 Disqualification of Council and Non-Council Members

- (1) The Council shall disqualify a Registrant from sitting on Council or a Committee or serving as a Non-Council Member if the Registrant:
 - (a) is found by a panel of the Discipline Committee to have committed an act of professional misconduct or to be incompetent;
 - (b) is found by a panel of the Fitness to Practise Committee to be incapacitated;
 - (c) subject to the discretion of Council to excuse the absence, fails, without reasonable cause, to attend two consecutive meetings of the Council or fails, for any reason, to attend three consecutive meetings of the Council;
 - (d) subject to the discretion of Council to excuse the absence, fails to attend two consecutive meetings of a Committee without reasonable cause or fails, for any reason, to attend three consecutive meetings of a Committee of which she or he is a member;
 - (e) fails, without reasonable cause, to attend a hearing of a panel for which he or she has been selected;
 - (f) in the case of an Elected Member, ceases to qualify for election in the electoral district for which the Elected Member was Elected;
 - (g) in the case of an Academic Member, ceases to be Faculty;
 - (h) breaches section 36 of the Act which, in the opinion of Council, is of such a nature that warrants disqualification;
 - (i) ceases to be a Registrant;
 - (j) fails, in the opinion of the Council, to discharge properly or honestly any office to which he or she has been Elected, Selected or Appointed;

- (k) has breached the Code of Conduct or conflict of interest provisions of this bylaw which, in the opinion of the Conduct Committee or its delegate, is of such a nature that warrants disqualification;
 - (l) becomes a member of a Council of any other College regulated under the Act;
 - (m) is found guilty of a criminal offence which, in the opinion of Council, is of such a nature that warrants disqualification;
 - (n) has not complied, within 30 days, or as otherwise specified, of being given notice of the failure, the College's requirements to pay fees, or the College's requirements for the provision of information;
 - (o) has a term, limit or condition imposed by the Quality Assurance Committee, the Discipline Committee or the Fitness to Practise Committee on his or her certificate of registration;
 - (p) is or becomes an officer, director or employee of a Professional Advocacy Association (however, a Council Member shall not be disqualified by reason of serving on an association or organization to which he or she has been appointed by the Council as a representative of the College);
 - (q) initiates, joins, continues or materially contributes to a legal proceeding against the College of any Committee or representatives of the College;
 - (r) has been directed by the Inquiries, Complaints and Reports Committee to complete a specified continuing education or remediation program and/or to appear before a panel of the Committee to be cautioned in the six years prior to the term of such Member, or during the term of such Member; or
 - (s) has given an undertaking to the College in response to a request by a panel of the Inquiries, Complaints and Reports Committee related to a complaint or for a matter in which an investigator is appointed under clause 75(1)(a) or clause 75(1)(b) of the Code, in the six years prior to the term of such Member, or during the term of such Member.
- (2) Jurisdiction for disqualifying a Public Member falls to the Lieutenant Governor in Council. The President on behalf of Council shall report to the Public Appointments Secretariat if a Public Member:
- (a) subject to the discretion of Council to excuse the absence, fails, without reasonable cause, to attend two consecutive regular meetings of the Council or fails, for any reason, to attend three consecutive meetings of the Council;
 - (b) subject to the discretion of Council to excuse the absence, fails, without reasonable cause, to attend two consecutive regular meetings of a Committee of which she or he is a member or fails, for any reason, to attend three consecutive meetings of a Committee of which she or he is a member;
 - (c) fails, without reasonable cause, to attend a hearing of a panel for which she or he has been selected;

- (d) breaches section 36 of the Act which, in the opinion of Council, is of such a nature that warrants disqualification;
 - (e) has breached the Code of Conduct or conflict of interest provisions of this bylaw which, in the opinion of the Conduct Committee or its delegate, is of such a nature that warrants disqualification;
 - (f) ceases to be a resident of Ontario;
 - (g) fails, in the opinion of the Council, to discharge properly or honestly any office to which he or she has been appointed;
 - (h) becomes a member of a Council of any other College regulated under the Act;
 - (i) is found guilty of a criminal offence which, in the opinion of Council, is of such a nature that warrants disqualification;
 - (j) is or becomes an officer, director or employee of a Professional Advocacy Association (however, a Public Member shall not be reported to the Public Appointments Secretariat by reason of serving on an association or organization to which he or she has been appointed by the Council as a representative of the College); or
 - (k) initiates, joins, continues or materially contributes to a legal proceeding against the College or any Committee or representatives of the College.
- (3) A person who has served as a Council or Non-Council Member may not become an employee of the College until one year has passed following the expiration of their term of office.
- (4) A Council Member who has been disqualified from sitting on the Council ceases to be a member of the Council and ceases to be a member of any Committees, including any panel, to which he or she had been Appointed.

Suggested Motion – Friday, September 24, 2021

2.1 ADOPTION OF AGENDA

MOTION: **THAT** Council moves to approve the September 24, 2021 Council meeting agenda as presented.

Moved:

Seconded:

VOTE:

Council Member Declaration

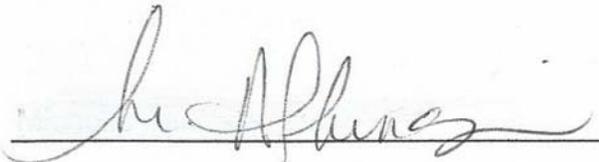
I Michelle Atkinson (please print name):

- Have read sections 3.7 to 3.9 of the CDHO Bylaw 5 and I understand that I am accountable as a member of Council to conduct myself in compliance with these bylaws.
- I understand that I am obligated to declare a conflict of interest with my Council responsibilities, if and when one arises.
- I also understand that I am obligated to report instances of another Council member's conflict of interest with Council responsibilities of which I become aware.
- Having reviewed the examples of conflict of interest [sec. 3.7(21)], I am declaring that I currently have no conflicts of interest in my role as a member of Council.

OR

- I am declaring the following potential conflicts of interest in my role as a member of Council.

Organization, Associate, Vendor, Business, Person(s)	Description of Relationship, Role or Involvement
Algonquin College	Program Coordinator & Full time faculty



Signature

January 18 2021

Date

Council Member Declaration

I LOREE BENIUK (please print name):

- Have read sections 3.7 to 3.9 of the CDHO Bylaw 5 and I understand that I am accountable as a member of Council to conduct myself in compliance with these bylaws.
- I understand that I am obligated to declare a conflict of interest with my Council responsibilities, if and when one arises.
- I also understand that I am obligated to report instances of another Council member's conflict of interest with Council responsibilities of which I become aware.
- Having reviewed the examples of conflict of interest [sec. 3.7(21)], I am declaring that I currently have no conflicts of interest in my role as a member of Council.

OR

- I am declaring the following potential conflicts of interest in my role as a member of Council.

Organization, Associate, Vendor, Business, Person(s)	Description of Relationship, Role or Involvement

Loree Beniuk
Signature

Feb 9, 2021
Date

Council Member Declaration

I Erin Betts (please print name):

- Have read sections 3.7 to 3.9 of the CDHO Bylaw 5 and I understand that I am accountable as a member of Council to conduct myself in compliance with these bylaws.
- I understand that I am obligated to declare a conflict of interest with my Council responsibilities, if and when one arises.
- I also understand that I am obligated to report instances of another Council member's conflict of interest with Council responsibilities of which I become aware.
- Having reviewed the examples of conflict of interest [sec. 3.7(21)], I am declaring that I currently have no conflicts of interest in my role as a member of Council.

OR

- I am declaring the following potential conflicts of interest in my role as a member of Council.

Organization, Associate, Vendor, Business, Person(s)	Description of Relationship, Role or Involvement



Signature

January 21, 2021

Date

Council Member Declaration

I Anne-Marie Conaghan (please print name):

- Have read sections 3.7 to 3.9 of the CDHO Bylaw 5 and I understand that I am accountable as a member of Council to conduct myself in compliance with these bylaws.
- I understand that I am obligated to declare a conflict of interest with my Council responsibilities, if and when one arises.
- I also understand that I am obligated to report instances of another Council member's conflict of interest with Council responsibilities of which I become aware.
- Having reviewed the examples of conflict of interest [sec. 3.7(21)], I am declaring that I currently have no conflicts of interest in my role as a member of Council.

OR

- I am declaring the following potential conflicts of interest in my role as a member of Council.

Organization, Associate, Vendor, Business, Person(s)	Description of Relationship, Role or Involvement
Georgian College	Program Coordinator, Dental Hygiene
Commission on Dental Accreditation of Canada	Site- surveyor out-of-province DH programs
Commission on Dental Accreditation of Canada,	Governance Steering Committee: Committee member

AConaghan

Signature

January 21, 2021

Date

Council Member Declaration

I Jennifer Cooper (please print name):

- Have read sections 3.7 to 3.9 of the CDHO Bylaw 5 and I understand that I am accountable as a member of Council to conduct myself in compliance with these bylaws.
- I understand that I am obligated to declare a conflict of interest with my Council responsibilities, if and when one arises.
- I also understand that I am obligated to report instances of another Council member's conflict of interest with Council responsibilities of which I become aware.
- Having reviewed the examples of conflict of interest [sec. 3.7(21)], I am declaring that I currently have no conflicts of interest in my role as a member of Council.

OR

- I am declaring the following potential conflicts of interest in my role as a member of Council.

Organization, Associate, Vendor, Business, Person(s)	Description of Relationship, Role or Involvement
Commission on Dental Accreditation of Canada	Dental Assisting Site Surveyor - 2019



Signature

January 20, 2021

Date

Council Member Declaration

I Jenny Elizabeth Gibson (please print name):

- Have read sections 3.7 to 3.9 of the CDHO Bylaw 5 and I understand that I am accountable as a member of Council to conduct myself in compliance with these bylaws.
- I understand that I am obligated to declare a conflict of interest with my Council responsibilities, if and when one arises.
- I also understand that I am obligated to report instances of another Council member's conflict of interest with Council responsibilities of which I become aware.
- Having reviewed the examples of conflict of interest [sec. 3.7(21)], I am declaring that I currently have no conflicts of interest in my role as a member of Council.

OR

- I am declaring the following potential conflicts of interest in my role as a member of Council.

Organization, Associate, Vendor, Business, Person(s)	Description of Relationship, Role or Involvement
Township of Black River - Matheson	Municipal Councillor
MICs Hospital Board	Board Member, Municipal Representative

J. Gibson
Signature

January 21st, 2021
Date

Council Member Declaration

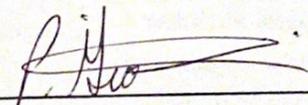
I Pelaxia (Pella) Giabanis (please print name):

- Have read sections 3.7 to 3.9 of the CDHO Bylaw 5 and I understand that I am accountable as a member of Council to conduct myself in compliance with these bylaws.
- I understand that I am obligated to declare a conflict of interest with my Council responsibilities, if and when one arises.
- I also understand that I am obligated to report instances of another Council member's conflict of interest with Council responsibilities of which I become aware.
- Having reviewed the examples of conflict of interest [sec. 3.7(21)], I am declaring that I currently have no conflicts of interest in my role as a member of Council.

OR

- I am declaring the following potential conflicts of interest in my role as a member of Council.

Organization, Associate, Vendor, Business, Person(s)	Description of Relationship, Role or Involvement


Signature

June 8th, 2021
Date

Council Member Declaration

I CARLA GRBAC (please print name):

- Have read sections 3.7 to 3.9 of the CDHO Bylaw 5 and I understand that I am accountable as a member of Council to conduct myself in compliance with these bylaws.
- I understand that I am obligated to declare a conflict of interest with my Council member's conflict of interest with Council responsibilities, if and when one arises.
- I also understand that I am obligated to report instances of another council member's conflict of interest with Council responsibilities of which I became aware.
- Having reviewed the examples of conflict of interest [sec. 3.7(21)], I am declaring that I currently have no conflicts of interest in my role as member of Council.

OR

- I am declaring potential conflicts of interest in my role as member of Council.

Organization, Associate, Vendor, Business, Person(s)	Description of Relationship, Role or Involment
RDHGuru Dental Hygiene Seminars	I provide Dental Hygiene Seminars to other RDHs. The topics I cover range from diabetes and perio dz, client positioning, AAP classification, etc. I understand that seminars pertaining to portfolio writing or QA do pose a conflict of interest and will Not be providing them anymore. I will also add a disclaimer to ALL the seminars I provide stating that the information provided does NOT represent the views of the CDHO nor would I be introducing myself as a Council member, I will simply be Carla Grbac BSc, RDH.


Signature

Feb-5-2021
Date

Council Member Declaration

I Alessandro (Alex) Greco (please print name):

- Have read sections 3.7 to 3.9 of the CDHO Bylaw 5 and I understand that I am accountable as a member of Council to conduct myself in compliance with these bylaws.
- I understand that I am obligated to declare a conflict of interest with my Council responsibilities, if and when one arises.
- I also understand that I am obligated to report instances of another Council member's conflict of interest with Council responsibilities of which I become aware.
- Having reviewed the examples of conflict of interest [sec. 3.7(21)], I am declaring that I currently have no conflicts of interest in my role as a member of Council.

OR

- I am declaring the following potential conflicts of interest in my role as a member of Council.

Organization, Associate, Vendor, Business, Person(s)	Description of Relationship, Role or Involvement

Alessandro Greco

Signature

January 2nd 2021

Date

Council Member Declaration

I EHIZELE MARTIN ITAMABO (please print name):

- Have read sections 3.7 to 3.9 of the CDHO Bylaw 5 and I understand that I am accountable as a member of Council to conduct myself in compliance with these bylaws.
- I understand that I am obligated to declare a conflict of interest with my Council responsibilities, if and when one arises.
- I also understand that I am obligated to report instances of another Council member's conflict of interest with Council responsibilities of which I become aware.
- Having reviewed the examples of conflict of interest [sec. 3.7(21)], I am declaring that I currently have no conflicts of interest in my role as a member of Council.

OR

- I am declaring the following potential conflicts of interest in my role as a member of Council.

Organization, Associate, Vendor, Business, Person(s)	Description of Relationship, Role or Involvement



Signature

Jan 26th 2021

Date

Council Member Declaration

I Pauline Leroux (please print name):

- Have read sections 3.7 to 3.9 of the CDHO Bylaw 5 and I understand that I am accountable as a member of Council to conduct myself in compliance with these bylaws.
- I understand that I am obligated to declare a conflict of interest with my Council responsibilities, if and when one arises.
- I also understand that I am obligated to report instances of another Council member's conflict of interest with Council responsibilities of which I become aware.
- Having reviewed the examples of conflict of interest [sec. 3.7(21)], I am declaring that I currently have no conflicts of interest in my role as a member of Council.

OR

- I am declaring the following potential conflicts of interest in my role as a member of Council.

Organization, Associate, Vendor, Business, Person(s)	Description of Relationship, Role or Involvement
George Brown College	Clinical Instructor
Durham College	Clinical Instructor
CDHO Peer Mentor	CDHO Peer Mentor

Pauline Leroux

Signature

January 20, 2021

Date

Council Member Declaration

I Meghan Stouffer Leuprecht (please print name):

- Have read sections 3.7 to 3.9 of the CDHO Bylaw 5 and I understand that I am accountable as a member of Council to conduct myself in compliance with these bylaws.
- I understand that I am obligated to declare a conflict of interest with my Council responsibilities, if and when one arises.
- I also understand that I am obligated to report instances of another Council member's conflict of interest with Council responsibilities of which I become aware.
- Having reviewed the examples of conflict of interest [sec. 3.7(21)], I am declaring that I currently have no conflicts of interest in my role as a member of Council.

OR

- I am declaring the following potential conflicts of interest in my role as a member of Council.

Organization, Associate, Vendor, Business, Person(s)	Description of Relationship, Role or Involvement
Member, OCSWSSW	Regulatory College
Member, OASW	Professional Association



Signature

January 26, 2021

Date

Council Member Declaration

I Caroline Lotz (please print name):

- Have read sections 3.7 to 3.9 of the CDHO Bylaw 5 and I understand that I am accountable as a member of Council to conduct myself in compliance with these bylaws.
- I understand that I am obligated to declare a conflict of interest with my Council responsibilities, if and when one arises.
- I also understand that I am obligated to report instances of another Council member's conflict of interest with Council responsibilities of which I become aware.
- Having reviewed the examples of conflict of interest [sec. 3.7(21)], I am declaring that I currently have no conflicts of interest in my role as a member of Council.

OR

- I am declaring the following potential conflicts of interest in my role as a member of Council.

Organization, Associate, Vendor, Business, Person(s)	Description of Relationship, Role or Involvement
Fanshawe College	Faculty - School of Health Sciences - teaching in the Dental Assisting and Dental Hygiene Programs
London & District Dental Hygiene Society	Treasurer - a volunteer position - not active at present due to COVID - may be dissolved post COVID

Caroline Lotz

Signature

January 23, 2021

Date

Council Member Declaration

I Vanessa Pereira (please print name):

- Have read sections 3.7 to 3.9 of the CDHO Bylaw 5 and I understand that I am accountable as a member of Council to conduct myself in compliance with these bylaws.
- I understand that I am obligated to declare a conflict of interest with my Council responsibilities, if and when one arises.
- I also understand that I am obligated to report instances of another Council member's conflict of interest with Council responsibilities of which I become aware.
- Having reviewed the examples of conflict of interest [sec. 3.7(21)], I am declaring that I currently have no conflicts of interest in my role as a member of Council.

OR

- I am declaring the following potential conflicts of interest in my role as a member of Council.

Organization, Associate, Vendor, Business, Person(s)	Description of Relationship, Role or Involvement

Vanessa Pereira

Signature

January 20, 2021

Date

Council Member Declaration

I Ilga St Onge (please print name):

- Have read sections 3.7 to 3.9 of the CDHO Bylaw 5 and I understand that I am accountable as a member of Council to conduct myself in compliance with these bylaws.
- I understand that I am obligated to declare a conflict of interest with my Council responsibilities, if and when one arises.
- I also understand that I am obligated to report instances of another Council member's conflict of interest with Council responsibilities of which I become aware.
- Having reviewed the examples of conflict of interest [sec. 3.7(21)], I am declaring that I currently have no conflicts of interest in my role as a member of Council.

OR

- I am declaring the following potential conflicts of interest in my role as a member of Council.

Organization, Associate, Vendor, Business, Person(s)	Description of Relationship, Role or Involvement

Ilga St Onge
Signature

January 22, 2021
Date

Council Member Declaration

I Terri Strawn (please print name):

- Have read sections 3.7 to 3.9 of the CDHO Bylaw 5 and I understand that I am accountable as a member of Council to conduct myself in compliance with these bylaws.
- I understand that I am obligated to declare a conflict of interest with my Council responsibilities, if and when one arises.
- I also understand that I am obligated to report instances of another Council member's conflict of interest with Council responsibilities of which I become aware.
- Having reviewed the examples of conflict of interest [sec. 3.7(21)], I am declaring that I currently have no conflicts of interest in my role as a member of Council.

OR

- I am declaring the following potential conflicts of interest in my role as a member of Council.

Organization, Associate, Vendor, Business, Person(s)	Description of Relationship, Role or Involvement
Durham College	Partial Load Faculty
ODHA	Previous board member (over 4 years ago)
CDAC	Periodic Site Surveyor
NDHCB	Item writer (haven't written in approx 1 year)



Signature

January 20, 2021

Date

Council Member Declaration

I AMIT VIG (please print name):

- Have read sections 3.7 to 3.9 of the CDHO Bylaw 5 and I understand that I am accountable as a member of Council to conduct myself in compliance with these bylaws.
- I understand that I am obligated to declare a conflict of interest with my Council responsibilities, if and when one arises.
- I also understand that I am obligated to report instances of another Council member's conflict of interest with Council responsibilities of which I become aware.
- Having reviewed the examples of conflict of interest [sec. 3.7(21)], I am declaring that I currently have no conflicts of interest in my role as a member of Council.

OR

- I am declaring the following potential conflicts of interest in my role as a member of Council.

Organization, Associate, Vendor, Business, Person(s)	Description of Relationship, Role or Involvement
DR. ROLI VIG DENTISTRY P.C.	WIFE


Signature

JAN 20, 2021
Date

Council Member Declaration

I Margaret Wade (please print name):

- Have read sections 3.7 to 3.9 of the CDHO Bylaw 5 and I understand that I am accountable as a member of Council to conduct myself in compliance with these bylaws.
- I understand that I am obligated to declare a conflict of interest with my Council responsibilities, if and when one arises.
- I also understand that I am obligated to report instances of another Council member's conflict of interest with Council responsibilities of which I become aware.
- Having reviewed the examples of conflict of interest [sec. 3.7(21)], I am declaring that I currently have no conflicts of interest in my role as a member of Council.

OR

- I am declaring the following potential conflicts of interest in my role as a member of Council.

Organization, Associate, Vendor, Business, Person(s)	Description of Relationship, Role or Involvement

Margaret Wade

Signature

January 26th, 2021

Date

Council Member Declaration

I Jacqueline White (please print name):

- Have read sections 3.7 to 3.9 of the CDHO Bylaw 5 and I understand that I am accountable as a member of Council to conduct myself in compliance with these bylaws.
- I understand that I am obligated to declare a conflict of interest with my Council responsibilities, if and when one arises.
- I also understand that I am obligated to report instances of another Council member's conflict of interest with Council responsibilities of which I become aware.
- Having reviewed the examples of conflict of interest [sec. 3.7(21)], I am declaring that I currently have no conflicts of interest in my role as a member of Council.

OR

- I am declaring the following potential conflicts of interest in my role as a member of Council.

Organization, Associate, Vendor, Business, Person(s)	Description of Relationship, Role or Involvement
None	



Signature

January 21, 2021
Date

Suggested Motion – Friday, September 24, 2021

4.0 CONSENT AGENDA ITEMS (4.1. – 4.4.2)

A consent agenda is a bundle of items that is voted on, without discussion, as a package. It differentiates between routine matters not needing explanation and more complex issues needing examination. The Chair will ask if anyone wishes to remove an item from the consent agenda. Any Council member may request an item be removed so it can be discussed.

MOTION: **THAT** Council moves to approve the consent agenda.

Moved:

Seconded:

VOTE:

COUNCIL MEETING MINUTES

Virtual Zoom Meeting

Livestreamed to the CDHO YouTube Channel

Friday, June 11, 2021

9:00 a.m. – 3:00 p.m.

COUNCIL MEMBERS PRESENT:

Caroline Lotz, Professional Member, President
Pauline Leroux, Professional Member, Vice-President
Michelle Atkinson, Professional Member
Loree Beniuk, Public Member
Erin Betts, Public Member
Anne-Marie Conaghan, Academic Member
Jennifer Cooper, Academic Member
Jenny Gibson, Professional Member
Carla Grbac, Professional Member
Alessandro Greco, Public Member
Joshua Hollenberg, Public Member
Ehizele Martin Iyamabo, Public Member
Meghan Leuprecht, Public Member
Vanessa Pereira, Professional Member
Ilga St. Onge, Professional Member
Terri Strawn, Professional Member
Amit Vig, Public Member
Margaret Wade, Public Member
Jacqueline White, Professional Member

REGRETS:

Pella Giabanis, Public Member

ADMINISTRATION:

Deborah Adams, Registrar and CEO
Suzanne Fox, Director, Corporate Services
Eric Bruce, Director, Professional Conduct
Veronica Douglas, Executive Administrator
Melanie Warnock, Executive Administrator

GUESTS:

Julie Maciura, CDHO Legal Counsel
Blair MacKenzie, Hilborn LLP (9:00–10:00 a.m.)
Amie Dowell, Registrar/CEO, College of
Registered Dental Hygienists of Alberta
(1:00–1:30 p.m.)
Arlynn Brodie, Registrar, College of Dental
Hygienists of Manitoba (1:00–1:30 p.m.)

1.0 CALL TO ORDER

1.1 Roll Call

The Chair, Caroline Lotz, called the meeting to order at 9:00 a.m.

1.2 Opening Remarks

Caroline Lotz welcomed Council and guests to the June Council meeting. It was acknowledged that the CDHO office is located on the traditional territory of many

THEREFORE, BE IT RESOLVED THAT the firm of Hilborn, LLP be reappointed as auditors of the College of Dental Hygienists of Ontario for the fiscal year of 2021.

Moved: Terri Strawn
Seconded: Ilga St. Onge
VOTE:

CARRIED

6.3 ICRC Terms of Reference

MOTION: **WHEREAS** the College conducts an external legal audit of its ICRC processes every five years; and

WHEREAS several minor housekeeping amendments to the ICRC's terms of reference were recommended; and

WHEREAS the terms of reference were last updated in April 2017;

THEREFORE, BE IT RESOLVED THAT the College of Dental Hygienists of Ontario adopt the amended terms of reference as presented in Appendix 1.

Moved: Amit Vig
Seconded: Carla Grbac
VOTE:

CARRIED

6.4 Competency Profile Committee

The Competency Profile Committee presented a competency framework to Council and requested a motion for Council to adopt the proposed competencies.

MOTION: **WHEREAS** Council has determined that they will adopt a competency framework; and

WHEREAS the Competency Profile Committee has developed a framework that includes descriptions and options for diversity; professional, public and non-Council competencies; and

WHEREAS the framework has been refined based on Council feedback and models from other regulators;

THEREFORE, BE IT RESOLVED THAT Council adopt the competency framework put forth by the Competency Profile committee.

Moved: Jacqueline White

Seconded: Alex Greco

VOTE:

CARRIED

6.5 Council Evaluation

MOTION: **WHEREAS** the College Performance Measurement Framework (CPMF) requires that colleges ensure that Council and statutory committee members have the knowledge, skills, and commitment needed to effectively execute their fiduciary role and responsibilities pertaining to the mandate of the College; and

WHEREAS a comprehensive evaluation of Council effectiveness is needed;

THEREFORE, BE IT RESOLVED THAT the Registrar commence the research needed to support the development of an evaluation framework; and

THEREFORE, BE IT RESOLVED THAT the CPMF Committee be reconvened prior to the September 2021 meeting in order to lead the evaluation work.

Moved: Pauline Leroux

Seconded: Carla Grbac

VOTE:

CARRIED

6.6 Policy Amendment: GP 4.12 CPMF Terms of Reference

MOTION: **WHEREAS** the CPMF Committee has been tasked by Council to develop a comprehensive evaluation of Council effectiveness as required by the CPMF;

THEREFORE, BE IT RESOLVED THAT Council approve the revised Terms of reference for the CPMF Committee as presented in Appendix B.

Moved: Carla Grbac

Seconded: Ilga St.Onge

VOTE:

CARRIED

6.7 Registration Regulation Amendment

Terri Strawn and Jennifer Cooper declared a conflict and removed themselves from the meeting for the duration of the discussion and the vote.

Council reviewed the briefing note from the Registration Committee and had the opportunity to discuss and ask questions.

MOTION: **WHEREAS** as the body that sets and evaluates entry-to-practice competencies, CDHO must evaluate and revise regulations and processes that are in place to ensure that they provide clarity to the public they are intended to protect; and

WHEREAS the proposed revisions to Part VII Registration of the General Regulation are intended to enhance clarity, ensure ongoing relevance of entry-to-practice requirements and contribute to public protection;

THEREFORE, BE IT RESOLVED THAT Council approve the submission of the amended Part VII Registration of the General Regulation to government.

Moved: Margaret Wade

Seconded: Joshua Hollenberg

VOTE:

CARRIED

6.8 Tri-Council Memorandum of Understanding

The Councils of the CDHO, the College of Denturists of Ontario (CDO) and the College of Dental Technologists of Ontario (CDTO) met on March 17, 2021. At the meeting, the Councils agreed to consider if they would move to develop a memorandum of understanding to work together to explore amalgamation and, if so, if they would form a Transition Oversight Committee.

MOTION: **BE IT RESOLVED THAT** the Council of the College of Dental Hygienists of Ontario accepts the principles and vision presented in the “Governance Vision: Initial Steps to Amalgamation” document (January 18, 2021) and agrees to the drafting and signing of a Memorandum of Understanding between the CDHO, CDTO, and CDO to proceed with planning the amalgamation of the three organizations.

Moved: Ilga St.Onge

Seconded: Jaqueline White

VOTE:

CARRIED

MOTION: **BE IT RESOLVED THAT** the Council of the College of Dental Hygienists of Ontario agrees to the formation of a Transition Oversight Committee. The composition of the Transition Committee will be, from each College: one public appointee, one professional member, and the Registrar. The total number of members of the Committee will be nine. The initial mandate of this Committee will be to begin the process of oversight and direction of the amalgamation vision, starting with the preparation of Terms of Reference for the Committee.

Moved: Jacqueline White

Seconded: Meghan Leuprecht

VOTE: **CARRIED**

6.9 Exam Ownership

MOTION: **WHEREAS** the National Dental Hygiene Certification Board has submitted a proposal to take over the administration and ongoing maintenance of the CPEDH; and

WHEREAS having a sustainable national level exam contributes to CDHO's ability to protect Ontarians;

THEREFORE, BE IT RESOLVED THAT Council approve the NDHCB proposal to take over the administration of the CPEDH as presented in Appendix A.

Moved: Amit Vig

Seconded: Joshua Hollenberg

VOTE: **CARRIED**

6.10 EL 2.7.7 Protection of Retirement Benefits

MOTION: **WHEREAS** Executive Limitation policy 2.7 Compensation and Benefits limits Registrar authority as follows: "[w]ith respect to employment, compensation and benefits to employees, consultants, contract workers and volunteers, the Registrar/CEO shall not cause or allow jeopardy to fiscal integrity or public image."; and

WHEREAS policy item 2.7.7 Protection of Retirement further unnecessarily limits the Registrar's authority by stating that, the Registrar shall not "[r]emove or significantly reduce retirement benefits for employees within three years of retirement."; and

WHEREAS Governance Process policy item 4.2.4.7 specifies that it is Council's job to make decisions regarding benefits to retired employees;

THEREFORE, BE IT RESOLVED THAT Executive Limitation policy item 2.7.7 and Governance Process policy item 4.2.4.7 Protection of Retirement be rescinded and that Executive Limitation policy items following 2.7.7 be renumbered as required.

Moved: Terri Strawn
Seconded: Meghan Leuprecht
VOTE:

CARRIED

6.11 Policy Content Review: GP 4.4 President's Role

There were no changes to policy GP 4.4 President's Role.

6.12 Policy Content Review: GP 4.5 Vice-President's Role

There were no changes to policy GP 4.5 Vice-President's Role.

7.0 ENDS ITEMS FOR DECISION

7.1 Policy Content Review: E 1 Overall Public Benefit Ends Policy (deferred)

Policy content review of E1 Overall Public Ends Policy was deferred.

7.2 Policy Content Review: E 1.1, E 1.2, E1.3, and E 1.4 (deferred)

Policy content review of E 1.1, E1.2, E1.3, and E1.4 was deferred.

8.0 COUNCIL-REGISTRAR DELEGATION ITEMS FOR DECISION

8.1 Policy Content Review: CRD 3.6 Registrar/CEO Succession

There were no changes to policy CRD 3.6 Registrar/CEO Succession.

8.2 Policy Content Review: CRD 3.7 Registrar/CEO Termination

There were no changes to policy CRD 3.7 Registrar/CEO Termination.

9.0 EXECUTIVE LIMITATIONS ITEMS FOR DECISION

9.1 Financial Reporting Dates

Deborah Adams presented a briefing note to Council advising that the CDHO will be moving to a quarterly reporting schedule that will align with the fiscal quarters (i.e., January 1 to March 31; April 1 to June 30; July 1 to September 30; November 1 to December 31) in order to provide a more consistent picture of CDHO's financial status. This approach is also advocated by the CDHO's auditor as a routine best practice.

10.0 REQUIRED APPROVALS AGENDA

There were no agenda items for this meeting.

11.0 MONITORING BOARD PERFORMANCE

11.1 Council Self-Monitoring: GP 4.4 President's Role (deferred from March)

MOTION: THAT Council has assessed its compliance with its policy GP 4.4 (President's Role) and determined that there is sufficient data to support a reasonable interpretation of the policy.

Moved: Michelle Atkinson

Seconded: Meghan Leuprecht

VOTE: **CARRIED**

11.2 Council Self-Monitoring: GP 4.5 Vice-President's Role (deferred from March)

MOTION: THAT Council has assessed its compliance with its policy GP 4.5 (Vice-President's Role) and determined that there is sufficient data to support a reasonable interpretation of the policy.

Moved: Vanessa Pereira

Seconded: Ilga St. Onge

VOTE: **CARRIED**

11.3 Council Self-Monitoring: CRD 3.6 Registrar/CEO Succession

MOTION: THAT Council has assessed its compliance with its policy CRD 3.6 (Registrar/CEO Succession) and determined that there is sufficient data to support a reasonable interpretation of the policy.

Moved: Carla Grbac

Seconded: Jenny Gibson

VOTE: **CARRIED**

11.4 Council Self-Monitoring: CRD 3.7 Registrar/CEO Termination

MOTION: THAT Council has assessed its compliance with its policy CRD 3.7 (Registrar/CEO Termination) and determined that there is sufficient data to support a reasonable interpretation of the policy.

Moved: Erin Betts

Seconded: Joshua Hollenberg

VOTE: **CARRIED**

12.0 BOARD EDUCATION

12.1 Entry-to-Practice Canadian Competencies for Dental Hygienists (EPCCoDH)

Council were provided with a briefing note, a presentation, the revised competencies, and the FDHRC's final report in advance of the Council meeting. Amie Dowell, Registrar/CEO of the College of Registered Dental Hygienists of Alberta and Arlynn Brodie, Registrar, College of Dental Hygienists of Manitoba, were present to answer questions from Council about the revised entry-to-practice competencies.

MOTION: WHEREAS Entry-to-practice competencies (ETP) for health professionals need to be up to date and relevant to the current practice environment; and

WHEREAS the CDHO must ensure that it has processes and procedures in place to assess the competency, safety and ethics of the people it registers to practise; and

WHEREAS the Federation of Dental Hygiene Regulators of Canada (FDHRC) has completed a comprehensive review of the dental hygiene ETPs and developed updated Entry-to-practice Canadian Competencies for Dental Hygienists;

THEREFORE, BE IT RESOLVED THAT Council approve the revised entry-to-practice competencies.

Moved: Carla Grbac
Seconded: Jenny Gibson
VOTE:

CARRIED

13.0 SELF-EVALUATION OF GOVERNANCE PROCESS

13.1 Council Meeting Evaluation

The Council Feedback Survey was sent to Council members to be completed electronically.

MOTION TO MOVE IN CAMERA

MOTION: THAT Council move in Camera as per RHPA, *Schedule 2, Section 7(2)(d)* at 1:40 p.m., for agenda items 14.1-14.2.

Moved: Amit Vig
Seconded: Margaret Wade
VOTE:

CARRIED

14.0 MONITORING CEO PERFORMANCE

14.1 Fund Management Standards (EL 2.4.1)

MOTION: THAT Council has assessed the monitoring report for Executive Limitations Policy 2.4.1 and determined there is sufficient, verifiable evidence of a reasonable interpretation.

Moved: Amit Vig
Seconded: Carla Grbac
VOTE:

CARRIED

14.2 EL 2.2, EL 2.3, EL 2.4, EL 2.7.1, EL 2.9 (deferred)

MOTION TO MOVE OUT OF CAMERA

MOTION: THAT Council move out of Camera as per RHPA, *Schedule 2, Section 7(2)(d)* 1 : 42 p.m.

Moved: Terri Strawn
Seconded: Joshua Hollenberg
VOTE:

CARRIED

15.0 NEXT MEETING DATE

The next Council meeting is Friday, September 24, 2021.

16.0 ADJOURNMENT

MOTION: THAT the Council meeting be adjourned at 1 : 43 p.m.

Moved: Carla Grbac
Seconded: Jenny Gibson
VOTE:

CARRIED

Approved by:

Signature of Chair, Caroline Lotz

Date

EXECUTIVE COMMITTEE REPORT

September 24, 2021

COMMITTEE MEMBERS

Chair: Caroline Lotz, Professional Member, President

Professional Members (Council)

Pauline Leroux, Vice-President

Terri Strawn

Public Members (Council)

Ehizele Martin Iyamabo

Joshua Hollenberg (term ended September 23, 2021)

Alessandro Greco (appointed August 19, 2021)

Mandate of the Committee: Except as provided by the Act, the Executive Committee may exercise all the powers and duties of the Council with respect to any matter that, in the opinion of the Executive Committee, requires attention between meetings of the Council.

INTRODUCTION

Since its last report to Council, the Executive Committee met through videoconference on August 19, 2021. Approved Executive Committee meeting minutes are available to Council via Board Effect in the 'Library'.

ITEMS FOR INFORMATION

CDHO Governance

The Executive planned the agendas for the September 17 Council workshop and the September 24 Council meetings.

A new Council and committee platform for meeting materials called Board Effect has replaced OurBoardroom as of September 2021. All Council members have been trained and Non-Council member training has been scheduled for September.

The format and numbering for the CDHO Policy Manual has been revised and posted on the CDHO website.

The Executive Committee reviewed the CDHO's Q2 Financial Report. It is available in the Board Effect library and is attached as an appendix.

Public Member Appointments

Joshua Hollenberg's term on Council ends on September 23, 2021. The Executive Committee appointed Alessandro Greco to replace Mr. Hollenberg's position on the Executive Committee.

New Member Orientation for Pella Giabanis took place on June 16, 2021.

Council Dates for 2022

A survey was circulated to Council members about meeting date preferences for in-person and online meetings for 2022. A motion will be brought to Council to choose the 2022 workshop and meeting dates.

Tri-College Transition Oversight Committee

Following Council's approved motion from the June 2021 Council meeting, the Presidents of the three Oral Health Colleges are in the process of securing legal counsel to assist in the drafting of a Memorandum of Understanding. Composition of the Oversight Committee will be decided at the September Council meeting.

Competency Profile Committee

The Competency Profile Committee has not met since the last report to Council.

Registrar/CEO Transition Committee

Upon receipt of Deborah Adams' resignation, the Executive Committee in their role as the Registrar/CEO Transition Committee met on July 16, July 21, July 26, July 29, August 5, August 12, August 19, September 2 and September 8, 2021 to begin the Registrar recruitment process with the assistance of Odgers Berndston Executive Search company. An update will be provided to Council during the in-camera portion of the September Council meeting.

DISCIPLINE COMMITTEE REPORT

September 24, 2021

COMMITTEE MEMBERS

Chair: Erin Betts, Public Member

Professional Members (Council)

Michelle Atkinson
Anne-Marie Conaghan
Jennifer Cooper
Jenny Elizabeth Gibson
Carla Grbac
Pauline Leroux
Caroline Lotz
Vanessa Pereira
Ilga St. Onge
Terri Strawn
Jacqueline White

Public Members (Council)

Loree Beniuk
Erin Betts
Pella Giabanis
Alessandro Greco
Joshua Hollenberg (term ended September 23,
2021)
Ehizele Martin Iyamabo
Meghan Leuprecht
Amit Vig
Margaret Wade

Professional Members (Non-Council)

Tracy Burke
Gillian Dunn
Lisa Kelly
Paula Malcomson
Mary Yeomans

Mandate of the Committee: To hear and decide on allegations of professional misconduct and/or incompetence made against registrants of the CDHO.

INTRODUCTION

Since its last report to Council in June 2021, the Discipline Committee has not held a general meeting.

ITEMS FOR INFORMATION – Related to Mandate

On July 5, 2021, the Court of Appeal for Ontario released its decision in *CDHO v. Alexandru Tanase*. The Court dismissed the appeal of the registrant and upheld the decision of the Discipline Committee to order the registrant's mandatory revocation. The Court upheld the constitutionality of the mandatory revocation provisions in the case of sexual abuse as defined

by the legislation and reiterated the “bright line rule” against concurrent treatment and sexual relationships between healthcare providers and their non-spouse patients.

The registrant has advised the College that he is seeking leave to appeal the decision before the Supreme Court of Canada. The College has agreed to extend the suspension of the disciplinary order pending the outcome of this application.

A panel of the Discipline Committee heard the matter of *CDHO v. Kristin Chant* on May 21, 2021. The matter proceeded via an agreed statement of facts and a joint submission on penalty, which the panel accepted. The panel issued its order on May 27, 2021, and its reasons for decision on August 6, 2021.

The following matters remain before the Discipline Committee or under appeal:

- *CDHO v. Sherry Lynn MacDonald* is under appeal to the Divisional Court.
- *CDHO v. Patricia Blundon, Trina Lewis, and Patricia Sinnott* was heard by a panel on dates in February and March 2021. As of the date of preparing this report, the decision of the panel is under reserve.
- *CDHO v. Jessie Kalvatis and Tara Jeffrey* have been adjourned at the request of the parties until after the matters of *Blundon, Lewis, and Sinnott* have been concluded.
- *CDHO v. Elizabeth Diego; CDHO v. Kelly Miranda Lourenco; CDHO v. Christal Anne Chuback; and CDHO v. Cynthia DeMarco* are in the process of being scheduled.

CONCLUSION

The Discipline Committee is continuing to ensure that all matters referred to it are dealt with in a fair, consistent, and timely manner.

FITNESS TO PRACTISE COMMITTEE REPORT

September 24, 2021

COMMITTEE MEMBERS

Chair: Vacant

Professional Members (Council)

Michelle Atkinson
Anne-Marie Conaghan
Jennifer Cooper
Jenny Elizabeth Gibson
Carla Grbac
Pauline Leroux
Caroline Lotz
Vanessa Pereira
Ilga St. Onge
Terri Strawn
Jacqueline White

Public Members (Council)

Loree Beniuk
Erin Betts
Pella Giabanis
Alessandro Greco
Joshua Hollenberg (term ended September 23,
2021)
Ehizele Martin Iyamabo
Meghan Leuprecht
Amit Vig
Margaret Wade

Mandate of the Committee: To hear and determine allegations of incapacity made against registrants of the CDHO.

INTRODUCTION

The Fitness to Practise Committee conducts hearings to determine whether a registrant is suffering from a health condition or disorder that is affecting or may affect their ability to practise safely and effectively. Given the personal health information that is often at issue in such hearings, they are closed to the public; however, any finding by the Fitness to Practise Committee will be summarized on the College's public register. In addition, the College's bylaws permit information about any allegations of incapacity at issue in a hearing to be published. Further, when a finding of the Fitness to Practise Committee is under appeal, it will be noted on the public register.

ITEMS FOR INFORMATION – Related to Mandate

The Fitness to Practise Committee has not met and panels of the Committee have conducted no hearings since the last report to Council in June 2021.

INQUIRIES, COMPLAINTS AND REPORTS COMMITTEE REPORT

September 24, 2021

COMMITTEE MEMBERS

Panel A

Chair: Michelle Atkinson,
Professional Member

Professional Members (Council)

Michelle Atkinson – Chair of Panel A
Jennifer Cooper

Public Members (Council)

Loree Beniuk
Amit Vig

Professional Members

(Non-Council)

Linda Douglas
Kim McNamara

Panel B

Chair: Anne-Marie Conaghan,
Professional Member

Professional Members (Council)

Anne-Marie Conaghan – Chair of
Panel B
Pauline Leroux

Public Members (Council)

Meghan Leuprecht
Margaret Wade

Professional Members

(Non-Council)

Dorothy Dziunikowski
Julie Farmer

Panel C

Chair: Anne-Marie Conaghan,
Professional Member

Professional Members (Council)

Anne-Marie Conaghan – Chair of
Panel C
Pauline Leroux

Public Members (Council)

Meghan Leuprecht
Margaret Wade

Professional Members

(Non-Council)

Julie Farmer

Mandate of the Committee: The ICRC is a statutory Committee created under the *Regulated Health Professions Act, 1991*. Its mandate is to review all complaints, reports and inquiries in a fair and consistent manner to determine what action, if any, is appropriate in each case.

INTRODUCTION

The Inquiries, Complaints and Reports Committee (ICRC) is divided into two main Panels (A and B) and a third supplementary Panel (C) may be established to accommodate the number of ongoing investigations, to avoid any potential conflicts of interest and to be able to select members, should the need arise, for a discipline hearing.

The panels of the ICRC met on the following dates by video conference since the last Report to Council of June 4, 2021.

Panel A	Panel B	Panel C
June 18, 2021 August 20, 2021	July 9, 2021 July 19, 2021 September 10, 2021 (scheduled)	July 9, 2021

A half-day mid-year plenary training session of the ICRC Committee as a whole was completed on August 20, 2021.

ITEMS FOR INFORMATION – Related to Mandate

The following tables detail, in summary form, the activities of the ICRC since the last Report to Council (which reported information up to May 14, 2021).

Number of investigations carried over from previous period(s) ¹			
	Complaints	Reports	QA Referrals
Investigations commenced before May 14, 2021	6	22 2 (incapacity)	0

Intake of new investigations			
	Complaints	Registrar’s Reports	QA Referrals
May 14, 2021, to August 31, 2021	8	1 2 (incapacity)	0

Decisions made and finalized by ICRC			
	Complaints Outcomes	Reports and Incapacity Outcomes	QAC Outcomes
May 14, 2021, to August 31, 2021	No Further Action: 1 Specified Continuing Education or Remediation Program (SCERP): 1	No Further Action: 2 Recommendation/ Guidance: 3 Specified Continuing Education or Remediation Program (SCERP): 3 Referral to Incapacity Proceedings: 1 No Further Action and Referral to Incapacity Proceedings (separate allegations): 1 Deceased: 1 Undertaking: 1	No QAC Outcomes to Report

¹ Carryover (carried over) refers to investigations that began before the last Council meeting which are still being investigated or have been completed.

At the time of writing (August 31, 2021), the ICRC has not finalized the written Decision with Reasons in one (1) matter which was reviewed on August 20, 2021. The final outcome and timeline until completion will be reported in the next report to Council.

Health Professions Appeal and Review Board Matters			
	Matters in progress	Matters heard, Decision pending	Decision(s)
May 14, 2021, to August 31, 2021	7	<i>None</i>	0

Incapacity

The ICRC is currently dealing with 2 new incapacity matters since the last report to Council.

Timelines

The *Regulated Health Professions Act, 1991* states that complaints shall be disposed of within 150 days. However, if a complaint is not disposed of within 150 days, the ICRC does not lose jurisdiction to continue the investigation. A notice, however, must be provided to the complainant at 150 days and to all parties and the Health Professions Appeal and Review Board at 210 days. At 240 days and every thirty days thereafter, the College provides notice to the parties setting out the reason for the delay. Although these timelines only apply to complaints, the ICRC aims to dispose of all investigations using the same benchmarks of 150, 210 and 240 days. Reasons for a delay may be due to the complexity of the matter.

Numbers of days to disposition on completed matters from May 14, 2021, to August 31, 2021 (time of writing) were as follows:

Timeline	Complaints	Registrar's Reports	QA Referrals
150 days or less	---	3	---
151 days to 210 days	1	3	---
211 days to 240 days	---	1	---
More than 240 days	1	8	---

CONCLUSION

The ICRC continues to review all complaints and reports in a fair and consistent manner.

PATIENT RELATIONS COMMITTEE REPORT

September 24, 2021

COMMITTEE MEMBERS

Chair: Vacant

Professional Members (Council)

Vanessa Pereira
Jacqueline White

Public Members (Council)

Erin Betts
Alessandro Greco
Meghan Leuprecht

Professional Members (Non-Council)

Elaine Yang

Mandate of the Committee: As a statutory committee under the *RHPA*, the mandate of the Patient Relations Committee is to develop and implement a program that includes two distinct components: 1) measures for preventing or dealing with sexual abuse of patients; and 2) to inform the public about the importance of oral health and dental hygienists' responsibilities within health care.

INTRODUCTION

The Patient Relations Committee did not meet since the last Council meeting on June 11, 2021.

The next Patient Relations Committee meeting is scheduled for September 22, 2021.

ITEMS FOR INFORMATION — Related to Mandate

No further information to report.

QUALITY ASSURANCE COMMITTEE REPORT

September 24, 2021

COMMITTEE MEMBERS

Chair: Terri Strawn, Professional Member

Professional Members (Council)

Vanessa Pereira

Ilga St. Onge

Terri Strawn – Chair

Public Members (Council)

Ehizele Martin Iyamabo

Margaret Wade

Professional Members (Non-Council)

Jaspreet Kaur Singh

Tonia Peachman-Faust

Mandate of the Committee: To fulfill the CDHO’s legislative obligation to the public of Ontario and the Ministry of Health and Long-Term Care by facilitating dental hygienists as they monitor and improve their level of competence in their dental hygiene practice and environment, for consistency with CDHO Standards of Practice, bylaws and regulations.

INTRODUCTION

The Quality Assurance Committee met six times since the last Report to Council. The Committee met by video conference on May 28, June 1, June 25, June 28, July 16, and August 19, 2021.

The June 25, June 28, and July 16th meetings were divided into Panels. Panel A met on June 25 and July 16 and consisted of the following members: Terri Strawn (Chair), Jaspreet Singh, and Martin Iyamabo. Panel B met on June 28, 2021 and consisted of the following members: Ilga St. Onge (Chair), Vanessa Pereira, and Margaret Wade.

The next meeting is scheduled for September 29, 2021.

ITEMS FOR INFORMATION – Related to Mandate

Welcome Emails

The Quality Assurance Committee sent out ‘Welcome to the Profession’ notices by email on July 6, 2021, to the 56 registrants who registered between April 1 and June 30, 2021. The notice is designed to promote quality practice and to increase awareness of the CDHO resources

available, such as the CDHO Knowledge Network, the practice advisors, and the Quality Assurance Program Self-Assessment and educational tools. This notice is being sent by email to all new registrants quarterly.

Quality Assurance Records Peer Review Statistics (as of August 26, 2021)

2021 Peer Assessment

Of the 2587¹ quality assurance records requested

2452 have met the assessment guidelines²

65 are in the assessment process⁴

70 are participating in directed learning/remediation

2021 Practice Reviews

Of the 50³ on-site practice assessments requested

3 have met the assessment guidelines²

47 are in the assessment process

0 are participating in directed learning/remediation

2020 Peer Assessment

Of the 2473¹ quality assurance records requested

2404 have met the assessment guidelines²

23 are in the assessment process⁴

46 are participating in directed learning/remediation

2020 Practice Reviews

Of the 116³ on-site practice assessments requested

53 have met the assessment guidelines²

19 are in the assessment process

44 are participating in directed learning/remediation

¹ Includes registrants who were selected by the Committee from referrals, for not completing the Annual Self-Assessment and/or have been carried forward from a previous assessment period.

² Includes registrants who have resigned, were exempted, or deferred to another assessment period and those referred to the ICRC for non-compliance.

³ Includes registrants who were carried forward from a previous assessment period and those placed into Path 3 for failure to submit QA records.

⁴ Includes registrants who were granted an extension to submit, those awaiting Committee decision, and those required to participate in an onsite practice review as part of their assessment.

Quality Assurance Program Evaluation

Every five to six years, a full program evaluation is undertaken to ensure that the Quality Assurance Program continues to be consistent with the College's mandate to regulate the practice of dental hygiene in the interest of the overall health and safety of the public of Ontario. After some unforeseen delays, the services of a new consultant will be obtained to move forward with the scheduled evaluation of the Quality Assurance Program. The consultant will look at the tools used to assess registrants through the program, as well as the overall program delivery, and make recommendations for changes where applicable. Feedback from various stakeholders, including registrants, peer assessors, and other regulators, will be engaged for the purposes of the evaluation. The program evaluation will likely continue into 2022.

REGISTRATION COMMITTEE REPORT

September 24, 2021

COMMITTEE MEMBERS

Chair: Michelle Atkinson, Professional Member

Professional Members (Council)

Michelle Atkinson – Chair
Jenny Elizabeth Gibson
Caroline Lotz

Public Members (Council)

Loree Beniuk
Margaret Wade

Professional Member (Non-Council)

Mary Yeomans

Mandate of the Committee: The Registration Committee is a statutory Committee under the *RHPA*. It assesses an applicant's educational qualifications and suitability to practise dental hygiene in Ontario in an equitable and consistent manner. The Committee ensures that registrants meet the requirements as set out in the registration regulations.

INTRODUCTION

The Registration Committee convened by videoconference on May 27, 2021 and July 12, 2021 since the last report to Council.

ITEMS FOR INFORMATION – Related to Mandate

Registration Statistics

Since last reported to Council:

	February 10, 2021	May 17, 2021	August 30, 2021
General Certificate of Registration	12,344	12,542	12,758
Specialty Certificate of Registration	608	609	621

	February 10, 2021	May 17, 2021	August 30, 2021
Inactive Certificate of Registration	993	930	860
Total Registrants	13,945	14,081	14,239
Authorized to Self-Initiate	6,414	6,488	6,564

Applications for Registration

Since the last report to Council, the College received 166 new applications for registration. Of these, two applications required detailed review by the Registrar. The issues of concern were:

- allegations of professional misconduct related to failing to cooperate with the CDHO’s QA program
- falsifying correspondence with the CDHO

Review Date	Issue	Registrar Review and Decision
May 20, 2021	<i>Past Registrant Application for Registration:</i> The Applicant had previously failed to cooperate with the Quality Assurance Committee (QAC) and its Assessors.	Following receipt and review of information provided by the Applicant, the Registrar was satisfied that the Applicant fulfilled the registration requirement of being able to practise the profession safely and with decency, integrity and honesty, and in accordance with the law. A general certificate of registration was granted and the Applicant was registered on May 25, 2021.
August 30, 2021	<i>Application for Registration:</i> The Applicant falsified email correspondence with the CDHO.	Following receipt and review of information provided by the Applicant, the Registrar had doubts that the Applicant fulfilled the registration requirement of being able to practise the profession safely and with decency, integrity and honesty, and in accordance with the law. The Registrar referred the application to the Registration Committee.

One application was referred to the Registration Committee:

Review Date	Issue	Registration Committee Review and Decision
July 12, 2021	<i>Registrant Application for Registration:</i> The Applicant had allegations of professional misconduct with another health regulator related to inappropriate billing.	Following receipt and review of information provided by the Applicant, a Panel of the Registration Committee directed the Registrar to issue the Applicant a certificate of registration subject to specified terms, conditions, and limitations.

Changes to Dental Hygiene Program Clinical Requirements/Curriculum Due to COVID-19

The Registration Committee reviewed the information requested from all dental hygiene programs in Ontario related to any ongoing or new modifications made to the programs related to COVID-19 since their last submission to the CDHO in 2020. The Committee found no substantive changes had been made to any programs. The Committee accepted the information provided by all programs as adequate to ensure that graduates possess the entry-to-practice competencies required for registration with the CDHO. The graduation requirements for all programs in Ontario were therefore approved by the Committee on May 27, 2021.

Changes to the Register

Since last reported to Council on May 17, 2021:

- 164 applicants were registered to practise
- 10 previous registrants of the College were re-registered
- 4 registrants were reinstated (from suspended)
- 3 registrants were suspended
- 1 registrant was revoked for non-payment of fees
- 24 registrants resigned
- 94 registrants were authorized to self-initiate

EXAMINATIONS COMMITTEE REPORT

September 24, 2021

COMMITTEE MEMBERS

Chair: Larissa Voytek, Non-Council Member

Professional Members (Non-Council)

Fatimah Dato

James Fung

Mandate of the Committee: The Examinations Committee is responsible for overseeing the College-administered written examination and clinical competency evaluations, and addressing appeals related to the examination results.

INTRODUCTION

The Examinations Committee has not met since the last Council meeting on June 11, 2021.

CONCLUSION

The Examinations Committee continues to fulfill its mandate.

President's Report to Council

September 24, 2021

President's Activities

- June 22: Meeting with D. Adams re governance reform and non-Council appointment processes
- June 28: Meeting with Governance Coach Rose Mercier re Policy Manual reformatting prior to transition to BoardEffect platform
- July 13: Meeting with D. Adams re amalgamation progress, Exec meeting planning
- July 13: Attended portion of HPRO Diversity Focus Group session
- Sept 3: Meeting with representatives from Facilitative First Inc. re September Council Education session

Expense Policy Exceptions

Subject to pre-approval by the President and under special circumstances, the President may use her discretion to approve costs for accommodation outside the policy allocation. In doing so, Council has requested that when discretion has been used, the President is to report to Council with the rationale for the decision.

There were no expenses approved outside the policy allocation.

Council Monitoring

In an effort to increase the transparency of Council, the attendance record of Council members at meetings is included in this report. [[Appendix 1](#)]

Cost of Good Governance

In an effort to increase the transparency of Council, the breakdown of honorariums and expenses per Council member has been provided. [[Appendix 2](#)]

Appendix 1

Attendance Register 2021

Council 2021

Name	Jan 12, 2021 New Member Orientation	January 21 Workshop	January 22 Workshop and Meeting	March 4 Workshop	March 5 Meeting	June 4 Workshop	June 11 Meeting	July 22 In-Camera Meeting
Professional Members								
Atkinson, Michelle	✗	✓	✓	✓	✓	✓	✓	✓
Conaghan-Anne-Marie	✗	✓	✓	1/2 day	✓	✓	✓	✓
Cooper, Jennifer	✓	✗	✓	✓	✓	✓	✓	✓
Gibson, Jenny	✗	✓	✓	✓	✓	✗	✓	✓
Grbac, Carla	✓	✓	✓	✓	✓	✓	✓	✓
Leroux, Pauline	✓	✓	✓	✓	✓	✓	✓	✓
Lotz, Caroline	✓	✓	✓	✓	✓	✓	✓	✓
Pereira, Vanessa	✗	✓	✓	✓	✓	✓	✓	✓
Ranson, Catherine	✓	✓	✓	N/A	N/A	N/A	N/A	N/A
St-Onge, Ilga	✗	✓	✓	✓	✓	✓	✓	✓
Strawn, Terri	✗	✓	✓	✓	✓	✓	✓	✓
White, Jacqueline	✓	✓	✓	✓	✓	✓	✓	✓
Public Members								
Beniuk, Loree	N/A	N/A	N/A	✓	✓	✓	✓	✗
Betts, Erin	✗	✓	✓	✗	✓	✓	✓	✓
Giabanis, Pella	N/A	N/A	N/A	N/A	N/A	N/A	N/A	✗
Greco, Alex	✗	✓	✓	✗	✓	1/2 day	✓	✓
Hollenberg, Joshua	✗	✓	✓	✗	✓	✓	✓	✓
Iyamabo, Martin	✓	✓	✓	✓	✓	✓	✓	✓
Leuprecht, Meghan	✗	✓	✓	✓	✓	✓	✓	✗
Vig, Amit	✗	✓	✓	✓	✓	✓	✓	✗
Wade, Margaret	✗	✓	✓	✓	✓	✓	✓	✓
Winkle, Yvonne	✗	✗	✗	N/A	N/A	N/A	N/A	N/A

✓ Attended

✗ Did not attend

Appendix 2

Professional Council Members Honorarium and Expense Claim Submissions - Quarterly

For the Year ending December 31, 2021

	Q1 HONORARIUM	Q1 EXPENSES	Q2 HONORARIUM	Q2 EXPENSES	TOTAL
Caroline Lotz (president)	6,335.00	0.00	3,957.60	0.00	10,292.60
Pauline Leroux (vice-president)	5,399.39	0.00	3,264.50	0.00	8,663.89
Terri Strawn	3,663.00	0.00	2,587.00	0.00	6,250.00
Ilga St. Onge	2,877.50	0.00	3,559.00	0.00	6,436.50
Jenny Elizabeth Gibson	1,382.00	0.00	587.00	0.00	1,969.00
Michelle Atkinson	2,958.50	0.00	2,478.50	0.00	5,437.00
Anne-Marie Conaghan	2,379.00	0.00	1,291.50	0.00	3,670.50
Vanessa Pereira	2,802.50	0.00	4,009.50	0.00	6,812.00
Jennifer Cooper	2,202.00	0.00	1,790.00	0.00	3,992.00
Carla Grbac	1,998.00	0.00	1,971.00	0.00	3,969.00
Jacqueline White	1,998.00	0.00	1,536.00	0.00	3,534.00
Catherine Ranson	4,146.40	0.00	0.00	0.00	4,146.40
Non-Council Professional Members (combined)	5,089.00	0.00	5,832.00	0.00	10,921.00
					76,093.89

Includes claims for:

- council workshops/meetings
- committee meetings
- discipline hearings
- ad-hoc committee work

Acting Registrar's Report

Public Interest Rationale – The Registrar is responsible for stewarding CDHO's effectiveness in achieving its public interest mandate, ensuring that people who access dental hygienists in Ontario receive safe, ethical, quality dental hygiene services and that the statutory responsibilities of the [Regulated Health Professions Act, 1991](#), the [Dental Hygiene Act, 1991](#) and other applicable legislation are fulfilled. This report provides Council with a summary update on work that was done in between meetings.

COVID-19 Update – Staff continues to work remotely and will do so for the foreseeable future. Operations are running effectively using information and communications technology. Regular departmental meetings and bi-weekly full staff meetings are held to maintain efficiency and ensure team members have needed supports.

Regular communication with registrants continues, particularly in regard to access to vaccinations and adhering to required infection prevention and control (IPAC) measures. Staff attend bi-weekly Emergency Operations Centre updates via teleconference and senior management is kept apprised of any relevant developments.

A working group with representatives from CDHO, the [College of Dental Technologists of Ontario](#), the [College of Denturists of Ontario](#) and the [Royal College of Dental Surgeons of Ontario](#) has completed the development of unified IPAC guidance. The four Colleges collaborated on a coordinated release of their revised guidance to their respective registrants on July 29th. Changes to the CDHO guidance was also posted on the newsfeed on our website.

System Partners

[Office of the Fairness Commissioner \(OFC\)](#) – Early in the year, the OFC resumed consultations related to modernizing the compliance framework and as a result, released a new Risk-informed Compliance Framework and Policy. This new framework will be transitioned in over the course of the year, starting April 1, 2021, and coming fully into force on April 2, 2022. The approach aligns with the right-touch approach, based in transparency, professionalism and collaboration.

[Health Profession Regulators of Ontario \(HPRO\)](#) – HPRO provides strategic leadership to health profession regulation in Ontario within the changing health care system. The Federation is comprised of Ontario's 26 health regulatory colleges which includes the CDHO. The Registrar continues to participate in the Federation. HPRO continues to support collaborative initiatives to assist colleges in fulfilling their regulatory roles. Bi-weekly meetings have been held for registrars and other college representatives during the pandemic and a CPMF working group continues to meet on a monthly basis.

[Ontario Dental Hygienists' Association \(ODHA\)](#) – Cooperation with the ODHA is ongoing to ensure comprehensive and timely information is being provided to registrants. The next joint meeting is scheduled for November 5th.

[National Dental Hygiene Certification Exam Board \(NDHCB\)](#) – The College has been advised that the NDHCE took place on May 25–26, 2021, using virtual proctoring. The computer-based exam is normally held at testing centres but due to the pandemic, an alternative method that permitted candidates to

take the exam from personal computers using a remote proctoring system was used. The next sitting of the NDHCE is planned for September 20–21, 2021 (virtual proctoring and/or writing centres). The NDHCB has reserved the right to make changes to the administration of the exam due to the uncertainty associated with the COVID-19 pandemic.

Council Elections – A call will be put out for nominations to fill positions on Council in districts 4, 7, and 8 on September 17, 2021.

Public Appointments – The College welcomes Pella Giabanis who was appointed for a three-year term by an Order of the Lieutenant General in Council on June 3, 2021.

Drugs in Dental Hygiene Practice Examination – As of September 1, 2021, 5,025 registrants had successfully completed the Drugs in Dental Hygiene Practice Examination.

Staffing – Madelaine Bingham joined the College in a 3-month contract position from July 5th – September 30th to assist in the Registration department.

Practice Advisory Service

Since the last report to Council, the Practice Advisory Service responded to 1481 enquiries.

	Calls	Emails	Total Enquiries	Top 3 Topics
April	145	186	331	1. IPAC (Aerosol-Generating Procedure) N95 respirators 2. COVID-19 (temperature screening, vaccines, border crossings, PHO updates) 3. DH Practice (self-initiation, independent practice, mobile practice, scope of practice)
May	172	169	341	
June	112	125	237	
July	130	119	249	
August	140	183	323	

Communications

Website updates and registrant communications – Since Council last met, a number of communications have been posted to the website and forwarded to registrants.

These included:

[New COVID-19 FAQs](#) (ongoing updates)

June 15, 2021 – [Communication to Registrants – Health Canada regulates UV, ozone devices](#)

July 15, 2021 – CDHO E-Brief, Volume 11, Issue 07

July 23, 2021 – Notice to the Profession: Orysa Bobak

July 26, 2021 – [Milestones 2021 | Issue 2](#)

July 29, 2021 – [Message to Members Re: IPAC Guidance](#)

August 11, 2021 – Message to Members Re: N95 Respirator Program

August 12, 2021 – CDHO E-Brief, Volume 11, Issue 08

September 9, 2021 – CDHO E-Brief, Volume 11, Issue 09

[COVID-19 Vaccination for Ontario Dental Hygienists](#) (ongoing updates)

[Vaccination Resources](#) (ongoing updates)

BRIEFING NOTE WITH MOTION

To: Council
From: Executive Committee
Date: September 24, 2021
Topic: Proposed Council Meeting Schedule 2022

Recommended Motion:

THAT Council approves the proposed 2022 meeting dates.

	DATE	MEETING
1	TBD	New Member Orientation
2	Friday, January 21, 2022	January Council Meeting
3	TBD	Workshop
4	Friday, March 4, 2022	March Council Meeting
5	TBD	Workshop
6	Friday, June 10, 2022	June Council Meeting
7	TBD	Workshop
8	Friday September 23, 2022	September Council Meeting
9	TBD	Workshop
10	Friday, December 2, 2022	December Council Meeting

MOVED:

SECONDED:

CARRIED:

DEFEATED:

COUNCIL MOTION

To: Council
From: Executive Committee
Date: September 24, 2021
Topic: Appointment of the Transition Oversight Committee

Recommended Motion:

WHEREAS the Council of the College of Dental Hygienists of Ontario agreed to the formation of a Transition Oversight Committee at the June 11, 2021 Council meeting; and

WHEREAS the mandate of this Committee will be to begin the process of oversight and direction of the amalgamation vision, starting with the preparation of Terms of Reference for the Committee; and

WHEREAS the composition of the Transition Committee will be, from each College: one public appointee, one professional member, and the Registrar;

THEREFORE, BE IT RESOLVED THAT

- 1.
- 2.
- 3.

be appointed as members of the Transition Oversight Committee.

MOVED:
SECONDED:

CARRIED:
DEFEATED:

Appendix A – DRAFT Revised Policy

GP- 7 COUNCIL AND COMMITTEE STIPEND AND EXPENSES

Council members shall be paid an honorarium and reimbursed for reasonable expenses incurred in the conduct of Council-authorized College business.

1 Public Member Remuneration

All remunerations for public members on CDHO’s Council will be governed by the guidelines issued by the Health Board Secretariat and are not covered in this policy.

1.1 COMMUNICATION WITH THE HEALTH BOARD SECRETARIAT

The President or Committee Chairs must identify work that may be required of public members outside properly constituted meetings. The Chair is responsible for advising staff of the expected frequency and duration of this work so that they can seek approval from the Secretariat prior to any claims being made by public members.

5 Per Diem Inclusions

Per Diem is paid for attendance at any face-to-face meeting to conduct Council or Committee business. It is also paid for participating in properly constituted telephone or electronic meetings. With prior notice to staff, per diem can also be paid for working sessions that may not take place as preparation for or within a properly constituted meeting. For the purpose of calculating Per Diem, a meeting scheduled for or lasting up to three hours will be deemed to be a half-day and a meeting scheduled for or lasting more than three hours will be deemed to be a full day. Extenuating circumstances will be referred to the President for resolution.

Council BRIEFING NOTE

Meeting date:	September 24, 2021
Agenda item:	6.3 Amendment to GP-7 Council Stipend and Expenses: Ad hoc Meeting Remuneration Policy
Appendices:	DRAFT Revised policy of GP 7 (1) and GP 7 (5) Council and Committee Stipend and Expenses
Owner:	Executive Committee
Staff support:	J. Keir

Public protection rationale: The College must demonstrate responsible stewardship of its financial and human resources in achieving its statutory objectives and regulatory mandate. Effective and transparent policies to govern Council member remuneration support trust in the College's work to protect the public.

Source of Authority: The College is required to regulate the profession in accordance with the [Health Professions Procedural Code](#) (the Code), which is Schedule 2 to the [Regulated Health Professions Act, 1991, S.O. 1991, c. 18](#).

The Code sets out the following related to remuneration of Council members:

Remuneration and expenses

8 Council members appointed by the Lieutenant Governor in Council shall be paid, by the Minister, the expenses and remuneration the Lieutenant Governor in Council determines. 1991, c. 18, Sched. 2, s. 8; 2006, c. 19, Sched. L, s. 10 (1).

By-laws

94 (1) The Council may make by-laws relating to the administrative and internal affairs of the College and, without limiting the generality of the foregoing, the Council may make by-laws.

Article 7.1 of CDHO's bylaws [Remuneration of Council Members](#) directs the following with regards to Council member remuneration:

- (1) Any remuneration of Elected and Academic Members shall be set and reviewed at least once every three years by the Council.

- (2) Any remuneration of Non-Council Committee Members and others shall be set by the Registrar.
- (3) The information in Article 7.1(1)(2) shall be posted on the College's website.

Article 4.0 [Meetings of Council](#) and Article 5.9 [Procedures for Meetings of Committees](#) outlines meeting requirements including the need for notice, quorum and meetings.

Issue: There will be times when Council members will be required to undertake works that is not connected to a formal meeting as defined by the Code or bylaws. A fair, efficient and transparent mechanism to compensate Council members for this work is needed.

Background: Some members of the Executive Committee were required to undertake work related to the recruitment and hiring of the new Registrar. Given the need for timeliness in this process, some of the work was done outside the confines of a formal meeting. In response to this, the Executive Committee looked to ensure that the necessary processes were in place to allow Council members to claim per diem payments appropriately. It was determined that a revision to policy GP-7 Council and Committee Stipend and Expenses was needed.

Staff advised the Committee that consideration would also need to be given to compensation for public members under the same circumstances. The Registrar of the Health Boards Secretariat (HBS) confirmed that they would be able to honour reimbursement claims provided that they had given prior approval. In order to grant this approval, they would need notice of the need for work outside properly constituted meetings that included a rationale for the work, along with a proposed timeline for the duration and estimate of the number of claims expected.

Next steps: Council is being asked to vote on the proposed revisions to policy GP-7 Council and Committee Stipend and Expenses (attached as Appendix A).

Decision:

MOTION: THAT Council approve the revised GP-7 Council and Committee Stipend & Expenses policy as presented in Appendix A.

Moved:

Seconded:

VOTE:

Available Options:

1. Pass the motion
2. Defeat the motion
3. Other

Council BRIEFING NOTE

Meeting date:	September 24, 2021
Agenda item:	6.4 President's Compensation
Appendices:	Appendix A: Corporate Services Presential Compensation Survey Results Summary
Owner:	Executive Committee
Staff support:	J. Keir

Public protection rationale: The College must demonstrate responsible stewardship of its financial and human resources in achieving its statutory objectives and regulatory mandate. Effective and transparent policies to govern Council member remuneration support trust in the College's work to protect the public.

Source of Authority: The College is required to regulate the profession in accordance with the [Health Professions Procedural Code](#) (the Code), which is Schedule 2 to the [Regulated Health Professions Act, 1991, S.O. 1991, c. 18](#).

The Code sets out the following related to remuneration of Council members:

Remuneration and expenses

8 Council members appointed by the Lieutenant Governor in Council shall be paid, by the Minister, the expenses and remuneration the Lieutenant Governor in Council determines. 1991, c. 18, Sched. 2, s. 8; 2006, c. 19, Sched. L, s. 10 (1).

By-laws

94 (1) The Council may make by-laws relating to the administrative and internal affairs of the College and, without limiting the generality of the foregoing, the Council may make by-laws.

Article 3.14 of CDHO's bylaws [Duties of the President](#) describes the work that is required of the member elected to the role of President.

Article 7.1 of CDHO's bylaws [Remuneration of Council Members](#) directs the following with regards to Council member remuneration:

- (1) Any remuneration of Elected and Academic Members shall be set and reviewed at least once every three years by the Council.

Policy 4.13.14 Per Diem Rates directs that the President of Council shall be 1.4 times the per diem rate paid the rate for professional members. Policy 4.13.2.1 Other Remunerations notes that:

Remunerations for persons not covered above, or whose remuneration is to be calculated differently, will either have their remuneration outlined in the enabling motion passed by Council or through decision by the Executive Committee or at the discretion of the Registrar.

Issue: The rate of compensation for the member in the role of President does not consider work done outside formal meetings or in short increments. A fair, efficient and transparent mechanism to compensate Council members for this work is needed.

Background: Staff was asked to provide information about how other Ontario regulatory colleges remunerate their President to the Executive Committee for their consideration. A questionnaire was sent to all 26 colleges and their responses are presented here as [Appendix A](#).

Next steps: The Vice-President will provide Council with an update at the September Council meeting. Council will be given the opportunity to discuss.

Appendix A – Corporate Services Presidential Compensation Survey Results Summary

13 colleges responded

Do you pay your board president a fixed stipend?

Yes	6	46.20%
No	7	53.80%

If yes, how much?

\$300 day

\$30K per annum

\$750 month

\$35K per annum

\$3,400 per annum paid out monthly

\$1,500 per month

Do you pay your president per meeting?

Yes	10	76.90%
No	3	23.10%

If yes, how do you deal with smaller increments of times (e.g., quick meeting with Registrar, check-ins with Council members, signing documents, etc.)?

Guidelines provide for President to accumulate time for submission in accordance with full day/half-day honoraria

Usually called preparation time and pay full day \$150/day, or 1/4 day, 1/2 day, 3/4 day

We ask that they keep track and bill the College once they have accumulated at least 3 hours' worth of activities

Covered in the stipend. some special meetings are not covered but this is rare – such as special working groups – those we pay at our chair rate (\$382/day). This extra accounts for less than \$2000/year.

We try and group these so they can be dealt with in one meeting that can pay a per diem, i.e., over a half hour.

Per Diem rate, signing documents usually no claim.

The stipend is supposed to cover this time for the President.

May be covered under prep time which is compensated up to \$90 per meeting. Otherwise, just part of the duties that are unpaid.

The pay per meeting is for e.g., committee and stakeholder meetings that the President attends.

“Committee and Council meeting claim” forms are submitted by the President.

We ask the president to accumulate their small increments of time and claim per quarter hour increments

Is your president compensated at a higher rate than professional Council members?

Yes 6 46.20%

No 7 53.80%

If yes, are they paid this rate for presidential duties only or committee work as well?

Presidential duties only 0

Presidential duties and committee work 3 50%

Presidential duties and when chairing a committee 3 50%

Are there any other funding models being used to compensate presidents? Please specify

No 11 84.60%

Yes 2 15.40%

We have a dedicated budget for Presidential duties (beside committee work)

Only if the President is a public member; then they are paid by MOHLTC

Council BRIEFING NOTE

Meeting date:	September 24, 2021
Agenda item:	6.5 New Council and Committee Member Onboarding
Owner:	Executive Committee
Appendix:	Appendix A: Council and Committee Orientation Schedule DRAFT
Staff support:	J. Keir

Issue: The College Performance Measurement Framework (CPMF) requires that Ontario’s health regulatory colleges ensure that Council and statutory committee members have the knowledge, skills, and commitment needed to effectively execute their fiduciary role and responsibilities pertaining to the mandate of the College.

Public protection rationale: As the body charged with ensuring that Dental Hygienists provide safe, ethical and competent care to Ontarians, CDHO must make certain that individuals serving on Council and committees possess the knowledge, skills and experience to discharge their duties effectively.

Source of Authority: The **College Performance Management Framework** (CPMF) includes the following standard:

1. *Council and Statutory Committee members have the knowledge, skills, and commitment needed to effectively execute their fiduciary role and responsibilities pertaining to the mandate of the College.*

The measures related to this standard require that Council and Statutory Committee members demonstrate that they have the knowledge, skills and commitment prior to becoming a member.

Evidence related to this measure include:

- a. *Professional members are eligible to stand for election to Council only after:*
 - i. *meeting pre-defined competency / suitability criteria*
- b. *Statutory Committee candidates have:*
 - i. *met pre-defined competency / suitability criteria and attended an orientation training about the mandate of the Committee and expectations pertaining to a member’s role and responsibilities.*

- c. *Prior to attending their first meeting, public appointments to Council undertake an orientation training course about the College's mandate and expectations pertaining to the appointee's role and responsibilities.*

Policy GP-9 (2) directs that new Council members will be oriented to: the Registrar performance evaluation process and interpretation of policies; operational organization including CDHO history, office facilities, staff and volunteer structure, regulatory processes, programs and services, Council communication tools and web site access. Sub policies GP-9 (2.2) and GP-9 (2.3) speak to ongoing support and training related to governance.

Background: Much of the orientation and initial training that is provided to new Council and committee members is concerned with policy governance. Limited time is devoted to formal orientation or training related to regulatory work. Staff conduct some orientation to committee work and provide ongoing support once elected and appointed members undertake their regulatory work.

As part of the work of meeting the standards set out by the CPMF, staff have drafted an initial onboarding plan that covers both Council and statutory committee training, aligns with the Council mentoring approach, involves significant staff support and encompasses the first 12 months of a Council or committee term. It proposes an integration of the existing governance-related training (led by Council) and more comprehensive committee-related training (led by staff) to ensure that new members are better able to integrate their governance and regulatory roles.

Next steps: Council is being asked to review the attached schedule and direct staff as to whether they wish to see this integrated approach be further developed and implemented.

Decision:

MOTION: **THAT** Council approve the proposed New Council and Committee Orientation Schedule and directs staff to further develop and implement the plan.

Moved:

Seconded:

VOTE:

Available Options:

1. Pass the motion
2. Defeat the motion
3. Other

Appendix A – Council and Committee Orientation Schedule DRAFT

Council and committee training will help public and professional Council members to:

- Quickly become familiar with roles and responsibilities
- Understand the mandate and functions of CDHO
- Absorb some of the organizational culture as part of the backdrop of their training
- Get personally acquainted with the Registrar (Council’s sole employee) and some of the staff they will be engaging with over their term
- Provide new members with information and support they need to ensure regulatory and governance success
- Feel comfortable asking questions and do the work of “learning in public”.

Training Touchpoint	Action Items	Timeframe
<p>Touchpoint #1a: Initial contact Professional or public Council member is appointed or elected.</p>	<p>Registrar emails or phones to congratulate and:</p> <ul style="list-style-type: none"> ✓ lets them know they will receive an orientation & training schedule, as well as an email with a number of administrative items ✓ sends them the competency assessment and lets them know they should have it completed before the in-person/webinar-based training ✓ advises that the President/VP will contact them to arrange a time for an introductory call ✓ Executive asks who to pair new Council member with as mentor before the President/VP’s call 	<p>First week following election/ appointment</p>

Training Touchpoint	Action Items	Timeframe
<p>Touchpoint #1b: President/VP's contact</p> <p>NOT REQUIRED FOR NON-COUNCIL APPOINTMENTS</p>	<p>President/VP books time with new Council member to have a phone call as soon as is mutually convenient to:</p> <ul style="list-style-type: none"> ✓ provide information on upcoming Council meetings and expectations for attendance ✓ provide general information regarding when and how they will be assigned to committees ✓ make a personal connection and find out more about their background, interests, etc. Do people have health care, regulatory or governance experience? ✓ inform new Council member they will be paired with a mentor and who that is. 	<p>Within 1–2 weeks of appointment/election</p>
<p>Touchpoint #2: Admin Setup</p>	<p>Executive Administrator (EA) sends email with administrative information regarding expense claims forms, etc (using checklist). Includes BoardEffect, tax information, payment info, AODA training, HBS, etc.</p> <p>EA books a 60-minute “CDHO 101” orientation session to be held within 2–3 weeks of election/ appointment. Encourage new Council member to bring questions. EA sends agenda/outline in advance of meeting.</p>	<p>First week following election/ appointment</p>

Training Touchpoint	Action Items	Timeframe
<p>Touchpoint #3: CDHO 101 In-Person or Zoom Training</p> <p><i>** note that this will need to be pre-candidacy once bylaws are changed to comply with CPMF</i></p>	<p>Sixty-minute in-person or Zoom-based orientation session with staff training lead. Content is high level and is narrowly focused on things like RHPA, CDHO’s mandate, role and composition of Council, role of Registrar and President, staff org chart, code of conduct, registrant snapshot.</p> <p>If needed, can reinforce admin items through follow up (e.g., expense claim forms, etc.)</p> <p>Advise them their next step is to do the Regulatory Work 101 Training within X weeks.</p>	<p>2–3 weeks after election/ appointment</p>
<p>Touchpoint #4a: REGULATORY WORK 101 E-Training</p> <p><i>** consider if this will need to be pre-candidacy once bylaws are changed to comply with CPMF</i></p>	<p>EA emails links to e-learning modules & worksheets. Modules cover <i>Dental Hygiene Act</i>, the Code, bylaws, standards, guidelines, regulations, stakeholders, accountability, transparency, AR, CPMF, committees, conflict of interest. Also covers use of competency profiles and expectations re: commitment.</p> <p>Members also assigned tip sheet reading and provided with quiz link.</p> <p>EA informs them of the deadline [must complete worksheets within X weeks of receiving email] and that President/VP or Registrar will receive results of reflection questions and one will check in with them about how they are doing.</p> <p>EA to book time for President/VP to follow up with new Council member.</p>	<p>Sent to them immediately after Regulatory Work 101 training</p>

Training Touchpoint	Action Items	Timeframe
Touchpoint #4b: Worksheet completion and follow-up	<p>New Council member completes worksheets</p> <p>Staff training lead is available / follows up to provide any needed support.</p>	3–5 weeks after election/ appointment
NOT REQUIRED FOR NON-COUNCIL MEMBERS	<p>EA makes sure they've met the deadline and reviews worksheet results; shares results with President and Registrar.</p> <p>President/Registrar contacts Council member to identify gaps and answer any questions and provide support.</p>	
Touchpoint #5a: Committee-Specific Training	<p>Staff support for QA, ICRC and RC committees will contact new committee members and</p> <ul style="list-style-type: none"> ✓ introduce selves ✓ very briefly explain the purpose of the committee ✓ email them the e-module about the committee that they should review before the panel/plenary meeting ✓ book the new committee member in to observe the next panel/plenary meeting (whatever comes first) ✓ let them know that they will have a 1-hour meeting after observing the panel meeting (staff to ensure chair is available and booked) <p>Staff support for non-stat committees will contact new committee members and</p> <ul style="list-style-type: none"> ✓ introduce selves ✓ briefly explain purpose of committee ✓ let them know when the next meeting is ✓ send them the e-module about the committee that they can review 	Shortly after completing the 101 training / ideally before first committee meeting

Training Touchpoint	Action Items	Timeframe
Touchpoint #5b: Post-Panel Follow-Up	<p>Staff support for QA, exam, ICRC and RC committees will contact new committee members and</p> <ul style="list-style-type: none"> ✓ provide new member with package for panel & ask to review 2 specific cases (staff choose one that is pretty typical / low risk and one more complex / higher risk) ✓ committee staff support and/or committee chair meets as soon as possible after new member observes panel ✓ review pre-assigned cases as they were discussed at the panel meeting and point out the issues at stake; precedent in decision making; issues of bias that could have or did come into play; other variables for new committee member to be aware of ✓ review conflict of interest and bias presentation and work sheet ✓ email new committee member inventory of biases work sheet 	<p>After first subsequent panel meeting after appointment/election</p>
Touchpoint #5c: Post-Plenary Follow-Up	<p>Staff support for QA, ICRC and RC committees will contact new committee members and</p> <ul style="list-style-type: none"> ✓ provide new member with package for plenary, provide any significant context (e.g., history of an issue that is being discussed) & ask to review ✓ committee staff support and/or committee chair meets as soon as possible after new member observes plenary ✓ highlight anything significant, answer any questions 	<p>After first subsequent plenary after election/appointment</p>

Training Touchpoint	Action Items	Timeframe
Touchpoint #6: Mentor meeting at Council	Mentor meets with new Council member to allow them to ask questions.	At first Council meeting
Touchpoint #7: Six-month check in	After two Council meetings, President/VP checks in individually with new Council members in person or via email; can direct them to specific resources in the resource library in BoardEffect that takes them deeper into governance principles/best practices; provide them an opportunity to safely ask questions; how are you doing at Council AND how is your committee work going? Review competency assessment again.	After their second Council meeting
Touchpoint #8: Annual evaluation	<p>Council evaluation, committee evaluation (including chairs' performance) and self-evaluation using competency profile.</p> <p>Results go to Executive in time for doing committee composition decisions.</p> <p>+ Council governance self-monitoring cycle.</p> <p>Executive Committee then recommends education and training for the following year that addresses gaps identified by independent report of self- and Council evaluations.)</p>	Annually as per governance calendar

TITLE: DISCIPLINE COMMITTEE TERMS OF REFERENCE		
APPROVED BY: DISCIPLINE COMMITTEE	COMMITTEE REVIEW FREQUENCY: Every three (3) Years	MONITORING OF REGISTRAR FREQUENCY: N/A
DATE APPROVED: Draft for discussion June 2016	SIGNATURE OF COMMITTEE CHAIR:	
DATE REVIEWED / REVISED: Draft for discussion June 2016 JULY 2016 FEBRUARY 2017 FEBRUARY 2020 <u>SEPTEMBER 2021</u>		

Committee Type: Statutory

Mandate

To hear allegations of professional misconduct or incompetence against registrants of the CDHO.

Membership

Committee: As per College Bylaw No. 5, all members of Council are members of the Discipline Committee, subject to requirements of the *Health Professions Procedural Code* (under the *Regulated Health Professions Act, 1991*) and any conflicts of interest.¹

Panel: The chair of the Discipline Committee selects a Panel of at least three (3) members and no more than five (5) members, two (2) of whom shall be public members and at least one of whom is a professional member of Council. The Chair of the Panel will be appointed by the Chair of the Discipline Committee.²

Committee Composition

The **Discipline Committee** shall be composed of:

- a) every Council Member; and
- b) one, or more, Registrant of the College who is a Non-Council Member, as required. The total number of Non-Council Members shall not exceed the total number of Council Members on the Committee.³

¹ Bylaw No. 5, Article 5.11(5)

² *Health Professions Procedural Code*, ss. 38(1) to 38(3)

³ Bylaw No. 5, Article 5.11(5)

TERMS OF REFERENCE: DISCIPLINE COMMITTEE

Nature of Committee Work

At a hearing, Panel members consider the allegations set out in the Notice of Hearing, hear evidence and ascertain the facts of the case. The Panel then determines whether or not the allegations have been proved and whether the registrant has committed an act of professional misconduct and/or is incompetent. In the case of a finding, on balance of probabilities that the registrant engaged in professional misconduct and/or incompetence, the Panel then hears the evidence and submissions about the penalty and costs to be imposed, and makes a determination about such

Reporting Relationship

The Committee makes independent and impartial decisions within its mandate and prepares reports for Council on its activities.

Time Commitment

The time commitment required to sit on the Discipline Committee is dependent on the number of referrals and the nature of the allegations.

Chair

In accordance with article 5.6 of the College's Bylaw No. 5, the Chair of the Committee shall be chosen by the members of the Committee at the first meeting following the first regular meeting of Council. The Chair of the Discipline Committee shall be a Council Member.

To avoid actual and potential conflicts of interest, the following restrictions are placed on those members of Council who are eligible to be chosen as Discipline Committee Chair:

1. The Chair may not be a current member of the Inquiries, Complaints or Reports Committee (ICRC).
2. The Chair may not be a current member of the Quality Assurance Committee.

Deleted: <#>The Chair may not have been a member of the ICRC in the preceding year. ¶

Vice Chair

Following the selection of the Chair of the Discipline Committee, the members of the Committee shall select a Vice Chair from among their number. The Vice Chair may act in place of the Chair where the Chair is unavailable or unable to do so.

Acting Chair

Where both the Chair and Vice Chair are unavailable or otherwise unable to act in respect of a matter, the Executive Committee may appoint a member of the Committee to serve as Acting Chair with respect to that matter.

TERMS OF REFERENCE: DISCIPLINE COMMITTEE

Term

The term of office of the Council Committee member shall commence immediately after the appointment.³ No Council member who is elected or selected to serve on Council may be a member of Council (and by extension, of the Discipline Committee) for more than nine consecutive years.⁴

The term of office of the Non-Council Committee member shall commence on January 1 following their appointment unless otherwise specified by Council. The term shall last for two (2) years to a maximum term of service of six (6) consecutive years.⁵

Frequency and Location of Meetings

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

Quorum

The quorum for meetings of the Discipline Committee shall be a majority of the Discipline Committee, at least one of whom is a Public Member.⁶

The quorum for any Hearings Panel of the Discipline Committee is three (3) members, at least one (1) of whom must be public member.⁷

Voting

Wherever possible, decision-making at the Committee level (e.g. policies) and at Panel level (e.g. registrant-specific decision) shall be conducted using a consensus model. When necessary, formal voting will be used.

Unless specifically provided for otherwise under the *Regulated Health Professions Act*, the By-laws, or the *Rules of Procedure of the Discipline Committee of the CDHO*, every motion that properly comes before the Committee or a Panel shall be decided by a simple majority of the votes cast at the meeting by the Committee members present.

The Committee Chair, as a member of the Committee, may vote.

Timelines for Issuing Decisions and Reasons

The Committee strives to issue its decisions and reasons in a timely manner. The Committee shall endeavour to issue written reasons for decision, where possible, according to the following timelines:

⁴ Bylaw No. 5, Article 3.4(6) and 3.5

⁵ Bylaw No. 5, Article 3.3(4)

⁶ Bylaw No. 5, Article 5.9(3)

⁷ *Health Professions Procedural Code*, ss. 38(5)

TERMS OF REFERENCE: DISCIPLINE COMMITTEE

- Within 30 days of the conclusion of the hearing, for uncontested matters
- Within 90 days of the conclusion of the hearing, for contested matters

Conflict of Interest

All 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.

Comprehensive information regarding conflict of interest is included in the College's Bylaw No. 5 under Article 19.

Administrative Support

Registrar
Director, Professional Conduct
Coordinator, Hearings

Resource Materials

Regulated Health Professions Act, 1991
Dental Hygiene Act, 1991 and Regulations under that Act
Statutory Powers Procedures Act
Discipline Committee Manual
FHRCO Discipline Orientation Workshops and materials
Training materials produced by Independent Legal Counsel
College Bylaw No. 5
Standards of Practice
CDHO Registrants' Handbook
Guidelines and Best Practices

Council

BRIEFING NOTE

Meeting date:	September 24, 2021
Agenda item:	10.1 Discipline Committee Terms of Reference
Appendices:	Draft Amended Discipline Committee Terms of Reference
References:	Health Professions Procedural Code College Performance Management Framework Discipline Committee, Terms of Reference CDHO By-Law 5.11
Owner:	Chair, Discipline Committee
Staff support:	Director, Professional Conduct

Issue:

Council is asked to amend the terms of reference of the Discipline Committee, as follows:

1. To establish non-binding benchmarks for the delivery of decisions and reasons by panels of the Committee. Specifically, Council is asked to establish benchmarks of 90 days and 30 days for delivery of reasons in contested and uncontested hearings, respectively.
2. To remove the requirement that the Chair of the Committee not have served on the Inquiries, Complaints and Reports Committee (ICRC) in the previous year, and to establish the positions of Vice Chair and Acting Chair to serve where the Chair is unavailable or unable to do so.

Public protection rationale:

Benchmarks

Establishing benchmarks for delivery of decisions and reasons supports the Discipline Committee's mandate to adjudicate allegations of professional misconduct and incompetence in a timely fashion to protect the public. They provide a quantitative measure by which to gauge the Committee's performance.

Benchmarks are also in keeping with both

- the Ministry of Health's College Performance Management Framework (CPMF), which already requires the College to report on the timeframes for disposition of contested and uncontested disciplinary hearings, and
- the *Health Professions Procedural Code* (Code), which establishes timeframes for the investigation and disposition of complaints by the ICRC.

Chair / Vice Chair

Establishing the position of Vice Chair ensures that the operations of the Discipline Committee can continue should the Chair be unavailable or unable to act, such as in the case of a conflict of interest. Removing the requirement that the Chair not have served on the ICRC in the previous term enlarges the pool of available candidates to serve as Chair, while still ensuring that appropriate safeguards are in place to avoid potential conflicts of interest through the position of Vice Chair. In the unlikely event that both the Chair and Vice Chair are unable to act, the Executive Committee may appoint an Acting Chair.

Source of Authority:

As a statutory committee of the College, the Discipline Committee derives its authority from sections 36 to 56 of the Code. As an independent adjudicative tribunal, the Committee is also subject to the *Statutory Powers Procedure Act*. The Discipline Committee Rules of Procedure (Rules), which govern the practice and procedure during discipline hearings, were established pursuant to section 25.1 of that Act.

Additionally, clauses 94(1)(h.1) to (h.4) of the Code authorize the Council to make bylaws providing for the composition of committees, among other matters. Council has enacted Bylaw 5.11, which sets out the composition of the Discipline Committee.

Council has also established terms of reference for the Discipline Committee, which provide an overview of the Committee's jurisdiction, mandate, and composition, as well as set out procedures for purely administrative matters related to the operation of the Committee. Importantly, the terms of reference cannot contradict rules found in the Code, the Rules, or the bylaws.

Background:

General

All members of Council also serve as members of the Discipline Committee. Panels of the Discipline Committee are tasked with holding hearings into specified allegations of professional misconduct and incompetence made against registrants. With limited exceptions, hearings are open to the public, and notices of upcoming hearings are posted publicly on the College's website.

Where a finding of professional misconduct is made, panels have the authority to order a disciplinary penalty. Penalties can include, among other outcomes, a reprimand; terms, conditions, and limitations on the registrant's certificate of registration; a period of suspension; or revocation. Disciplinary penalties are required to comply with the principles of sentencing, including public protection, general and specific deterrence, and rehabilitation, where applicable.

Benchmarks

Discipline panels must issue a written decision with reasons, a copy of which is provided to both parties and published on the College's website and in summary form in its annual report. Although there is no statutory timeframe for the delivery of decisions and reasons, Colleges are required to report on panels' actual timeframes, and excessive delay in the delivery of reasons can be the subject of review by the courts.

In particular, Standard 13 of the CPMF requires that "all complaints, reports, and investigations are prioritized based on public risk, and conducted in a timely manner with necessary actions to protect the public." To provide evidence that the College is complying with this standard, Context Measure 12 of the CPMF requires the College to report the timeframe for the 90th percentile disposal of both contested and uncontested hearings. The CPMF explains that reporting this data

"... enhances transparency about the timelines with which a discipline hearing undertaken by a College is concluded. As such, the information provides the public, ministry and other stakeholders with information regarding the approximate timelines they can expect for the resolution of a discipline proceeding undertaken by the College."

Benchmarks are already in place at the ICRC level, where the Code requires that an investigation into a complaint be completed and the panel's decision and reasons be issued within 150 days of receipt of the complaint. Where the ICRC is unable to meet this timeframe, the College is required to provide notice to the parties with an estimated timeframe for completion and the reasons for the delay. After 210 days, the College must also notify the Health Professions Appeal and Review Board.

Establishing benchmarks for the delivery of reasons helps the College to provide further evidence of its commitment to transparency and to completing disciplinary hearings in a timely manner. It also recognizes that undue delay in the delivery of reasons is frustrating to the parties, undermines effective remediation, and potentially leaves the public unprotected. While proposed benchmarks are not binding on panels, they help to set expectations for panel members, the parties, and other stakeholders as to how long, on average, it should take to release reasons for decision.

In an uncontested hearing, the parties have provided an agreed statement of facts (ASF) and a joint submission on penalty (JSP). Panels are only permitted to deviate from a combined ASF/JSP in exceptional circumstances. Panels also normally issue their decision and penalty order (drafted for the panel by the parties) on the day of the hearing, with reasons following later. Reasons for decision in uncontested hearings are generally straightforward and borrow heavily from the ASF/JSP submitted by the parties.

Given that reasons in uncontested hearings are normally brief, a benchmark of 30 days from the date of the hearing should provide adequate time for delivery in most cases.

In a contested hearing, the parties are not agreed, and the panel must make findings of fact based on the evidence presented. Reasons for decision in these cases are therefore often lengthier, as they must review the evidence and provide a cogent explanation for the panel's decision. In these circumstances, a benchmark of 90 days would better reflect the average length of time to deliver reasons for decision. At the same time, it must be kept in mind that all discipline hearings are unique, and that in lengthy or complex cases, it may take longer for a panel to release reasons.

The Director, Professional Conduct, conducted an informal survey of other regulators regarding their benchmarking practice with the following responses received:

- The College of Chiropractors of Ontario and the College of Physiotherapists of Ontario have a non-binding guideline for the release of reasons in 30 days (uncontested) and 60 days (contested).
- The College of Veterinarians of Ontario has a non-binding guideline for the release of reasons in 30 days (uncontested) and 90 days (contested).
- The College of Nurses of Ontario has a **binding** timeline for the release of reasons in 60 days (misconduct hearing) and 30 days (penalty hearing). Any extension beyond these timelines requires notice to the parties and the written approval of the Chair of the Discipline Committee, who specifies the period of extension granted.
- Other regulators shared that they had non-public timelines for the release of reasons, but requested that these timelines not be disclosed.

In the June 2012 issue of "Grey Areas", the newsletter from Steinecke Maciura LeBlanc LLP, the authors suggest that regulatory tribunals should set benchmarks to support the delivery of timely reasons for decision: "Articulating expectations sets a goal for adjudicators. The benchmark will vary with the organization and context, but for most tribunals it would be between 30 and 90 days." The authors further suggest that where a benchmark is missed, support staff should provide a gentle reminder to the responsible person. Where multiple delays are encountered, the authors suggest that the chair of the tribunal should follow up personally.

Chair / Vice Chair

The Discipline Committee selects one of its members on an annual basis to serve as Chair. The primary duty of the Chair is to select members of the Committee to serve on panels and to set initial hearing dates in conjunction with the College's Hearings Office. The Chair can serve as a member of panels and is also responsible for the general administrative oversight of the Committee and its operations.

There are no statutory prohibitions in the Code regarding who may serve as Chair of the Discipline Committee.

According to the current Terms of Reference, the Chair must be a member of Council. Additionally, the Terms of Reference stipulate that to "avoid actual and potential conflicts of interest", the Chair must not

- be a current member of the ICRC
- have been a member of the ICRC in the preceding year, or
- be a current member of the Quality Assurance Committee.

These limitations contrast with who may serve as a member of a disciplinary panel. Subsection 38(4) of the Code sets out that “no person shall be selected for a panel who has taken part in the investigation of what is to be the subject-matter of the panel’s hearing.” This means that current and past members of the ICRC and Quality Assurance Committee are permitted to serve on disciplinary panels, and may act as chair of those panels, so long as they were not previously involved in the specific case being heard.

While it may be reasonable that the individual responsible for selecting panels should also not have prior involvement in the case, it is not necessary that they have no prior involvement with the ICRC. This requirement limits the pool of potential members to serve as Chair, particularly those with prior relevant experience as members of ICRC, and it is not mandated by statute.

Concerns regarding potential conflicts of interest can be better managed by establishing a Vice Chair, who would be empowered to act when the Chair is unavailable or unable to do so. Having a Vice Chair ensures that the work of the Discipline Committee can continue when the Chair is unavailable, such as during a vacation, or where the Chair has an actual conflict of interest, such as through a personal connection to one of the parties.

Although highly unlikely, in the case that both the Chair and Vice Chair are unavailable or unable to act, the Executive Committee may appoint an Acting Chair to serve in their place.

Next steps:

Staff seeks Council’s direction with respect to the above-noted proposals to amend the Discipline Committee’s Terms of Reference.

Decision:

MOTION: **THAT** Council approves the Terms of Reference of the Discipline Committee, as amended, and attached as an appendix to this motion, to establish benchmarks for the delivery of decisions and reasons by panels of the Committee; to modify the eligibility requirements for serving as Chair of the Committee; and to establish the position of Vice Chair to serve where the Chair is unavailable or unable to act.

Moved:

Seconded:

VOTE:

Available Options:

1. Pass the motion, approving all the proposed amendments
2. Amend the motion, approving part of the proposed amendments
3. Defeat the motion, rejecting the proposed amendments
4. Other