

The College of Psychologists of Ontario 

COUNCIL MEETING

2015.05

September 18, 2015

PRESENT:

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

Guest:

Mr. Vinay Raja, Clarke Henning LLP, Auditor

Staff:

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

2015.05.00

Call to Order

.00a The President called the Council meeting to Order and welcomed Dr. Michael Grand serving as the Academic member on Council.

2015.05.01

Approval of the agenda:



**It was MOVED Hebert
That the agenda be approved as presented.**

CARRIED

.01b Minutes:
(1) Minutes of the Council meeting 2015.03 on June 19, 2015

**It was MOVED Cohen
That the minutes of the Council Meeting 2015.03 on June 19,
2015 be approved as presented.**

CARRIED

Review of Action List

The Council reviewed the Action List and noted the Action Items were done or on the agenda at this meeting.

Action Item Registration Committee:

To gather some information for the Training Program Directors regarding the difficulty candidates have in finding the required courses for retraining.

The Director: Registration commented that this agenda item was not on the Agenda at the Registration Committee meeting in September 2015 and would be brought forward to the next meeting.

(2) Minutes of the Council Teleconference 2015.04 on August 13, 2015

**It was MOVED Minnes
That the minutes of the Council Teleconference 2015.04 on
August 13, 2015 be approved with the following change on line
50: the Succession Planning Committee:**

Delete: Vice-President

Add: Mr. Robert Gauthier

CARRIED

Action Item Staff to circulate the Registration Regulation Amendments if needed.

2015.05.02 Consent Agenda items

**It was MOVED Eulette
That the Consent agenda items be approved as presented.**

CARRIED

2015.05.03 Strategic Issues



- .03a **Strategic Direction Implementation: Update**
 The Council received a copy of the Strategic Direction Implementation update in which the Vision and Mission Statement are shown along with a list of current or recent examples of the activities of the College and examples of tasks which are proposed or are in development with respect to each of the Mission statements.

The Council suggested adding the following in the section on communicating clearly and effectively with stakeholders:

Under Transparency Submission to Ministry:

Council Training on the work of Advisory Group on Regulatory Excellence (AGRE) and adopting the AGRE principles

2015.05.04

Policy issues

- .04a **Shaping the Future: Implementation Plan – Status Report**
 On March 22, 2013, Council adopted the following proposal from the Task Force on Shaping the Future of Psychology Regulation in Ontario:

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

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

The Council received a copy of the implementation plan which was provided to the Council in March 2015. The dates indicated in the implementation plan will need to be revised based on the possible date of proclamation of the Registration Regulation Amendments. The Council agreed that it is necessary to proceed with the implementation plan in an expeditious manner.

The College will need to conduct consultations with stakeholders as proposed in March 2015.

Done:

May 2015: Training Program and Internship Program Directors

To Do:

Members with experience and knowledge of international training in psychology
 Other Canadian psychology regulators



Other RHPA regulators
 Associations: CPA, OPA, OAPA
 Members who supervise registration applicants
 Members who serve as examiners

The Registrar suggested that the College conduct one consultation rather than in two stages. Following the consultations, the proposed amendments to the Registration Regulation will be drafted and will be circulated for consultations with stakeholders.

Responding to a question on whether the College could draft the Registration Regulation amendments and then conduct the stakeholder consultations, the Registrar commented that the drafting the Registration Regulation amendments is a lengthy process that involves consultations with legal Counsel, policy staff and legal drafters at the Ministry of Health and Long Term Care and may involve several revisions. The College will also have to consult with the Office of the Fairness Commissioner (OFC) on any proposed Registration Regulation Amendments.

The Council directed that the Staff prepare a plan for the stakeholder consultation and to use web-based or on-line consultation methods as needed. The Staff could consult with the Executive Committee in between Council meetings for any additional resources, if necessary.

Action Item Staff to prepare a plan for stakeholder consultation on the proposed implementation plan

The Council suggested a clarification for the following section:

Register all Psychological Associates as Psychologists on a fixed date or within a fixed period:

Issue a certificate of registration for a Psychologist authorizing autonomous practice to a member who holds a certificate of registration for a Psychological Associate authorizing autonomous practice on the date that this section of the regulation is proclaimed, **or at any time thereafter** up to and including December 31, 2024.

- Replace “at any time thereafter” with “continuously”.

.04b Transparency Initiatives

At their meeting on meeting on August 25, 2015, the Executive Committee reviewed the College’s transparency initiatives and provided a number of recommendations to be considered by Council.



The Executive Committee reviewed the 8 AGRE principles developed by the six health regulatory colleges that form the Advisory Group for Regulatory Excellence (AGRE). The Executive Committee recommended to Council that the College endorse the AGRE principles. The Council reviewed the recommendation and

**It was MOVED Grand
That the College endorse the Transparency Principles
developed by the Advisory Group for Regulatory Excellence
(AGRE).**

CARRIED

The Council reviewed the list of 11 transparency initiatives that were listed in the letter that the President and the Registrar sent to the Assistant Deputy Minister, Ministry of Health and Long-Term Care (MOHLTC) in November 2014.

The Council noted the Executive Committee recommendation that no further action was required for initiatives 1, 2 and 9.

- 1. Expanding the focus of transparency in the College's strategic plan.*
- 2. Reviewing the completeness of the content of the College's website.*
- 9. Placing information about prosecutions of unauthorized practice or holding out on the public register through an amendment of the by-laws.*

The Council discussed #3:

- 3. Reviewing its consultation process for regulations, by-laws and policies to ensure that all members of the public have a full opportunity to participate effectively in the process.*

The Executive Committee recommended that the College publish a summary of the feedback from consultations on the website. Some colleges publish consultations on their website so that they are available to the public. The Council agreed that the College would monitor the response to publishing a summary of the feedback and suggested that a 2 –step question be added at the end:

I am satisfied with the information

or

I would like more information

**It was MOVED Teitelbaum
That the Council approve recommendation 2 that the College
publish a summary of the feedback from future consultations
on the website and monitor the response.**

CARRIED



With regard to the other Transparency initiatives, the Executive Committee recommended a two-step implementation and the consultation process to include the Ontario Psychological Association (OPA, Ontario Association of Psychological Associates (OAPA), Association of Canadian Psychology Regulatory Organizations (ACPRO) and Federation of Health Regulatory Colleges of Ontario (FHRCO).

Implementation of these recommendations would require a consultation because they would need amendments to By Law 25: The Register and Related matters.

Stage 1:

4. Placing relevant information from criminal proceedings on the public register through an amendment of the by-laws.

Criminal proceedings would include:

(a) Criminal Charges: all Criminal Code charges known to the College. Information will include the fact and content of the charge; and the place and date of the charge, if known. The information will be removed when the charge is no longer outstanding;

(b) Bail Conditions: information about any bail conditions if known to the College and if these have been determined to be relevant to the member's ability to practice; and,

(c) Criminal Convictions: all Criminal Code convictions known to the College. Information will include the finding and the sentence. If under appeal, a notation indicating this and the dates of this information, if known. The information would be removed, upon request, if the appeal is successful or the member is pardoned.

The Council discussed the recommendation and noted some concerns about publishing the names of members who are the subject of criminal charges. The Council agreed that the College should obtain legal advice regarding recommendations 4a and 4b.

Action Item Staff to get legal advice about recommendations 4a and 4b

It was MOVED Cotton

That the Council approve Recommendation 3 that the College conduct a consultation on recommendations 4a, 4b and 4c with using alternative wording for "pardon" in 4c and adding "or if there has been a record of suspension" to 4c.

**For: 11
Opposed: ET
CARRIED**



The Council agreed that the Consultation should include some information about the background for this consultation, the Minister's transparency directives and the College adopting the AGRE principles.

5. Placing the registration status of members with other regulators (inside or outside of the province) on the public register through an amendment of the by-laws.

It was MOVED Minnes

That the Council approve Recommendation 4 that a consultation be undertaken regarding placing relevant information about members' current registration/licensure in other jurisdictions.

CARRIED

6. Placing the discipline history of members with other regulators (inside or outside of the province) on the public register through an amendment of the by-laws.

It was MOVED Cotton

That the Council approve Recommendation 5 that a consultation be undertaken regarding placing information about professional misconduct or incompetence findings about members adjudicated in other jurisdictions.

CARRIED

Action Item Staff

to conduct consultations on recommendations 3, 4 and 5 of the proposed transparency initiatives

The Council suggested that discussion on the following proposed Stage 2 consultations be deferred.

7. Placing significant/relevant complaints decisions on the public register through an amendment of the by-laws.

8. Placing additional significant/relevant information about practitioners obtainable from other regulators on the public register through an amendment of the by-laws.

10. Placing confirmations made under 36(1)(g) of the RHPA when the College is investigating a member, where there is a compelling public interest in the disclosure of that information, on the public register through an amendment of the by-laws.

The Council directed that the Executive Committee discuss what part of the Council materials package should be provided to public observers at Council meetings and bring a recommendation to Council.

**Action Item Executive Committee**

To discuss what materials from the Council package should be provided to public observers at Council meetings and bring a recommendation to Council.

.04c By law 9: Banking and Finance

(1) Proposed Amendment and Motion

The Registrar provided to the Council the proposed amendments to section 9.8.1 and section 9.8.5 of By Law: 9, Banking and Finance dealing with the signing officers of the College. The amendment will allow for the appointment of a second local signing officer when both the President and the Vice-President reside out of town.

The Council reviewed the proposed amendment and the suggested motion and

It was MOVED Cohen

That By Law: 9, Banking and Finance be amended to read as follows:

9.8.1 For any amount, either the Registrar or the Deputy Registrar plus one of the President, the Vice President, or a member or members of Council appointed in accordance with section 9.8.5;

9.8.5 For purposes of paragraph 9.8.1, where either the President or the Vice-President resides in the Greater Toronto Area (GTA), Council shall appoint as a signing officer one other member of the Council who resides in the GTA. If neither the President nor the Vice-President resides in the GTA, Council shall appoint as signing officers two other members of the Council who reside in the GTA.

CARRIED

(2) Appointment of 2nd local Signing Officer

It was MOVED Cohen

That Dr. Denise Milovan be appointed as the 2nd local Signing Officer for the year 2015-2016.

CARRIED

.04d Policy 1-12: Role of President:

(1) Proposed Amendment and Motion

The Registrar provided to the Council a proposed amendment to sections 1 and 2 of Policy 1-12: Role of President, dealing with the Term of Office of the President.



The Council reviewed the proposed amendment and the attached motion and

**It was MOVED Eulette
That from Section 1. Overview of Functions, the following sentence be deleted:**

May serve a maximum of two consecutive one-year terms in the presidency

and Section 2. Term of Office be amended as follows:

A member of Council may serve a maximum of three 1-year terms as President regardless of how many years he/she may be on Council or re-elected to Council.

CARRIED

.04e Supervision Task Force: Status Update

The Council received a status report on the Supervision Task Force. The Task Force anticipates completing its work and will provide a report and recommendations to the Council meeting in December 2015.

It was MOVED Minnes

That the report from the Supervision Task Force be received.

CARRIED

2015.05.05

Business Issues

.05a Committee Reports

(1a) Annual Reports 2014-2015

The Council reviewed the Annual Reports for the year 2014-2015 and

It was MOVED Cohen

That the Annual Reports for the year 2014-2015 from the following Committees:

Executive Committee

Council

Registration Committee

Discipline

Inquiries, Complaints and Reports Committee

Quality Assurance

Client Relations

Fitness to Practice

Jurisprudence and Ethics Examination Committee

be received.

CARRIED



(1b1) Registration Committee

There was no report from the Registration Committee for the period June 21, 2015 to September 18, 2015.

CARRIED

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

The Director: Investigations and Hearings presented a report to Council on the activities of the Inquiries, Complaints and Reports Committee (ICRC) from June 21, 2015 to September 18, 2015.

It was Moved Rose

That the report on the activities of the Inquiries, Complaints and Reports Committee (ICRC) from June 21, 2015 to September 18, 2015 be received.

CARRIED

.05b Financial:

(1) Variance Report to May 31, 2015

The Council received the Variance Report to May 31, 2015 and narrative for items that are projected to exceed the budgeted amount by more than \$2,000. Based on the unaudited figures at the end of the fiscal year, the College finished the year with a surplus of \$234,900 instead of the deficit of \$173,000 projected in the budget for 2014-2015.

It was MOVED Cotton

That the Variance Report to May 31, 2015 be received.

CARRIED

(2) Audit 2014-2015

(a) Audited Financial Statements for the year-ending May 31, 2015
Presentation of Audited Financial Statements by Mr. Vinay Raja, Clarke Henning LLP.

The President welcomed Mr. Vinay Raja, Auditor, Clarke Henning LLP to the Council meeting and invited him to present the Audited Financial Statements for the year ending May 31, 2015 to the Council. The Finance and Audit Committee (FAC) had reviewed the draft Audited Financial Statements with Mr. Raja at their meeting on September 9, 2015.

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

Audit Findings Report
Draft Audited Financial Statements



Mr. Raja congratulated the College on a clean audit. The College is in a healthy financial situation and has Reserve Funds including the Fee Stabilization Fund which would enable the College to defer a Fee Increase for some years.

The Auditor commented that the College Staff and Management were well prepared for the audit. The College has appropriate Internal Controls. The Accounting estimates were appropriate and reasonable. There were no unusual transactions and no disagreements with management.

The Auditor recommended that, as part of risk management, the Staff provide a memo to the FAC at each meeting to confirm that the Government Remittances were made in a timely manner.

Action Item Staff

To provide a memo to the FAC at each meeting to confirm that the Government Remittances were made in a timely manner.

The Auditor advised that the Canada Revenue Agency has completed the project on the audit of Not for Profit organizations. The Ministry of Finance is planning to issue a White Paper in 2016 on the cash reserves that Not for Profit organizations may hold and legislation on the cash reserves that Not for Profit organizations may hold may not be released until 2019 and may not come into effect until 2020-2021.

**It was MOVED Teitelbaum
That the Audited Financial Reports for 2014-2015 be approved.
CARRIED**

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

(b) Report from the Finance and Audit Committee on the Audit and recommendations to Council

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

(1) Fees

As the College has substantial reserved funds and an increase in the unrestricted net assets due to the surplus in 2014-2015, no fee increases are proposed for the 2016-2017 year.



(2) Reserve Funds

- (a) No transfers from Investigation and Hearings Reserve Fund to cover over budget expenses from the 2014-2015 year

As the College finished the year with a surplus, no transfers are required from the Investigation and Hearings Reserve Fund to cover over-budget expenses from the 2014-2015 year.

- (b) Transfer into Website and Database Development Fund

The College is considering implementing a Record Management Solution to handle the College records going back to 1960. The Manager: Administration provided to the Council information on the Records Management Software that would help manage both paper and electronic records in a cost effective manner. The College would be able to reduce the number of paper records being held on-site and in off-site storage. The HPRM (HP Records Manager) software will provide digital backup and efficient search capability for documents.

The Registrar provided to the FAC a budget for the Records Management Implementation Project. The paper records currently stored offsite will be scanned and the cost for the scanning is expected to be about \$25,000.

In order to complete the SharePoint Project Implementation and the Records Management Project Implementation, the Registrar recommended that \$125,000 be transferred into the Website and Database Development fund from the unrestricted net assets. This would include the projected costs for scanning the records.

It was MOVED Gauthier

That \$125,000 be transferred into the Website and Database Development fund from the unrestricted net assets.

CARRIED

(3) Appointment of Auditor for the year 2015-2016

It was MOVED Cotton

That the firm of Clarke Henning LLP be appointed as the auditors for the College for the year 2015-2016.

CARRIED



.05c Report from the Search Committee: **IN CAMERA**

**It was MOVED Cohen
That the Council move IN CAMERA to discuss this agenda
item.**

CARRIED

At the end of the **IN CAMERA** session, the President reported to the open meeting that the Council had received a report from the Search Committee on the process for appointing a new Registrar and will provide a further report to the next Council meeting.

**It was MOVED Milovan
That Council implement the Short Term Leadership Plan and
that Dr. Rick Morris, Deputy Registrar, be appointed as the
Acting Registrar effective October 1, 2015.**

CARRIED

**It was MOVED Cotton
That whereas the Deputy Registrar has been appointed Acting
Registrar, and in order to permit the orderly conduct of the
College's day-to-day financial affairs,**

**That during the period that Dr Rick Morris, Deputy Registrar
serves in the role of Acting Registrar, Mr. Barry Gang,
Director: Investigations and Hearings be invested with the
signing authorities set out for the Deputy Registrar in Bylaw 9:
Banking and Finance, paragraphs 9.8.1 through 9.8.4.**

CARRIED

**It was MOVED Gauthier
That the TD Canada Trust Corporate Resolution listing the
Signing officers of the College as of September 18, 2015 be
approved.**

CARRIED

2015.05.06

.06a

Other Business

Dates of the next Council meetings

(1) Confirmed dates for Council meetings

- Friday December 4, 2015
- Council Meeting on Friday April 1, 2015
- Council Training on Thursday March 31, 2015



(2) Proposed date for Council Meeting in June 2016
The Council confirmed the following date for the Council Meeting in June 2016:

- June 17, 2016

2015.05.07

Adjournment

There being no further business

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

CARRIED

The Council meeting was adjourned at 4:15 PM.

Peter McKegney, President

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

Minutes approved at the Council meeting on December 4, 2015