

BRIEFING NOTE

TO: Board of Directors

FROM: Governance Committee

DATE: March 3, 2025

SUBJECT: Quarterly Policies for Content Review

☒ For Decision

☐ For Information

☐ Monitoring Report

Purpose:

To carry out a scheduled content review of policies 4-13 and 4-14 for the purpose of determining whether any amendments are necessary.

Background:

The board has implemented a schedule to regularly review the content of its governance policies to ensure that they remain relevant and continue to serve the board's needs and strategic objectives.

For Consideration:

The following policies are scheduled for content review in Q1 of 2025:

- 1. Registration Committee Terms of Reference and Mandate Policy 4-13:** This policy is designed to outline the composition, authority, accountability, and responsibilities of the Registration Committee. **No updates are proposed to this policy at this time (see Appendix A).**
- 2. Fitness to Practise Terms of Reference and Mandate Policy 4-14:** This policy is designed to outline the composition, authority, accountability, and responsibilities of the Fitness to Practise Committee. **No updates are proposed to this policy at this time (see Appendix B).**

Public Interest Considerations:

The board has recognised the importance of strong governance to carry out its object of regulating the profession in the public interest and has invested significant time and resources into updating its governance policies and processes. Reviewing the content of these policies ensures that they remain consistent and effective, and that the College is up to date with regulations, technology, and regulatory best practices.

Diversity, Equity, and Inclusion Considerations:

The Governance Committee did not identify any concerns from a diversity, equity, and inclusion perspective.

Risk Management Considerations:

Regularly reviewing the content of governance policies to ensure that they remain relevant and continue to serve the board's needs and strategic objectives aligns with the [COO Strategic Plan 2023-2025](#) and helps to mitigate organisational risk.

Recommendations/Action Required:

The Governance Committee recommends that the board approve no changes to the Registration Committee Terms of Reference and Mandate Policy (4-13) and the Fitness to Practise Terms of Reference and Mandate Policy (4-14).

POLICY TYPE: GOVERNANCE PROCESS

4-13 Registration Committee Terms of Reference and Mandate Policy

Committee Composition and Meetings

1. The Board shall appoint the members of the Registration Committee for the following year at the last Board meeting of the year in accordance with the by-laws. At that time, the Board shall indicate which members of the committee are to sit on the Registration Appeal Panel (RAP).
2. The Registration Committee shall be composed of:
 - a. at least one Director who is a registrant of the College;
 - b. at least one Director appointed to the Board by the Lieutenant Governor in Council;
 - c. at least one additional registrant of the College; and
 - d. at least one additional individual who is not a registrant of the College.
3. The RAP shall be composed of a minimum of 3 members and shall include:
 - a. at least one Director appointed to the Board by the Lieutenant Governor in Council; and
 - b. at least one registrant of the College.
4. The chair and vice-chair of the Registration Committee shall be elected from among the members of the Registration Committee and the election may take place at or before the first committee meeting of the year.
5. The chair shall select a first panel of the Registration Committee from among the members of the Committee (the "First Panel"). The First Panel shall be composed of all persons who are appointed by the Board to the Registration Committee who were not selected to sit on the RAP.
6. The chair shall select additional panels as required from among the members of the Committee. Each panel shall be composed of at least three persons, at least one of whom shall be a person appointed to the Board by the Lieutenant Governor in Council.
7. Panels of the Registration Committee, and the committee as a whole, shall meet as required.
8. Three members of a panel constitute a quorum.
9. All Registration Committee members, except for members of the RAP, are required to attend an annual orientation session and such other training sessions as may be deemed appropriate by the chair of the Committee and/or the Board. RAP members shall attend such training sessions as may be deemed appropriate by the chair of the Committee and/or the Board.

Authority and Accountability

10. The Registration Committee is a statutory committee of the College as set out in section 10(1)2 of

the Health Professions Procedural Code (the “Code”).

11. The Registration Committee is accountable to the Board for:

- a. Acting in accordance with the Regulated Health Professions Act, 1991 (the “RHPA”), including the Code, the Opticianry Act, 1991, the regulations under those acts, the by-laws and any other laws that apply to its processes and decision making.
- b. Fulfilling any other duties and responsibilities assigned to it by the Board.

Responsibilities of the Registration Committee

The Registration Committee shall:

12. Perform such functions as are assigned to it under the RHPA, Code, regulations, by-laws, and policies of the College including the review and assessment of all applications for registration that are referred to it by the Registrar or referred back to it by the Health Professions Appeal and Review Board, and all applications for variation under s.19 of the Code.
13. Recommend to Board proposals for changes to applicable legislation, regulations, and by-laws, as well as programs to support registration processes including Prior Learning Assessment and Recognition (PLAR), accreditation of opticianry programs and the National Registration Examinations.
14. Submit an annual report to the Board. The report will include information on number of new applications considered in all categories, number of new certificates of registration granted, participation in the Ontario Fairness Commissioner’s audit and any other relevant information.

The Registration Committee may:

15. Submit a report to the Board in between annual reports.

POLICY TYPE: GOVERNANCE PROCESS

4-14 Fitness to Practise Terms of Reference and Mandate Policy

Committee Composition and Meetings

1. The Board shall appoint the members of the Fitness to Practise Committee for the following year at the last Board meeting of the year in accordance with the by-laws.
2. The Fitness to Practise Committee shall be composed of:
 - a. at least one Director who is a registrant of the College;
 - b. at least one Director appointed to the Board by the Lieutenant Governor in Council;
 - c. at least one registrant of the College who is not a Director; and
 - d. at least one individual who is not a registrant of the College and who is not a Director.
3. The chair and vice-chair of the Fitness to Practise Committee shall be elected from among the members of the Fitness to Practise Committee and the election may take place at or before the first committee meeting of the year.
4. When required, panels of the Fitness to Practise Committee shall be selected by the chair of the Fitness to Practise Committee from among the members of the Committee and each panel shall be composed of at least three persons, at least one of whom shall be a person appointed to the Board by the Lieutenant Governor in Board.
5. Panels of the Fitness to Practise Committee, and the committee as a whole, shall meet as required.

Authority and Accountability

6. The Fitness to Practise Committee is a statutory committee of the College as set out in section 10(1)5 of the Health Professions Procedural Code (the “Code”).
7. The Fitness to Practise Committee is accountable to the Board for:
 - a. Acting in accordance with the Regulated Health Professions Act, 1991 (the “RHPA”), including the Code, the Opticianry Act, 1991, the regulations under those acts, the by-laws and any other laws that apply to its processes and decision making.
 - b. Fulfilling any other duties and responsibilities assigned to it by the Board.

Responsibilities of the Fitness to Practise Committee

The Fitness to Practise Committee shall:

4-14 FITNESS TO PRACTISE COMMITTEE TERMS OF REFERENCE AND MANDATE POLICY

Date Approved: May 14, 2012

Date Last Reviewed/Revised: December 5, 2022

8. Perform such functions as are assigned to it under the RHPA, Code, regulations, by-laws, and policies of the College including holding a fair hearing and rendering a decision in cases of alleged incapacity or on reinstatement applications in accordance with applicable legislation, established rules and procedures.
9. Consider and make recommendations to the Board for changes to applicable legislation, regulations, and by-laws, as well as programs that fall within its mandate and/or support the Fitness to Practise Committee.
10. Submit an annual report to the Board. The report will include information on the Committee's activities for the year.

The Fitness to Practise Committee may:

11. Submit a report to the Board in between annual reports.