



## COLLEGE OF CHIROPODISTS OF ONTARIO

*Regulating Chiropodists and Podiatrists in Ontario*

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November 27, 2014

Ms. Suzanne McGurn  
Assistant Deputy Minister  
Health Human Resources Strategy Division  
Ministry of Health and Long Term Care 900 Bay Street  
Macdonald Block, 2nd floor, Suite M2-61  
Toronto, Ontario  
M7A 1R3

Dear Ms. McGurn:

**Re: Transparency at the College of Chiropodists**

I am writing on behalf of the College to respond to both the Honourable Dr. Eric Hoskins' letter of October 4, 2014 and your letter of October 28, 2014.

The College recognizes that transparency is increasingly becoming one of the most important cornerstones of good governance. Individuals want to be thoroughly satisfied that their choices and decisions are fully informed ones. This is even more important in relation to health care decisions. Individuals have a right to access information about a healthcare professional, to be able to make an informed choice and feel safe and secure knowing that their healthcare practitioner will provide the highest standard of care. The College also recognizes that the public has a right to understand the role of the health regulatory College and to have confidence that it exists, first and foremost, to protect the public interest. Access to information is a foundation to ensuring the public better understands the role of the College and, therefore, the best way to ensure that the public has confidence in self-regulation.

The College completely understands and unequivocally supports the move towards increased transparency. As a health professions' regulator, it is incumbent upon the College to ensure that the public, its members and applicants have as much information as possible to be able to make informed choices. The College has already undertaken numerous initiatives to assist in informing the public in a transparent manner. The College is also committed to expanding these initiatives to ensure that through continuous improvement, transparency is an integral component of every aspect of the College's regulatory programs.

The College Council has approved the AGRE principles on transparency. These principles will be integrated into our activities and, when required, will be the subject of proposed By-law amendments to be considered by Council. Unfortunately, where the transparency change involves additional information about a member being posted on the College's public register, that change will require a By-law amendment which according to the legislation, will need approval in principle, circulation to members and other stakeholders for comment for at least sixty (60) days and final approval by Council before it becomes effective.

#### What the College Currently Does to Support Transparency

The College has received many compliments from the public about our website. We have been advised that our website is easy to navigate and the information is readily understood.

#### Council

All meetings of Council are open to the public. Council materials are available to anyone who requests them and to everyone who attends the Council meetings. Council will be considering posting the Council materials on the website before each meeting.

For many years, the College has posted information on its website relating to Council activities and the following information is currently available:

- An explanation of the role of the College, its mission and mandate.
- A copy of the annual report for each of the preceding 5 years.
- The names of all Council members.
- The composition of each of the College's statutory committees, including the name of each member of each Committee.
- The date of every Council meeting, including those scheduled up to and including the Fall of 2017.
- Once approved, the minutes of the Council meetings, together with any documentation that would be required to understand the Minutes.
- A copy of the College's newsletters.

#### Discipline

Discipline hearings are open to the public. The College currently records the following information on its website, both on the public register and the College's home page:

- The date of the referral to the Discipline Committee.

- The Notice of Hearing including the specified allegations that have been referred.
- The location of the discipline hearing.
- The date of the discipline hearing, once a date has been set.
- The next scheduled date for the continuation of the hearing if the hearing was adjourned.
- The results of the hearing (where a finding was made), including the particulars of the grounds for the finding and the order made in respect of penalty, including the date on which the panel made the finding and the date on which the panel ordered any penalty.

All discipline decisions are permanently recorded on the public register unless removed in accordance with the legislation. In addition, discipline decisions are reported in the College's newsletter which, itself, is available on the College's website.

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

The website provides the public with information about how to file a complaint as well as in-depth description of the complaints' and investigations' processes. As is required by legislation, complaints are accepted in writing, by email, or recorded on any medium.

The College believes that it is important to share the information between the complainant and member to the extent reasonably possible. This results in an open, fair and transparent process for both the complainant and the member. The process currently used at the College includes the following:

- When a complaint comes into the College, an acknowledgment is immediately sent to the complainant;
- Members receive a written copy of the complaint and are asked to respond and, where applicable, to provide the complainant's clinical file;
- The complainant receives a copy of the member's response;
- If more information is required, further submissions may be requested from the member and/or the complainant;
- The complainant and the member are given an opportunity to respond to an Investigator's Report;
- When a decision has been reached, both the complainant and the member receive a copy of the decision which includes reasons, except where the matter is referred to a discipline or fitness to practice committee;

## Registration

The College's processes relating to registration for applicants including all information reasonably required to understand how an individual can become a member of the College is outlined in detail on the College's website. The Office of the Fairness Commissioner has commented to the College that it has exemplary practices relating to ensuring objectivity in the assessment of academic credentials. In addition, the Fair Registration Practices Report prepared by the College each year is posted on the College's website.

## The Public Register

The legislation requires certain information to be posted on the public register pursuant to subsection 23(2) of the Health Professions Procedural Code of the Regulated Health Professions Act, 1991. That same provision contemplates that the College may post additional information kept in the register in accordance with the College's By-laws. The College has voluntarily passed a By-law to post additional information about each member on the public register. Appendix "A", which is attached, sets out the additional information which is available to the public with regard to each member.

## Future Transparency Initiatives

Council has approved and supports the AGRE principles on transparency. While the College was not invited to be part of the AGRE group, it has participated in the Federation of Health Colleges AGRE presentations during this past month. The issue of enhancing transparency will be an agenda item on the Council's future agendas. Council will discuss and strategize further ways to increase transparency in all of our processes. During 2015, it is anticipated that Council will discuss, publicly consult on and implement additional transparency initiatives. In this respect, the Executive Committee of the College will be recommending specific By-law changes to enhance transparency and these include:

1. **Oral Cautions**

A proposal to provide a notation, including the date of and summary of the caution when the Inquiries, Complaints and Reports Committee requires a member to attend before a panel of the Committee to be cautioned.

2. **Specified Continuing Education or Remediation Programs**

A proposal to provide a notation, including the date and summary of any specified continuing education or remediation program, which the Inquiries, Complaints and Reports Committee requires a member to complete.

3. **Criminal Proceedings**

A proposal to provide additional information relating to findings of guilt with respect to criminal offences of which the College becomes aware.

4. **Restrictions on a Member's Right to Practise**

A proposal to provide a notation and a summary of any restriction on the member's right to practice where the restriction resulted from an undertaking given by the member to the College, an agreement entered into between the member and the College or one which has been imposed by a court or other lawful authority of which the College is aware.

The proposed By-law amendments to implement the above proposals will be presented to Council at its February 20, 2015 meeting for discussion and approval in principle. The proposed By-law amendments will then be circulated to members and other stakeholders for at least sixty (60) days for comment. Once the comments have been reviewed and considered, the proposed By-law amendments will come back to Council for final consideration which we anticipate will take place at its June 19, 2015 meeting.

**Conclusion**

In conclusion, the College has already adopted many policies to ensure transparency and it will continue to adopt new transparency initiatives in order to satisfy the Ministry and the public that it is meeting its mandate to protect the public. This letter will be posted on our website the day it is provided to the Ministry. Should further information be required or should you have any questions arising out of this letter, do not hesitate to contact me.

Yours truly,



Felecia Smith, LL.B  
Registrar