
Removing Information from the Public Register Policy

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College of Chiropodists of Ontario

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Background

The College of Chiropodists of Ontario is committed to ensuring that Ontarians have access to information about their chiropodists and podiatrists that is relevant, timely, useful and accurate, and improves their ability to make informed healthcare decisions. This commitment is consistent with the principle of transparency.

The College currently posts information on the public register as required under s. 23(2) of the Health Professions Procedure Code (“the Code”) and College by-laws. This information remains on the public register unless its removal is authorized pursuant to appropriate legislation.

Purpose

This policy sets out a framework that governs requests by a registrant of the College under [s.23\(7\) of the Code](#) to remove information from the public register due to the information being obsolete and no longer relevant to the registrant’s suitability to practice. Specifically, the Code states:

The Registrar may refuse to disclose to an individual or to post on the College’s website information that is available to the public under subsection (5), if the Registrar has reasonable grounds to believe that the information is obsolete and no longer relevant to the member’s suitability to practise.

Factors to Consider in Exercising Discretion

The Code does not define the meaning of information that is obsolete and no longer relevant to the registrant’s suitability to practice, and therefore the Registrar, or their delegate, *may* consider the following factors in determining whether to accept or deny the request:

- Time since the posting. How recent is the information?
- Circumstances around the information. How serious is the information? Who was affected and what was the impact?
- Remediation. Has the registrant made changes to their practice as a result and/or engaged in additional training or education? Have they demonstrated responsibility for their previous actions? Have they indicated how they would prevent similar circumstances from happening again?
- Public protection. How does the information enhance public protection or safety? What is the risk to patients of not having access to it? Does it align with the College’s commitment to transparency? Does the information serve to enhance protection of the public through general or specific deterrence?
- Conduct. Has the registrant had additional outcomes or findings since the original information was posted? Is there a pattern of relevant behaviour?

This list of factors is non-exhaustive and further factors may be considered as relevant and appropriate. In every case, the College’s duty to serve and protect the public interest must

be considered in each decision. The decision of the Registrar, or their delegate, in each matter will be final and binding with no opportunity for appeal.

Requesting the Removal of Other Information from the Public Register

A. Record Suspension or Pardon Obtained in Criminal and Other Matters

As set out in [section 1\(2\) of Ontario Regulation 261/18](#) under the *Regulated Health Professions Act* (“RHPA”), information about a finding of guilt under the *Criminal Code* or the *Controlled Drug and Substances Act* is to be removed from the public register in the following circumstances:

- The Parole Board of Canada has ordered a record suspension in respect of conviction;
- A pardon has been obtained in respect of the conviction; or
- The conviction has been overturned on appeal.

B. Requests Related to Safety Concerns

Where there is a concern that disclosure of information may jeopardize the safety of an individual, registrants can make a request under [s. 23\(6\) of the Code](#) to have information removed from the public register.

Retention of Information

Information that is removed from the public register under this policy remains part of a registrant’s official record with the College. The College may also disclose information in the circumstances specified under s. 36 of the RHPA.

How to Make a Request for Removal of Information

Registrants should submit their request to info@cocoo.on.ca.

Requests for removal under subsection 23(7) will not be considered by the College for one year following a previous unsuccessful application for removal of information.