

## College of Chiropractors of Ontario

### Third-Party Assessment of Council – FINAL REPORT

The following third-party assessment of Council is premised on principles of good governance within the legislative landscape of the *Regulated Healthcare Professions Act (RHPA)*. This assessment has been completed with a view to satisfying the requirement for such assessment to be completed every 3 years, pursuant to the Ministry of Health of Ontario's reporting tool, the College Performance Measurement Framework (CPMF).

#### Principles of Good Governance:

- Council members have received member orientation/training in advance of attending their first Council meeting
- Council members understand a Conflict of Interest (COI) in the context of the RHPA and the Council's business and attest to having no COI or must declare a COI in advance of every Council meeting
- The public interest is considered in every decision of Council
- Transparency is optimized in all Council decision-making
- In-camera matters are considered by Council only when confidentiality for legal purposes or privacy issues requires such
- Right-touch Regulation is applied to Council decision-making with matters posing the greatest risk to public protection, warranting the greatest regulatory resources

<b>Assessor Name: Nanci Harris</b>
<b>Date of Assessment: January 27, 2023</b>
<b>Name of Regulator: COCOO Registrar: Nicole Zwiers</b>
<b>Type of Meeting Assessed: Council Meeting</b>

**Part I: Council Member Orientation, Competency and Ongoing Council Member Training**

<p>Elected Council Members who are Members of the Profession must complete a competency assessment prior to running for election to Council.</p>	<p>✓ Yes No In part</p> <p>Comments: An assessment is completed and reviewed to determine eligibility to put name forward. This assessment presumes candidates have the capacity to self-reflect and demonstrate willingness to engage in ongoing learning.</p> <p>The size of the College precludes rendering candidates ineligible; instead there is a focus on filling gaps in knowledge and skills with additional training and support provided.</p>
<p>Council Members are provided with orientation prior to their first Council Meeting.</p>	<p>✓ Yes No In part</p> <p>Comments: Orientation is completed by the Registrar and appropriate staff. This includes a post-orientation survey for informal evaluation and provides the opportunity to build in additional content for future sessions as needed.</p> <p>Recommended: Where possible leverage the use of other “turnkey” materials and resources (often open source) available to supplement learning without impacting staff resources and capacity.</p>
<p>Council Members receive ongoing training that includes principles of good governance throughout their term.</p>	<p>✓ Yes No In part</p> <p>Comments: Completed by Registrar and Staff. Members complete a governance orientation which includes answering questions.</p> <p>Informal and regular monitoring of council member conduct and actions takes place to continuously identify opportunities for ongoing learning.</p>

<p>Council Meeting Agenda includes education item(s) for Council Members</p>	<p>✓ Yes No In part</p> <p>Comments: Meetings regularly include guest speakers on topics identified as relevant and/or focus on RHPA best practices. Council members are able and encouraged to self-identify learning needs/topics of interest.</p>
<p>Council Members are surveyed following the completion of the Council Meeting for feedback and suggestions to improve future Council meetings.</p>	<p>✓ Yes No In part</p> <p>Comments: Minutes of each Council meeting contain the post-meeting survey from the previous meeting for reflection and ongoing monitoring of learning needs. This allows for additional discussion as needed.</p>
<p><b>Assessor's Overall Comments about Member Orientation, Competency and Ongoing Training:</b></p> <p>The organization has been in a period of intense transformation in the past year and for which strengthening process for governance has been a priority. To that end the orientation materials including powerpoint and verbal presentations as well as the introduction of a business meeting and surveys post Council meetings to elicit feedback are all excellent elements of a consistent and evolving approach to governance.</p>	<p><b>On a scale of 1 (unsatisfactory) to 5 (excellent), rate the Member Orientation, Competency and Ongoing Training:</b></p> <p><b>1 (unsatisfactory)</b> <b>2 (needs improvement)</b> <b>3 (satisfactory)</b> <b>4 (good)</b> <b>5 (excellent)</b></p>

**Part II: Council Meeting Materials**

<p>Council Meeting Materials are provided to Council Members in a timely manner.</p>	<p>✓ Yes No</p>
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	<p>In part</p> <p>Comments: Materials are posted between one and two weeks prior to the next meeting. Requests for accommodation if received would be addressed on a case by case basis.</p> <p>Recommended: include a statement on website advising general timeframe for when materials for next meeting will be available.</p>
<p>Council Meeting Materials include: an agenda indicating decision items with briefing notes and supporting material to aid Council Members in decision-making</p>	<p>✓ Yes</p> <p>No</p> <p>In part</p> <p>Comments: Use of consent agenda process to facilitate best use of meeting time.</p>
<p>All items for decision include briefing notes clearly setting out the public interest in decision-making</p>	<p>✓ Yes</p> <p>No</p> <p>In part</p> <p>Comments: Briefing notes are concise and include acknowledgment of how the decision to be reached is framed with respect to the public interest. This is an excellent format in particular for members newer to the role to increase their understanding of what is the public interest.</p>
<p>Notice of the Council Meeting is on the Regulator’s website in advance of the Council meeting.</p>	<p>✓ Yes</p> <p>No</p> <p>In part</p> <p>Comments: While advance notice is suggest messaging that provides timeline for when materials will be available for review.</p>
<p>Notice of the Council Meeting includes instructions for attending the meeting (either in person or virtually).</p>	<p>Yes</p> <p>✓ No</p> <p>In part</p> <p>Comments: See above</p>

	Also suggest clearer instructions for online attendance (and when in person attendance will again be available) at meetings.
Minutes of previous Council Meetings that have been approved by Council are posted on the Regulator’s website.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> In part  Comments: Currently a number of years worth of materials is available. Planned is the introduction of a website content management system that will reflect appropriate recency of materials to be posted.
Council Meeting Materials posted on the Regulator’s website include all materials provided to Council members excluding in-camera materials.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> In part  Comments: As noted earlier, any requests for accommodation to access materials will be addressed on a case by case basis.
Council Meeting materials include a declaration of a Conflict of Interest (COI) for Council Members to complete and sign in advance of the meeting.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> In part  Comments: This is a thorough and comprehensive process to reduce and prevent COI. There were no instances of COI noted at the observed meeting.
Council Meeting materials are available in both English and French upon request.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> In part  Comments: Recommend messaging on website about information can be made available in French (and how to access).
<b>Assessor’s Overall Comments About Council Meeting Materials:</b>	<b>On a scale of 1 (unsatisfactory) to 5 (excellent), rate the Council Meeting Materials:</b>  <b>1 (unsatisfactory)</b>

<p>Materials are well organized, consistent in presentation from meeting to meeting, written in plain language. Suggestions with respect to providing clear messaging as to how they can be made available in French and availability of materials prior to a Council meeting noted.</p>	<p><b>2 (needs improvement)</b></p> <p><b>3 (satisfactory)</b></p> <p><b>4 (good)</b></p> <p><b>5 (excellent)</b></p>
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**Part III: Council Meeting**

**(A) The Council Meeting Chair:**

<p>The Chair conducts the Council Meeting in an orderly fashion.</p>	<p>✓ Yes No In part</p> <p>Comments: Introduced himself and extended welcome. Spoke clearly and was easy to hear for those on Zoom. Observed collaborating with the Registrar when additional information was required including discussion of rules of order.</p> <p>Good time management and use of humor when appropriate. All participants were made to feel welcome.</p>
<p>The Chair seeks a mover and seconder for every motion prior to tabling the motion for discussion.</p>	<p>✓ Yes No In part</p> <p>Comments: Identifies each mover and seconder verbally by name for purpose of minute taker. Takes a vote by show of hands. There was one instance where a motion was defeated and then passed with an amendment.</p>
<p>The Chair appropriately addresses any declared COIs.</p>	<p>✓ Yes No In part</p>

	<p>Comments: No COI observed at meeting attended. I</p>
<p>The Chair invites appropriate discussion on all matters.</p>	<p>✓ Yes No In part</p> <p>Comments: Appropriately used the motion to move in camera citing relevant part of regulation. Appropriately acknowledged members of profession who joined meeting interested in being on Council.</p> <p>To be noted is the significant number of candidates putting their name forward for appointment as new Council member for mid-term vacancy.</p> <p>Following vote the Registrar reconvened all candidates and expressed thanks for their interest in running and extended an invitation to consider participation in other college activities and roles.</p>
<p>The Chair is inclusive to ensure all Council Members wishing to speak to a matter are afforded an opportunity to do so.</p>	<p>✓ Yes No In part</p> <p>Comments: comments were respectfully acknowledged and responses provided by both Chair and Registrar as appropriate.</p> <p>Good respectful conversation on OSCE fee discussion. Registrar also provided helpful information on when a motion needs to be dealt with and then next steps if it is defeated.</p>
<p>The Chair ensures consensus is achieved on decision-items or takes a vote for each item.</p>	<p>✓ Yes No In part</p> <p>Comments: Only one instance where consensus not achieved on first vote (but which was</p>

	achieved on second vote when amendment added).
The Chair conducts the meeting in a manner that is respectful and professional.	<input checked="" type="checkbox"/> Yes No In part  Comments: Concerns were heard and acknowledged, feedback provided. Also makes reference to materials available prior to discussion and invites Registrar to provide additional info at start of discussion. Council members also invited to comment.  Observation: as part of ongoing training work with quieter members to provide input?
The Chair addresses quorum if there is an issue.	Yes <input checked="" type="checkbox"/> No In part  Comments: No quorum issues occurred.
The Chair cites the relevant section of the RHPA when seeking a motion to move in-camera, identifying the need to move the Council meeting from a public forum.	<input checked="" type="checkbox"/> Yes No In part  Comments: Both the Registrar and President read the section of the regulation for in-camera items.
The Chair appropriately addresses any Council Members attending virtually who do not have their camera on.	Yes No <input checked="" type="checkbox"/> In part  Comments: Association presidents in attendance were not on camera; their participation was not identified. All visitors were asked to be on camera.
<b>Assessor's Overall Comments About the Chair:</b>	<b>On a scale of 1 (unsatisfactory) to 5 (excellent), rate the Chair:</b>



<p>The Chair provided courteous and thoughtful facilitation and oversight of the meeting and opened with a land acknowledgement. The recording secretary was appointed and guests introduced (no acknowledgement of association presidents). There was clear evidence of a good working relationship with the Registrar and meeting items proceeded efficiently and, at times, ahead of schedule. The Chair was well versed in the material in support of effective discussion and decision making and appropriately included/deferred to the Registrar when more information was required.</p> <p>To be noted was the Chair’s receptivity and enthusiasm for the training that is now being provided as well as the introduction of the Business Meeting and this enthusiasm was communicated to Council.</p>	<p><b>1 (unsatisfactory)</b></p> <p><b>2 (needs improvement)</b></p> <p><b>3 (satisfactory)</b></p> <p><b>4 (good)</b></p> <p><b>5 (excellent)</b></p>
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**(B) Council Members**

<p>Council Members are respectful, raise their hand when they wish to speak to a matter and wait until the Chair invites them to speak before speaking.</p>	<p>✓ Yes</p> <p>No</p> <p>In part</p> <p>Comments: Comments provided were respectfully presented. Their contributions were recognized positively by Chair and Registrar. Not all Council members actively contributed to discussion but appeared actively engaged (no evidence of being on devices during discussions or appearing distracted).</p>
<p>Council Members are well prepared for the meeting and are familiar with the Council Meeting agenda/materials.</p>	<p>✓ Yes</p> <p>No</p> <p>In part</p> <p>Comments: This was difficult to assess except when someone spoke to an issue for which they were able to reflect on what they had read from</p>

	the background materials when giving their feedback/observations.
Council Members focus discussion on public protection in all decision-making items.	<p>Yes  <input checked="" type="checkbox"/> Not able to assess per se  In part</p> <p>Comments: There was not a lot of discussion but some members did reference protecting the public. (podiatry program discussion). This could have been related to content of agenda (for example election eligibility is focused on members not the public). This lens might benefit from more deliberate highlighting during discussion or when framing the way in which item discussions occur at the meeting's onset.</p> <p>The Registrar referenced public protection in discussion on the Position Paper.</p>
Council Members who focus concerns on stakeholder interests above that of the public interest are appropriately addressed by the Chair and/or other Council Members.	<p><input checked="" type="checkbox"/> Yes  No  In part</p> <p>Comments: OSCE discussion that took place focused on perceived disparity in compensation for members contributing to the work – was respectfully discussed and no evidence of putting interests ahead of or at the expense of the public.</p>
Council Members attending virtually have their cameras on.	<p><input checked="" type="checkbox"/> Yes  No  In part</p> <p>Comments: Only association presidents participating participated without having their cameras turned on.</p>
Council Members are respectful of the agenda schedule and are on time and in attendance when the Council Meeting resumes after breaks.	<p><input checked="" type="checkbox"/> Yes  No  In part</p> <p>Comments: Council members were flexible with adapting schedule (meeting items completed</p>

	earlier than planned allowing for adjustment). Meeting ran well and smoothly.
Council Members appear familiar with the RHPA and applicable legislation.	Yes <input checked="" type="checkbox"/> No In part Comments: Not able to assess.
Council Members appear to understand the concept of Right Touch Regulation and its application to Agenda items.	Yes <input checked="" type="checkbox"/> No In part  Comments: Not able to assess nor was this a topic.  The podiatry program discussion could have been a place where RTR was highlighted.
<p><b>Assessor's Overall Comments about Council Members:</b></p> <p>Council members were engaged with some actively engaged in discussion. It was not possible to assess their knowledge of the RHPA or Right Touch Regulation however the briefing notes do address public interest rationale and the Registrar is committed to ongoing training which could include evolving knowledge on both topics (with particular focus on any proposed changes to the RHPA and what it would mean for COCOO given the Chiropractic Act needs updating).</p> <p>Members have the opportunity to provide input for future agenda items.</p>	<p><b>On a scale of 1 (unsatisfactory) to 5 (excellent), rate the Council Members:</b></p> <p><b>1 (unsatisfactory)</b></p> <p><b>2 (needs improvement)</b></p> <p><b>3 (satisfactory)</b></p> <p><b>4 (good)</b></p> <p><b>5 (excellent)</b></p>

### **Assessor's Comments:**

#### **1. 3 key items for suggested improvement:**

- ✓ create more opportunity to include as part of discussions the applicability of Right Touch Regulation
- ✓ encourage quieter Council members to provide input and engage in discussion
- ✓ Chair to provide a longer gap in time prior to bringing the vote to a yea or nay decision

#### **2. 3 highlights that represent best practice:**

- ✓ Use of consent agenda to maximize meeting efficiency and use of time
- ✓ Citing of relevant section of RHPA legislation to move to in-camera
- ✓ Opening meeting with Land acknowledgement

### **General Comments:**

- ✓ Excellent Registrar's report highlights volume and quality of work undertaken in past year with respect to strengthening governance
- ✓ Registrar consistently framed all discussion with respect to the public interest
- ✓ Recognition of staff contributions to materials and training noted and commended
- ✓ Chair might consider giving a bit more time when opening an item for discussion before moving to a vote
- ✓ Appreciated the education session which was data informed
- ✓ Noted intentional reference and inclusion of DEI issues
- ✓ The review of public feedback - learning opportunity for next time it is required to clarify to membership one person per feedback submission versus a group and that anonymity is acceptable
- ✓ Perhaps provide a description of how the in-camera process is conducted