

Council's Decisions re: Governance Review and Recommendations

Governance Report Recommendation No.	Recommendation	Description	Council's Decision
1	The bylaw covering the Executive Committee and any consequent policies should be revised to make clear that it is not intended to duplicate the Council agenda and discussions.	This recommendation would be consistent with evolving best practices and would limit the use of the Executive Committee in non-statutory areas, allowing Council to directly govern the College to increase transparency and confidence in decisions.	Pending discussion and a decision at the December 1 Council meeting.
	Matters relevant to Council should only be on the Executive Committee agenda if they must be dealt with between Council meetings.		
	In those cases, the Executive Committee should make decisions and report those decisions to Council.		
	Advisory committees should make recommendations directly to Council not through the Executive Committee.		
2	Oversight of the annual audit should pass from the Executive Committee to the Finance Committee which should be renamed the Finance and Audit Committee.	This recommendation would be consistent with evolving best practices as well as national and international regulatory reform. This recommendation would also provide a potential opportunity to better manage risk and increase clarity with respect to operational and oversight roles.	Council approved the recommendation and directed that the necessary work be undertaken, noting that the work will require legal advice.
	Independent people (does not have to be a College member) with financial or audit qualifications should be brought on as appointed members of the Finance and Audit Committee.		Council approved the recommendation and directed that the necessary work be undertaken, noting that amendments to the Bylaw may be required.”
3	All committees should be categorized as either decision-making, advisory or consultative and their relationship to Council clearly defined.	This recommendation would ensure the effective functioning of Council and its committees, to further support the Council in fulfilling its regulatory mandate.	Pending discussion and a decision at the December 1 Council meeting.
	All advisory committees and groups should justify their value at an annual review or be discontinued.		
	New groups should not be established unless their role is directly contributing to the College's Strategic Plan.		
4	The College should actively engage the public and social service and social work service users in developing its policies.	The consultants recommended promoting dialogue and engagement with the users of social work and social service work services.	Council approved the recommendation and directed that the necessary work be undertaken to develop on a more comprehensive strategy on engaging service users and the public. It was noted that work is already underway on this, referenced as “public advisory group” in the Strategic Plan 2020-2023.
5	The papers and minutes of all Committees (except for committees and matters subject to confidentiality provisions) should be available to all Council members.	To promote transparency, the minutes and materials of the committees should be shared with all Council members to understand what these committees are doing and why. This requires a procedural change only.	Council approved the recommendation and directed that the necessary work be undertaken, recognizing that steps toward this are already underway. It was agreed that consideration should be given to exceptions - areas that must remain confidential (e.g. any confidential member-related regulatory information) - and a plan developed to communicate such exceptions to Council.
6	Council members in Council meetings or on committees should be intent on making decisions not on deferring them. They should take corporate responsibility for the powers that have been bestowed on them and see their legislation as enabling them to act in the public interest.	This recommendation will require personal reflection, culture and training, which will support effective governance and ensuring Council members can fulfill their governance role/fiduciary duty.	Council approved the recommendation and supported the following: <ul style="list-style-type: none"> • building this into the Council's annual evaluation process; • enhancing the New Council Member Orientation process; and • making better use of ASWB and CLEAR New Board Member Training.
	Legal advice should not be sought except when necessary.	For governance matters, the decision to seek legal advice should be made collaboratively by the Council Chair and Registrar and CEO. Council members should remember that whatever the legal advice it is <i>only</i> advice; they are responsible for the decision.	Council approved the recommendation directed that the necessary work be undertaken, acknowledging that staff and Council alike will need to consider if/when to seek legal advice. Council further noted the importance of distinguishing those situations in which legal advice is <i>necessary</i> to effectively manage risk (e.g. confirming a decision) from situations where legal advice <i>unnecessarily delays</i> Council decisions. This would not typically refer to decisions of statutory committees.
7	There should be a complete review of governance policies with the aim of organizing them by topic, avoiding duplication, reducing their number and gathering them together into a single governance manual. This review should include the use of Wainberg's Rules.	This recommendation would be consistent with shifting best practices and ensuring clarity around roles and effective governance.	Pending discussion and a decision at the December 1 Council meeting.

8	The College should use the word ‘registrant’ rather than ‘member’ to make clear it is a regulator and not an association.	This recommendation would ensure clarity around the College’s role.	Council approved the recommendation and directed that work be done to develop a staged approach (including legal advice) to implementation.
	The ‘president’ should become the ‘chair’ to stress that this is a role with responsibility for effective chairing of meetings and not an honour.	This recommendation would be consistent with the best practices of other regulatory bodies, which indicates a clear trend towards the use of the title ‘chair’. This will also prevent confusion and governance challenges	Council approved the recommendation and agreed that the amended term will be implemented immediately, while the necessary documentation is prepared.
	The ceremonial titles and positions of vice-president should be abolished.	The consultants recommended removing the positions of the vice-presidents, noting they may not be required.	Council partially approved the recommendation , recognizing both the increased visibility of the College and the opportunity to demonstrate leadership in the regulatory community by implementing the following: <ul style="list-style-type: none"> the current model of having two vice-presidents be replaced by one vice-chair; a review of the role of the vice-chair; the development of a competency-based model for the Council Chair and Vice-Chair amendments to bylaws and policies to require that one of these two roles must be a public member).
9	Bylaw 1 s.16.01 states that ‘the President, subject to the authority of Council shall have general supervision of the affairs and business of the College ’. This is unhelpful, outmoded in the light of the professionalization of regulation and gives rise to confusion about the proper separation of the roles of the chair and Chief Executive Officer. This provision should be revoked and replaced with clear expectations that the primary duty of the President/Chair is effectively to chair meetings of the Council and provide leadership to it.	In order to avoid having role confusion/governance conflict/duplication of work, it was recommended that s. 16.01 of Bylaw No. 1 be revoked and replaced with clear expectations that the primary duty of the Chair is to effectively chair meetings of the Council and provide leadership to it.	Council approved the recommendation and agreed to the development of clear parameters for the role of Council Chair, for Council’s approval at a later date.
10	The Eligibility for Election criteria in the Elections Bylaw should be revised to include the requirement that professional candidates seeking to stand for election must go through a defined and accountable screening process using a skills matrix with a view to identify the desired skills and competencies that each would bring to Council and to ensuring a collectively skilled Council.	Competency-based requirements are quickly becoming the standard for professional regulation governance.	Pending discussion and a decision at the December 1 Council meeting.
	The College should share their skills matrix with the Ministry for its consideration when appointing public members.		
11	Before implementing any policy change affecting social service or social work or the public’s interests the College should carry out a Regulatory Impact Assessment, covering three areas: <ol style="list-style-type: none"> economic impact (including cost to service providers and the College); diversity, equity and inclusion impact; and public benefit. 	In order to avoid making inadequately informed governance decisions, it is recommended that a Regulatory Impact Assessment be developed and considered before implementing any policy change affecting social work or social service work or the public’s interest.	Council approved the recommendation and directed that the necessary work to be undertaken immediately. Council recommended shifting “public benefit” to be the first bullet, to align with the College’s public protection mandate.
	Council members must take these impacts into account in making their decisions. This broader Impact Assessment should replace the ‘Public Protection’ statement that currently appears on many policy proposals.		Council approved the recommendation and directed that the necessary work be undertaken.
12	<ul style="list-style-type: none"> In the practice of governance, the College should give priority to outcomes not to procedures or rules. When there are disagreements and dissent, the focus should be on discussion and resolution at the time. Checking rules and policies after the event is not helpful. 	It was recommended that the College strive to adopt best practices and give priority to outcomes, not procedures or rules.	Council approved the recommendation and has committed to embedding this culture in the way it works together.
13	The College should place the risk of harm to clients and the public as the most important priority in its Risk Management Framework.	Having an effective process for identifying, assessing, escalating and managing risk of harm, will enable Council to fulfill its public protection mandate.	Council approved the recommendation and directed that the necessary work be undertaken.
14	The College should carry out a comprehensive audit of the risks of harm to social service and social work service users and the public from failures by registrants to meet the standards in the College’s Code of Ethics and Standards of Practice.		The top five regulatory risks have been identified by the College’s Management Team and were added to the Risk Register in August, with an appropriate mitigation plan for each risk identified.
15	The College should identify the most frequent and most severe risks of harm from poor professional practice and agree on specific actions to mitigate them and should measure the result.		

<p>16</p>	<p>The College should consider diversity, equity and inclusion as three separate challenges in alignment with three areas needing action:</p> <ol style="list-style-type: none"> 1. within the Council, 2. within the professions and 3. for and on behalf of Social Work and Social Service clients. 	<p>Considering diversity, equity and inclusion as three separate challenges, will promote meaningful discussions on the proactive and reactive goals of the College regarding DEI, and the need for clarity on this important issue.</p>	<p>Council approved the recommendation and supports the necessary work to give effect to that recommendation, noting that Council has converted the Task Group to a full committee of Council (the new DEI Committee), to which the work will be referred.</p>
<p>17</p>	<p>In order to increase the diversity of Council, Bylaw 36 should be amended to ensure that members of Council cannot seek a further term after a break once they have already served ten years.</p>	<p>This recommendation would be consistent with how RHPA Colleges have switched to 9-year terms, which would better align with the College's current 3-year terms for elected members.</p>	<p>Council approved the recommendation and provided direction to the Governance Committee to formulate next steps for Council's consideration.</p>
<p>18</p>	<ul style="list-style-type: none"> • The College should recognize that Reconciliation and cultural safety for Indigenous, First Nations, Métis and Inuit peoples raise their own particular issues. • The College should seek to engage with representatives of First Nations and Indigenous communities to gain their advice and involvement with the College's work. • The Diversity, Equity and Inclusion Task Group has much to get on with and should not decide how to move forward on Reconciliation and cultural safety until it has consulted with the people who have direct knowledge and lived experience of disadvantage. They will know how best they wish to be engaged. 	<p>Engaging with representatives of First Nations, Inuit and Métis peoples to gain their advice and involvement with the College's work, will enable the Council to make meaningful progress on how to move forward on Reconciliation and cultural safety.</p>	<p>Council approved the recommendation and supports the necessary work to give effect to that recommendation, noting that Council has converted the Task Group to a full committee of Council (the new DEI Committee), to which the work will be referred.</p> <p>The College's DEI Task Group recommended the following changes to the language in the recommendation:</p> <p>The College should recognize that Reconciliation and cultural safety for First Nations, Inuit and Métis peoples raise their own particular issues. The College should seek to engage with representatives of these Indigenous communities to gain their advice and involvement with the College's work.</p>
<p>19</p>	<p>The College should ensure that service users and the public, particularly those from disadvantaged communities, are actively engaged in the current review of Standards of Practice. Talking about 'DEI' is not good enough.</p>	<p>The consultants recommended promoting dialogue and engagement with the service users and the public, particularly those from disadvantaged communities.</p>	<p>Council approved the recommendation and directed that the necessary work be undertaken.</p> <p>The College is now part of the Citizen's Advisory Group (CAG), whose membership is generally reserved to RHPA colleges. This group was created for specific regulatory colleges to enable access to the public for consultation on particular issues.</p> <p>The College will seek input from the CAG within Phase 2 of the review of the Standards of Practice.</p>
<p>20</p>	<p>The Council should abandon the use of anonymized feedback surveys at the end of every meeting. They serve no useful purpose and encourage pettiness.</p> <p>Council members should review their own practice annually in an identifiable and accountable survey and should discuss the results together and be prepared individually to be responsible for what they have said and for what improvements should be made. Anonymity is not transparency.</p>	<p>In order to support a culture of transparency and trust, the consultants recommended developing a very defined process to enable feedback.</p>	<p>Council approved the recommendation and asked the College's Management Team to develop a new simplified and non- anonymized Council evaluation process, as well as a review of the Code of Conduct. Council members were reminded of their accountability to the College and the Council.</p>
<p>21</p>	<p>No professions know better than social workers and social service workers that interpersonal relationships and social interactions are necessary for harmony in life.</p> <p>Our final recommendation is the simplest of all: treat each other with respect and courtesy and put common sense and the benefit of service users and the public at the centre of your decision-making.</p>	<p>It was noted that this recommendation, on its own, won't address cultural conflicts. It is extremely important, not only to endorse this, but to send a strong and firm statement/message that makes it clear that Council endorses this as a fundamental value in Council members working together.</p>	<p>Council approved the recommendation and agreed to endorse it and to assert that respect and courtesy will be core values for the Council, going forward.</p>