CRPO / OPAO
College of Registered Psychotherapists of Ontario
Ordre des psychothérapeutes autorisés de l'Ontario

Stakeholder Feedback Form – October-December 2016 By-Law Amendments

Please complete this form and include it with your written submission. You may provide comments using this form (preferred), or send them in a separate document if the space provided here is insufficient. Your personal information is collected for internal statistical and informational purposes.

Please save the form to your computer, then open with Adobe Reader, prior to filling out the form. If you fill out the form in your web browser, contents may not be saved.

A. How to Submit Your Comments

1. Complete this form.
2. You may provide your comments on this form or attach comments in a separate document.
3. Submit no later than December 12, 2016, via:

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EMAIL: **submissions@crpo.ca OR**

FAX: **(416) 874-4079 OR**

MAIL: **Consultations**
College of Registered Psychotherapists of Ontario
163 Queen Street East, Toronto, ON M5A 1S1

B. Your Contact Information

First name: [redacted] **Last name:** [redacted]

Email address: [redacted]

Phone number: [redacted]

I am a:

- ☐ Member
- ☐ Student
- ☐ Health care professional (describe below):
- ☒ Other (describe below):
- ☐ Applicant
- ☐ Member of the public
- ☐ Client or former client

Deputy Registrar

C. Association

☒ I am submitting feedback on behalf of an organization or association.

If you checked the box "yes", please provide the following information:

Name of organization/ association: OCSWSSW

Your position: Deputy Registrar

Mailing address: [redacted]

Your email address: [redacted]

D. Consent

I understand that by ticking the checkbox below, my submission may be publicly posted on the College's website. I understand that identifying information of individuals, including name and contact information, such as address, phone number and email address, will be removed from submissions that are posted publicly.

I understand that the names of organizations and individuals submitting on behalf of organizations will be posted publicly, though contact information will not be posted.

I understand that the College will review submissions and, at its discretion, may choose not to post submissions if the content or wording is derogatory, defamatory, threatening, abusive or otherwise inappropriate, or if a submission reveals private or personal information. Negative comments about organizations or their positions on issues will also not be posted.

☒ I consent to having my submission/ comments posted publicly.

Name: [redacted] **Date:** December 14, 2016

E. Your Comments

Note: The response field begins on the next page. Please add additional pages if needed.

Please provide any feedback on the proposed amendments to the *CRPO By-laws*.

Ontario College of
Social Workers and
Social Service Workers

Ordre des travailleurs
sociaux et des techniciens
en travail social de l'Ontario

December 12, 2016

Consultations
College of Registered Psychotherapists of Ontario
163 Queen Street East, Toronto, ON M5A 1S1

To Whom It May Concern:

Re: College of Registered Psychotherapists of Ontario Consultation Request - Proposed Amendments to CRPO Bylaws and Changes to Registration Requirements that would require Criminal Background Checks

The Ontario College of Social Workers and Social Service Workers (OCSWSSW) is pleased to respond to the College of Registered Psychotherapists of Ontario's (CRPO) request for feedback and comments regarding proposed amendments to the CRPO Bylaws and registration requirements.

1. Proposed Amendments to CRPO Bylaws – Transparency

We are aware that the Honourable Minister of Health and Long-Term Care, Eric Hoskins, has asked the regulated health colleges in Ontario to strengthen their existing transparency measures and introduce new initiatives to increase transparency in their processes and decision-making. OCSWSSW has been following this issue with interest and reviewed the proposed amendments to the CRPO consolidated bylaws in the context of this direction.

The OCSWSSW is the regulatory body for social workers and social service workers in Ontario. It was established by the *Social Work and Social Service Work Act, 1998* and is accountable to the Ministry of Community and Social Services. While the OCSWSSW is regulated under a different Act and Ministry from the CRPO and the other health professions, it nonetheless supports principles of transparency and strives to be open to the public that it is mandated to protect.

As noted in the consultation documents, the Advisory Group for Regulatory Excellence (AGRE) has formulated a number of important principles related to transparency[1], as follows:

[1] The Advisory Group for Regulatory Excellence (AGRE) was formed in 2012 by the Registrars of the College of Nurses of Ontario, the College of Physicians and Surgeons of Ontario, the Royal College of Dental Surgeons of Ontario, and the Ontario College of Pharmacists.

- The mandate of regulators is public protection and safety. The public needs access to appropriate information in order to trust that this system of self-regulation works effectively;
- Providing more information to the public has benefits, including improved client choice and increased accountability for regulators;
- Any information provided should enhance the public's ability to make decisions or hold the regulator accountable. This information needs to be relevant, credible and accurate;
- For information to be helpful to the public, it must: (a) be timely, easy to find and understand (b) include context and explanation;
- Certain regulatory process intended to improve competence may lead to better outcomes for the public if they happen confidentially;
- Transparency discussions should balance the principles of public protection and accountability with fairness and privacy.

In our view, the proposed amendments to the CRPO consolidated bylaws reflect these principles.

With respect to the proposal to increase the period of time that information about former Members remains on the Public Register from two years to five, we would note that the OCSWSSW does not put *any* limit on the time that such information remains available on its Public Register.

The OCSWSSW continues to consider its own processes in light of the RHPA colleges' initiatives in the area of transparency. We note that there are many similarities between our processes and those proposed by CRPO. Currently, OCSWSSW's Bylaw 1, section 25 specifies that the information which will be available on the public register will include:

- The member's name as shown on the certificate of registration.
- Any previous name of each member of the College if known to the College;
- Business address(es) of each member of the College;
- Name of the business or employer of each member of the College;
- Business telephone number(s) of each member of the College;
- The registration number of each member of the College;

- The registration status of each member of the College;
- Where the Registrar has suspended the certificate of registration of a member of the College for failure to pay a fee or penalty prescribed by the By-laws, for failure to provide information required by the By-laws or for failure to comply with the condition set out in paragraph 3 of section 6 of Ontario Regulation 383/00, a notation of that fact, the basis for the suspension, the date upon which the suspension took effect and, if applicable, the date upon which the suspension was removed;
- Where the Registrar has revoked the certificate of registration of a member of the College under section 14.3 of Ontario Regulation 383/00, a notation of that fact, the basis for the revocation and the date upon which the revocation took effect;
- Where a matter has been referred to the Discipline Committee in respect of the member and is outstanding:
    - a notation of the fact of the referral;
    - the date of the referral;
    - a brief summary of the allegations;
    - the geographic region(s) from which the incident(s) arose;
    - the date of the hearing if the hearing date has been set; and
    - the next scheduled date for the continuation of the hearing if the hearing was adjourned to a specific date or if the hearing was adjourned without a specific date, a notation to that effect;
- Any information the College and the member of the College have agreed should be included in the register.

At this time, OCSWSSW does not post on the register criminal findings of guilt or bail conditions that are relevant to a member's suitability to practise, undertakings or cautions. We do, however, publish the reason for suspensions, including non-compliance with the Continuing Competence Program (CCP).

2. <u>Criminal Background Checks</u>

OCSWSSW commends the CRPO on its excellent summary of the issues associated with requiring criminal background checks for applicants and/or members. The OCSWSSW's Registration Regulation currently requires applicants to provide "at the time the application is made and at the time the certificate of registration is issued, every finding of guilt in relation to a criminal offence, an offence under the Controlled Drugs and

Substances Act (Canada) or the Food and Drugs Act (Canada) or any other offence relevant to the applicant's suitability to practise social work or social service work, as the case may be". Members of the College must disclose the same information because it is a condition of certificate of registration of any class. This information is required to be disclosed as part of the annual renewal of registration process. The OCSWSSW Council also reviewed the practices of other regulators with respect to this issue when considering whether to require Criminal Background Checks as part of proposed amendments to its Registration Regulation. After careful consideration, this requirement was rejected for many of the reasons outlined in the CRPO summary.

We hope that this information is helpful in the consultation process and look forward to learning the outcome of CRPO's review. Thank you for giving us the opportunity to provide comments.

Sincerely,