

## Competence Committee Terms of Reference

### Purpose

The Competence Committee is established under part 10 of *Health Professions Act* (the Act) and may carry out the powers and duties set out in the Act, the Regulations, the Bylaws, and the Standards of Practice.

### Authority and Reporting

The Committee has the authority to make decisions as authorized in the Legislation, Bylaws and supporting policies. The Committee reports and makes recommendations to Council on policy.

### Membership

The Committee will be comprised of:

- a minimum of four (4) members, the majority of whom must be registrants, and
- the Registrar or designate as an ex-officio (non-voting) member of the Committee.

Members of the Committee and the Committee Chair are **appointed** by Council. A Committee member may resign at any time by providing written notice to the Council Chair.

As per the Act, an individual who is an officer or senior employee of a professional association or a labour union that represents members of a regulated health profession is not eligible to be appointed to the Competence Committee.

Committee members should have the skills and experience to fulfill their responsibilities or be ready and willing to obtain them through appropriate information and training.

Guests or advisors (non-voting) can be invited to participate in Committee discussions as required. If expenses are incurred, they must be approved by the Registrar.

The Registrar & CEO may assign staff (non-voting) to provide administrative assistance to the Committee. These staff remain accountable to the Registrar & CEO.

### Term

- Members will be appointed to the Continuing Competence Committee for a term of three (3) years, renewable to a maximum of two (2) consecutive terms.
- The Chair is appointed by Council and shall serve for a minimum of one year and is eligible for renewal up to three (3) consecutive times.



- As per the Act, unless a member of the Committee is not capable of performing his or her duties, the member remains a member of the Committee until they are reappointed, or a successor is appointed.

## **Duties**

As per the HPA, Bylaws and Standards of Practice, the Competence Committee:

1. may make recommendations to the council on continuing competence requirements and the assessment of those requirements,
2. may provide for assessments of regulated members' competence as part of the continuing competence program and conduct an assessment of regulated members' competence,
3. may not carry out any powers or duties under sections 28 to 30 of the Act (registration reviews and decisions),
4. may designate 3 or more members of the Competence Committee to sit as a panel of the Competence Committee to carry out any power or duty that the Competence Committee may carry out under the Act,
5. may direct the Registrar to correct or remove any entry made in error in a register,
6. may consider an application for a practice permit and provide the decision to the registrant and Registrar,
7. may impose conditions on a registrant's practice permit,
8. may direct the Registrar to cancel a registrant's practice permit and registration if the registrant has not met the conditions imposed upon the practice permit,
9. must make a referral to the Complaints Director if:
  - i. the registrant has intentionally provided false or misleading information under the Act,
  - ii. the registrant displays a lack of competence in the provision of professional services that has not been remedied by participating in the continuing competence program,
  - iii. the registrant may be incapacitated, or
  - iv. the conduct of the registrant constitutes unprofessional conduct that cannot be readily remedied by means of the Continuing Competence Program.



10. must determine any issue referred to the Committee by a Hearing Tribunal under Part 4 of the HPA,
11. may determine any issue referred to the Committee by the Registrar, and
12. may undertake any other power or duty given to the Committee under the Act, the Bylaws of the Standards of Practice.

### **Expectations**

The Committee members will commit to:

- abide by the Code of Conduct as determined by Council,
- review and familiarize themselves with all meeting materials in advance of each meeting,
- attend and actively participate in all scheduled Committee meetings,
- participate in all Committee discussions,
- share all communication and information across all Committee members,
- undertake a fair share of reasonable tasks and responsibilities as is appropriate for the functioning and progress of the Committee,
- consider all views and options regardless of personal agendas or interests for the best possible achievement of the Committee's responsibilities,
- declare conflicts of interest if they arise and remove themselves from Committee work if the nature of the conflict (whether real, potential or perceived) warrants such action.
- listen to and consider the views and suggestions of other Committee members, and
- respect the decisions of the Council on recommendations from the Committee.

### **Meetings**

- The Committee shall meet at as necessary. Meetings shall be held at the call of the Committee Chair or the Registrar and, except in the case of an emergency, Committee members will be given a minimum of 48 hours prior notice of a Committee meeting.
- Meetings may be held in person, by teleconference, by videoconference, or by any combination thereof.
- The Committee Chair, in consultation with the Registrar & CEO, shall establish the agenda for the meetings and ensure that materials are circulated to members in sufficient time for review prior to the meeting.

### **Chair**

The Chair is expected to:

- facilitate meetings,



- manage consensus for the purpose of recommendations,
- assist the college in preparing meeting packages including agendas and minutes, and
- act as a liaison between the Committee and Council.

**Quorum**

Quorum for the Competence Committee is three (3) members.

**Finances**

Committee members shall receive remuneration for participating on the Committee in accordance with council policies.

**Confidentiality**

Committee members shall respect the confidentiality of any confidential information or materials to which they have access. Information will be maintained strictly confidential and will not, in any circumstances be disclosed or used without the express consent of Council.

**Effective**

These terms of reference are effective upon Council approval and may be altered or rescinded in whole or in part by Council decision. The Competence Committee is responsible for annually reviewing these Terms of Reference and recommending any updates to the Governance Committee. The policy will then go to Council for approval.

**Amendment, Modification or Variation**

These terms of reference may be amended, varied, or modified in writing after consultation and agreement by Council.