

BRIEFING NOTE

TO: Council

FROM: Executive Committee

DATE: December 2 and 3, 2019

SUBJECT: 5.2 Appointing Non-Opticians to Committees

☒ For Decision

☐ For Information

☐ Monitoring Report

Purpose:

To consider whether the College of Opticians should explore the possibility of adding lay-persons (i.e. non-opticians) to committees as appointed members.

Background:

All health regulatory colleges in Ontario are required to have 7 statutory committees. Most, including the COO, also have a number of non-statutory (standing or ad-hoc) committees.

Committee composition is set out in by-law. In the case of certain statutory committees, there are also legislative requirements that must be adhered to. Committees are composed of:

- Elected Council Members (Opticians elected to Council pursuant to Article 6 of the By-laws)
- Public Members (Non-opticians appointed to Council by the Lieutenant Governor in Council)
- Appointed Members (Opticians appointed by the Council as Appointed Committee Members under Article 12.2 of the By-Laws)

With the exception of the Executive Committee, all COO Committees are currently composed of Elected Council Members, Public Members and Appointed Members. Executive Committee is made up of 3 Elected Council Members and 2 Public Members.

Presently, the by-laws require that all Appointed Members be registrants of the College.

For Consideration:

In light of recent trends in regulatory governance, a question has arisen as to whether colleges should consider appointing non-registrants (i.e. non-opticians) as Appointed Members.

This practice is currently permitted under the by-laws of the College of Physicians and Surgeons of Ontario and the College of Midwives of Ontario.

Some potential benefits of appointing non-opticians to committees include:

- Additional public input
- Easing the burden on existing Public Members
- Furthering Council's commitment to governance reform

Additional Public Input

The addition of non-optician Appointed Members would strengthen the public voice at the committee table and permit the COO to further its stated strategic goal of increased public engagement.

Easing the burden on existing Public Members

Under the RHPA, several statutory committees require 1 or more Public Members in order for panels to be constituted. In addition, under the By-laws, all COO committees (statutory and non-statutory) require 1 or more Public Members.

As a result, Public Members are typically asked to sit on 3 or more committees, which requires a significant time commitment and frequent attendances at the COO.

While the COO could amend the by-laws to remove the requirement for Public Members to be on where there is no corresponding legislative requirement, this would have the effect of eliminating an important public perspective from the decisions-making process of those committees.

If, however, the COO were to appoint non-opticians to committees as Appointed Members, this may ease the burden on Public Members without removing the public-interest perspective from committee work.

Governance Reform

The Council has been closely monitoring the trends in regulatory governance, including the CNO's Vision 2020. One of the commitments made by the CNO in its Vision 2020 was to separate the functions of council and committees.

While this commitment cannot be fully achieved without legislative change, there are steps that the CNO and other colleges can take that would move the needle in the direction of separating council and committee work. The addition of non-optician Appointed Members is one way that this can be achieved without legislative change.

Recommendation:

Executive Committee recommends that Council direct College staff to prepare and bring forward proposed by-law amendments to the next Council meeting that would enable the College to engage non-opticians as Appointed Members.