

BRIEFING NOTE

TO: Board of Directors

FROM: Derick Summers, Elected Member, Facilitating Director

DATE: December 5 and 6, 2022

SUBJECT: Board Code of Conduct Monitoring Report

☐ For Decision

☐ For Information

☒ Monitoring Report

Purpose:

To review the Board Code of Conduct Monitoring Report.

Background:

On October 5, 2020, the Board approved the Board Policy Development Policy 4-24. The purpose of this policy was to codify a process for developing, approving, updating and evaluating the success of governance policies.

This policy provides that the board will directly monitor eight of its own board policies. This governance process was implemented to ensure that the board is regularly checking to make sure it is following its most important Governance Process and Board/Staff Relationship policies, and to provide opportunities for feedback and/or course corrections where needed.

For Consideration:

A monitoring report on the Board Code of Conduct is attached as Appendix A

Public Interest Consideration:

The Board has recognized the importance of strong governance in order to carry out its object of regulating the profession in the public interest and has invested significant time and resources into updating its governance policies and processes. Reviewing the content of these policies ensures that policies are consistent and effective, and that the College is up to date with regulations, technology, and regulatory best practices.

Diversity, Equity and Inclusion Considerations:

When reviewing the report, it is incumbent on the Board to consider whether any issues or concerns have arisen from a diversity, equity or inclusion perspective.

Action Required:

The board is asked to review and provide feedback on the monitoring report. In particular:

1. The report identifies how the board has interpreted each part of the policy. Does the board agree that these interpretations are accurate?
2. Does the board believe that any policy areas should be interpreted differently?
3. Does the board agree with the evidence identified in the report?
4. Does the board have any recommendations on steps that should be taken to address any concerns that have been identified?

Board Code of Conduct Monitoring Report					
#	By-Law Criteria	Board Interpretation of Policy Criteria (i.e., what does compliance with each policy criteria look like?)	Evidence Board has met the criteria	Deficiencies and Recommendations	Conclusion: Level of Achievement 1 – Compliance Not Achieved 2 – Compliance Partially Achieved 3 – Compliance Fully Achieved
1	The Board is responsible for ensuring that Directors and Committee Members have fulfilled their obligation to demonstrate loyalty	The Board successfully speaks with one voice despite discussion in dissent prior to voting.	The Board ensures that once a vote has been cast it presents a unified front and only allows specific representatives to speak on its behalf. Confidentiality is maintained. The board speaks with “one voice” and dissent and discussion occur prior to voting and decisions.	None	3. Compliance Fully Achieved
2	The Board is responsible for ensuring that Directors and Committee Members demonstrate accountability, diligence and competence.	All Board members have a working knowledge of the various legislations and policies that govern the Boards functioning.	At varying points in meetings and discussions it is clear that either the material has not been reviewed or the policies are not understood as time will be spent reviewing and re-educating board members.	There still appears to be general concerns about whether all board members are completing the assigned reading prior to meetings and have read the foundational documents.	2. Compliance Partially Achieved
3	The Board is responsible for ensuring that Directors and Committee	All Board members ensure understanding before voting on a specific issue.	Though time is taken to review and re-educate the members show integrity by ensuring they understand the	None	3. Compliance Fully Achieved

	Members demonstrate integrity.		<p>issue prior to voting on it.</p> <p>All members seem to ensure complete understanding of issues prior to voting.</p>		
4	The Board is responsible for ensuring that Directors and Committee Members demonstrate independence.	Members vote independently and ensure they are voting their conscience.	<p>Members are voting sincerely and independently with no evidence of coercion or complicity amongst members.</p> <p>There is no evidence to suggest that board members are voting along predetermined lines and are acting independently at all time.</p>	None	3. Compliance Fully Achieved.
5	The Board is responsible for ensuring that Directors and Committee Members demonstrate diversity and cultural humility.	The Board removes systemic bias from its functions.	Systemic bias in the form of reference to specific holidays or activities that may exclude others.	Some comments made without thought or in everyday situations seems to reflect a societal bias however, these slips are foundational and are actively being addressed.	2 Compliance Partially Achieved.
6	The Board is responsible for ensuring that the Code of Conduct is enforced.	The Board engages in positive meetings free from bullying and harassment.	<p>Board meetings run smoothly without appearance of undo pressures from members and positive interactions.</p> <p>Thankfully the board as a whole keeps and maintains this standard and does an admirable job self regulating it.</p>	None	3- Compliance Fully Achieved.

Respectfully submitted,

____ Nov 16, 22 _____

____ Derick Summers _____
Derick Summer, Elected Member
Board Director Facilitating Review