

# Registrar’s Report for Q3 2020

August 31, 2020

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## Trends and issues in professional regulation

It looked like it was going to be a quiet summer in the professional regulation sector, but at the end of August, in the space of three weeks four blockbuster developments unfolded:

1. It was announced that the Architectural Institute of British Columbia would transition to the *Professional Governance Act* (PGA),
2. It was announced that the College and Association of Nurses of Alberta (CARNA) Council voted unanimously to move to a single mandate regulatory organization with a commitment to develop and grow a new association and the report on which these decisions were made was released, and
3. The long-awaited report by the Steering Committee on Modernization of Health Professional Regulation (BC), *Recommendations to modernize the provincial health profession regulatory framework*, was released,
4. The Alberta government circulated a discussion paper, entitled *Proposals to amend the Health Professions Act to improve regulatory effectiveness and efficiency* to health professional regulatory colleges and other interested parties for feedback.

These events are just the latest developments in an issue that has gripped the professional regulation sector for some years now. The essence of the issue is that the confidence of the public in professional regulatory bodies across Canada has eroded significantly. The public, the media, and governments have all expressed concern that professional regulatory bodies appear to put the interests of the profession ahead of the interests of the public. This has led to two reactions: (1) professional regulatory bodies have been introducing or considering *governance reforms*, and (2) some provincial governments have been taking action to restructure their professional regulation sector.

To be clear, none of these developments compels HRPAA to do anything. The long-term impact of these changes is more difficult to discern, however.

### 1. Architectural Institute of British Columbia to Transition to the PGA

On July 17, 2020, the Ministry of Advanced Education, Skills and Training informed registrants of the Architectural Institute of British Columbia (AIBC) of a decision to move the *Architects Act* to the Ministry of Attorney General and for AIBC to transition to the *Professional Governance Act* (PGA) and the oversight of the Office of the Superintendent of Professional Governance (OSPG).

<https://professionalgovernancebc.ca/2020/07/17/architectural-institute-of-british-columbia-to-transition-to-the-pga/>

Why is this important? It confirms the resolve of the BC government to have professional regulatory bodies put the public interest first through structural solutions—in this case, the creation of an oversight body for professional regulatory bodies, the Office of the Superintendent of Professional Governance (OSPG). But there is also a Human Resources connection. When the *Human Resources Professionals Association of Ontario Act, 1990*, was passed, several provinces

indicated that they too had been, or soon would, pursue professional regulation under statute. Again, when the *Registered Human Resources Professionals Act, 2013*, was passed several provinces made public commitments to pursue professional regulation under statute. The relevance of the *Professional Governance Act (PGA)* is that if the Human Resources profession were ever to be regulated in BC it would be under the *Professional Governance Act, 2018*.

The OSPG will begin working with AIBC on this transition over the coming years. This move represents an opportunity for the AIBC to provide professional governance under modern legislation and be well supported to effectively deliver its mandate. The transition will occur in two stages, beginning with a transfer of the administration of the *Architects Act* to the Ministry of Attorney General, anticipated in Fall 2020. Over the following year, OSPG and AIBC will work collaboratively on the transition of the AIBC to the PGA.

The Office of the Superintendent of Professional Governance (OSPG) is the centre of provincial expertise for professional governance of regulatory bodies outside the health sector. The Superintendent is the head of the OSPG, and with a focus on public interest, is authorized by the Professional Governance Act (PGA) to carry out various functions including overseeing the governance of regulatory bodies under the PGA, conducting research and promoting best practices, administering the Professional Governance Act including enforcement, and publishing information that is related to professional governance and deemed in the public interest.

There are currently five professional regulatory bodies named in the *Professional Governance Act (PGA)*:

- Association of BC Forest Professionals (ABCFP)
- Applied Science Technologists and Technicians of BC (ASTTBC)
- BC Institute of Agrologists (BCIA)
- College of Applied Biology (CAB)
- Association of Professional Engineers and Geoscientists of BC, known as Engineers and Geoscientists BC (EGBC).

The Architectural Institute of British Columbia (AIBC) would be added to this list.

These regulatory bodies were established and have been operating under their separate acts. As the PGA is implemented, these professional regulators will be established as 'regulatory bodies' under the PGA and their acts will be repealed.

The PGA was created in response to recommendations made in the independent [Final Report of the Professional Reliance Review](#) submitted to the Ministry of Environment and Climate Change Strategy in June 2018. The PGA implements two of the Review's recommendations by legislating best practices for professional governance and establishing the OSPG for consistent and independent oversight of the professional regulators. The PGA received Royal Assent on November 27, 2018.

In BC, all new professional regulatory bodies are expected to be created and governed under the *Professional Governance Act, 2018*.

The importance of all this is that the *Professional Governance Act, 2018*, severely curtails any ‘advocacy’ activities. BC has been moving away from having ‘dual’ professional organizations which mandates could be interpreted as serving both the interests of the public and the interests of the profession. The *Professional Governance Act, 2018*, creates ‘pure’ regulatory bodies—separating professional associations and professional regulatory bodies.

Back to the Human Resources angle on this development.

Each year, the *Canadian Human Resources Reporter* publishes an ‘annual check-in with Canada’s HR Associations.’ This year, the Annual Check-in was published on January 2, 2020. The commentary supplied by the CEO of CPHR BC was quite interesting as it focused mainly on the *Professional Governance Act, 2018*.

According to the CEO of CPHR BC: “*With the PGA, professional bodies must only have members who are regulated by the act, he says. That would mean roughly 40 percent of CPHR BC & Yukon’s members would not count anymore because they are not CPHRs or are students.*” The PGA stipulated that the council of each regulatory body *must* make bylaws establishing standards of competence for registrants.

Although not mentioned by the CEO of CPHR BC, CPHR BC would need to severely curtail its advocacy activities. The PGA states “*a regulatory body may only act in an advocacy role in accordance with this Act and in accordance with rules, conditions or limits prescribed by the Lieutenant Governor in Council.*”

The CEO of CPHR BC concludes “*but until we know for sure whether we can get our own act, we don’t want to be under the PGA.*” However, things appear to be moving in the opposite direction in BC, the separate Acts are being phased out and new legislation will pull non-health professions under the *Professional Governance Act, 2018*. This position is tantamount to CPHR BC giving up on the idea that Human Resources would become a regulated profession in BC.

## **2. The College and Association of Nurses of Alberta (CARNA) Council votes unanimously to move to a single mandate regulatory organization with a commitment to develop and grow a new association**

On August 19, 2020, the CARNA Council voted unanimously to move to a single mandate regulatory organization with a commitment to develop and grow a new association. CARNA had been one of those ‘dual mandate’ organizations.

<https://nurses.ab.ca/about/what-is-carna/news/news-story/singlemandate>

In late 2019, CARNA’s Council established a Governance Task Force and retained Governance Solutions Inc. (GSI) to conduct a review of CARNA’s governance functioning. The goal of the review

was to identify governance principles and structural and process best practice changes necessary to update and strengthen the integrity of CARNA’s regulatory framework and its mandate to ensure the public interest, as well as the association mandate.

The Governance Solutions Inc. (GSI) report can be found here: [https://nurses.ab.ca/docs/default-source/latestnews/governance-review-findings-report.pdf?sfvrsn=867323df\\_2](https://nurses.ab.ca/docs/default-source/latestnews/governance-review-findings-report.pdf?sfvrsn=867323df_2)

The Governance Solutions Inc. (GSI) report made nine recommendations. The bottom line of GSI’s review, however, was that (1) the nursing profession needs both a strong regulator and a strong association, but (2) one entity cannot succeed at being both.

**Table 1: Governance Solutions Inc. (GSI) report CARNA recommendations**

<b>Recommendation #1:</b>	CARNA will move to a single mandate but with a commitment to the development and growth of the association.
<b>Recommendation #2:</b>	CARNA will adopt the reform model of governance to replace Carver Policy governance and adopt an integrated set of charters and policies to enable this.
<b>Recommendation #3:</b>	CARNA’s Governance Committee changes: <ul style="list-style-type: none"> <li>a) the Nominations Committee and Appointments Committee will be merged into a new Nominating Committee responsible to oversee the process for selection of both Council and Regulatory Committee members</li> <li>b) a new Governance Committee will be created to take over the Executive Committee’s role in conduct oversight, the Leadership Review Committee’s role in Council performance oversight, and new responsibilities to implement this governance review,</li> <li>c) the Leadership Review Committee will continue with its remaining CEO oversight mandate, and the Finance &amp; Audit Committee will continue with its mandate, and</li> <li>d) the Executive Committee will be disbanded.</li> </ul>
<b>Recommendation #4:</b>	CARNA will take the necessary process steps to adopt reform governance and its single mandate in place of Carver and a dual mandate, including: <ul style="list-style-type: none"> <li>a) hone its strategic plan and resources (including budget) to address its regulatory mandate, along with a commitment to the development of an Association</li> <li>b) articulate what “right touch” regulation looks like (explicitly linking measures of the risk of harm to patients to the levels of regulatory intervention prioritized in the strategic plan),</li> <li>c) develop a reporting and performance management framework from management and Regulatory Committees to Council (including formal evaluations of Council, Committees, Chairs and CEO), and</li> <li>d) organize Council agendas and meetings around this set of priorities, protecting the public</li> </ul>
<b>Recommendation #5:</b>	CARNA will retain the current Council size (16) but change the mix to an equal number of members of the profession (8, reduced from 11), and individuals who are not members of the profession (8), including 3new at large and 5current public members.

<b>Recommendation #6:</b>	CARNA will adopt a more competencies-based approach to selecting Council members, a process (“double key”) where (1) the Nominating Committee vets and qualifies all candidates, then(2) the final selection of the 8 profession members is made from this slate by members of the profession through election, of the 3 new at large members from this slate by Council itself, and of the 5 public members by the Provincial government.
<b>Recommendation #7:</b>	CARNA will adopt a more explicit competencies-based selection of members and Chairs of Regulatory Committees, with a Nominating Committee vetting and recommending qualified candidates for appointment by Council.
<b>Recommendation #8:</b>	CARNA will adopt a process where interested candidates for Chair (or President) and Vice-Chair among incumbent Council members (profession and public) are vetted and qualified by a Nominating Committee, then elected by Council.
<b>Recommendation #9:</b>	CARNA will adopt a staged onboarding program beginning with informing the membership as a whole, and prospective Council and Committee candidates, about their mandate, responsibilities, expectations, qualifications and competencies, cascading into an orientation and ongoing professional development process which would focus on (1) regulatory governance skills and (2) corporate governance sufficient to effectively regulate, and protect the public interest.

Many of the current proposals for governance reform appear a balanced Board, Board members to be appointed instead of elected based on competencies, and increased emphasis on orientation and ongoing professional development. However, the decision to split the association from the professional regulatory body is by far the most notable. CARNA will begin work immediately on a transition plan to separate the two existing mandates. We will be thoughtful and supportive as each organization focuses on its uniqueness - one as a healthcare regulator to protect Albertans through safe and competent care and one as an association to evolve the profession of nursing.

**3. Recommendations to modernize the provincial health profession regulatory framework. Report by the Steering Committee on Modernization of Health Professional Regulation (BC)**

The College of Dental Surgeons of British Columbia (CDSBC) had been a troubled organization with media reports of misbehaviour and dysfunctionality at the Board-level. If the issue had been framed as a problem with the CDSBC’s Board of Directors, the issue would have been interesting but would have had nowhere the impact and reach that it has.

<https://engage.gov.bc.ca/app/uploads/sites/578/2020/08/Recommendations-to-modernize-regulatory-framework.pdf>

Adrian Dix, Minister of Health, believed that some of the issues were not specific to the College of Dental Surgeons of British Columbia (CDSBC) but were systemic or structural. Minister Dix commissioned an inquiry that would look at both governance issues at the College of Dental Surgeons of British Columbia (CDSBC) and more broadly with the *Health Professions Act*. Minister

Dix appointed Harry Cayton, a leading expert in the field of professional regulation, to undertake this inquiry which is notable in and of itself.

Minister Dix was concerned with the following criticisms of the current model of regulation:

- a. *“that the current model of regulation had enabled cultures that can sometimes promote the interests of professions over the interests of the public;”*
- b. *“that the current model of regulation was unable to keep up with the changing health service delivery environment, particularly in relation to interprofessional team-based care;”*
- c. *“that the current model of regulation was not meeting changing patient and family expectations regarding transparency and accountability; and,”*
- d. *“that the current model of regulation was inefficient.”*

The original report, entitled *An Inquiry into the performance of the College of Dental Surgeons of British Columbia and the Health Professions Act*, but more widely known simply as ‘the Cayton Report’ was made public in April 2019. The Cayton Report proposed deep and wide-ranging changes to the regulation of health professions in BC. A review of the Cayton Report was included in the Q2 2019 Registrar’s Report.

**Table 2: Timeline for the Cayton Report and recommendations to modernize the provincial health profession regulatory framework in BC**

March 8, 2018	The Honourable Adrian Dix, Minister of Health appointed Harry Cayton, a leading expert in the field of professional regulation, to undertake an inquiry into the College of Dental Surgeons of British Columbia. The inquiry examined concerns about the College of Dental Surgeons’ governance and operations, as well as reviewing the <i>Health Professions Act</i> and the model of health profession regulation in B.C.
April 11, 2019	<i>An Inquiry into the performance of the College of Dental Surgeons of British Columbia and the Health Professions Act</i> (the Cayton report) was released to the public.
May 9, 2019 – June 14, 2019	Initial public consultation
November 27, 2019	A consultation paper is released by the steering committee in November 2019
Nov. 27, 2019 – Jan. 10, 2020	Phase two of public consultation
August 20, 2020	Recommendations to modernize the provincial health profession regulatory framework

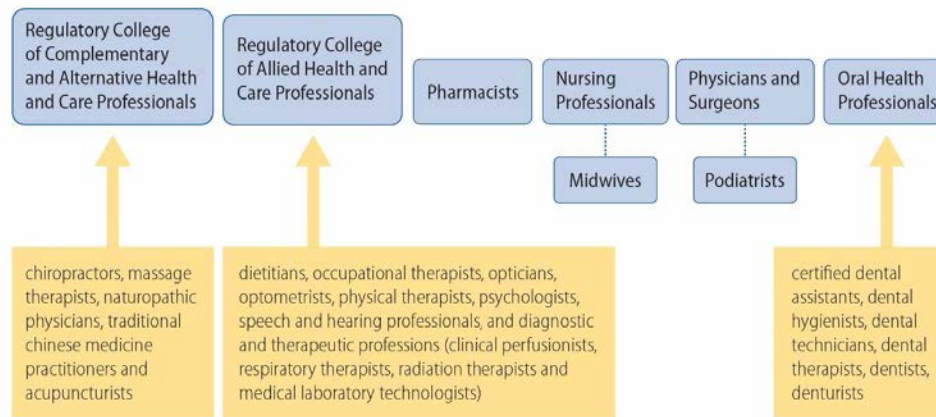
the Cayton Report was followed by a consultation paper. This consultation paper gave more specificity to some of the recommendations in the Cayton Report. A review of this consultation paper was included in the Q4 2019 Registrar’s Report.

So, what of the final report from the Steering Committee on Modernization of Health Professional Regulation?



All in all, the recommendations from the final report from the Steering Committee on Modernization of Health Professional Regulation were quite close to those of the consultation paper.

**Figure 1: The proposed landscape for health regulatory bodies in BC**



One of the most striking proposals is to reduce the number of health professional regulatory bodies from twenty to six—gone is the idea that each profession should have its own regulatory body. The idea seems to balance economies of scale and regulatory issues specific to certain professions.

Other notable recommendations are the creation of an oversight body for professional regulatory bodies (similar to the Professional Standards Authority (PSA) in the UK) and an independent discipline body.

The notion that a profession could keep it all ‘within the profession’ is gone.

There are recommendations and not a ‘done deal.’ However, given the extensiveness of the consultations that went into this report, it is likely that these recommendations will be implemented.

**4. The Alberta government circulates a discussion paper, entitled *Proposals to amend the Health Professions Act to improve regulatory effectiveness and efficiency to health professional regulatory colleges and other interested parties for feedback***

<https://www.albertadoctors.org/Media%202020%20PLs/discussion-paper-hpa.pdf>

On the heels of the BC government, the Alberta government is also floating several proposals to reform and update the regulation of health professions in Alberta. Some of the themes are similar to the BC proposals: the reduction in the number of professional regulatory bodies through amalgamation, the creation of a central body to handle complaints. An important proposal relates

to the separation of colleges from professional associations and labour unions. This did not appear in the BC proposals because BC had undergone this process a decade ago.

Whereas the BC process was quite public, with the publication of the Cayton Report and the subsequent consultation paper. The Alberta government is keeping the matter by inviting health professional regulatory colleges and other interested parties for feedback.

**Table 3: Alberta Health proposals to amend the Health Professions Act**

<b>Proposal #1:</b>	Enhance the ability of government and regulated health professionals to respond to public health emergencies.
<b>Proposal #2:</b>	Mandate the separation of colleges from professional associations and labour unions and enhance the operation of governing councils and hearing tribunals.
<b>Proposal #3:</b>	Enable and enhance the regulation of multiple professions within regulatory colleges (amalgamation).
<b>Proposal #4:</b>	Establish a centralized registry of health professionals in Alberta.
<b>Proposal #5:</b>	Revise the current professional complaints and discipline processes.
<b>Proposal #6:</b>	Strengthen existing laws aimed at banning Female Genital Mutilation or Cutting (FGM/C) in Alberta.
<b>Proposal #7:</b>	Authorize the performance of restricted activities through government regulation (LGIC), rather than professional regulations.
<b>Proposal #8:</b>	Move the provisions for restricted activities as set out in Schedule 7.1 in the Government Organization Act into the HPA and repeal Schedule 7.1.
<b>Proposal #9:</b>	Amend the common provisions of the HPA to address matters that are currently addressed uniformly among health professional regulations
<b>Proposal #10:</b>	Enable colleges to address the operation of their continuing competence programs within standards of practice
<b>Proposal #11:</b>	Enable colleges to address the use of professional titles within standards of practice.
<b>Proposal #12:</b>	Provide for the approval of professional regulations by the Minister rather than the Lieutenant Governor in Council (LGIC).
<b>Proposal #13:</b>	Enable colleges to propose to the Minister that the HPA be amended to enable their regulated members to provide professional services through a professional corporation
<b>Proposal #14:</b>	Address other HPA amendments that have been proposed over the past several years but have not been acted upon.
<b>Proposal #15:</b>	Provide that the Health Information Act (HIA) will apply to all regulated health professionals under the HPA.
<b>Proposal #16:</b>	Enable the Minister to establish ad hoc advisory committees under the HPA.
<b>Proposal #17:</b>	Formally establish the Alberta Federation of Regulated Health Professions (AFRHP) under the HPA

Again, none of this applies to HPA. In some ways, health professions are their separate ecosystem. Changes in the regulation of health professionals do not always translate to changes in the regulation of non-health professionals. On the other hand, sometimes it does as in BC.

## Annual complaints benchmarking report

The annual Complaints Benchmarking Report is one of the actions included in the mitigation plan for Risk #14 of the Enterprise Risk Register-- *Professional misconduct on the part of members, firms and students*.

This report covers the period from December 1, 2018, to November 30, 2019. In that period, HRPAs received twelve complaints.

The complaint rate is calculated by dividing the number of complaints received in the reporting period divided by the number of registrants (at the end of the reporting period) and multiplying this number by 1000. For 2018-2019, the complaint rate at HRPAs was .53 per 1000 registrants. This virtually unchanged from 2017-2018.

**Table 4: HRPAs Number of complaints and complaint rate for last five years**

Year	Registration at end of period	Number of complaints	Complaint Rate per 1000 registrants
2018-2019	22,757	12	.53
2017-2018	23,448	14	.60
2016-2017	23,116	6	.26
2015-2016	23,155	9	.39
2014-2015	21,712	5	.23

### How the complaint rate at HRPAs compares to that of other regulated professions in Ontario

There are thirty-nine professional regulatory bodies governed by a public act in Ontario; all were included in this study, except for the Ontario College of Trades does not report on complaints activity.

#### The sources of information

Professional regulatory bodies have different fiscal years. Most of the information as to the number of complaints was gleaned from the most recent published annual report on June 1, 2020.

When the number of members/registrants/licensees was available from the annual report, this number was used. In some cases, the annual report did not give the number of members/registrants/licensees. In these cases, the number of members/registrants/licensees was obtained by consulting the regulator's most recent *Fair Registration Practice Report* which is available from the Office of the Fairness Commissioner's web site.

For professional regulatory bodies falling under the *Regulated Health Professions Act, 1990*, complaints was defined as referrals to the Inquiries, Complaints and Reports Committee (ICRC) which includes complaints (external) and registrar investigations (internal). It was deemed that referrals to ICRC gave a better and more consistent definition of complaints.

## How HRPAs' complaint rate compares to that of other regulated professions in Ontario

HRPA's complaint rate for 2018-2019 was the lowest of all professional regulatory bodies in the same period. As noted in the table above, HRPAs has had the lowest or close to the lowest complaint rate of all professional regulatory bodies in Ontario since it started tracking its complaint rate in 2015.

**Table 5: How does HRPAs' complaint rate rank in comparison to other professional regulatory bodies in Ontario**

Year	Complaint Rate per 1000 registrants	Rank
2018-2019	.53	38/38
2017-2018	.60	36/38
2016-2017	.26	37/38
2015-2016	.39	38/38
2014-2015	.23	35/36

To derive more meaningful comparisons, three comparator groups were identified: (1) all professions regulated by public act in Ontario, and (2) non-health professions regulated by public act in Ontario, and (3) voluntary professions.

**Table 6: Comparing HRPAs' complaint rate with that of other regulated professions in Ontario**

Comparator group	2018-2019		
	n	Mean	Median
All professions regulated by public act in Ontario (excluding HRPAs)	37	18.98	10.67
Non-health professions (excluding HRPAs)	11	19.46	8.52
Voluntary professions (excluding HRPAs) <sup>1</sup>	2	2.30	2.30
Human Resources Professionals Association	1	.53	.53

The professional regulatory body with the highest complaint rate in Ontario in 2019 was the College of Physicians and Surgeons of Ontario with a complaint rate of 95.32 per 1000 registrants. The professional regulatory body with the next highest complaint rate in Ontario in 2018 was the Law Society of Ontario with a complaint rate of 90.51 per 1000 registrants. In 2019, the Chartered Professional Accountants of Ontario had a complaint rate of 2.15 complaints per 1000 registrants and the Ontario College of Social Workers and Social Service Workers had a complaint rate of 2.45 complaints per 1000 registrants. The latter two are mentioned because they are the other two non-health voluntary professions in Ontario (excluding HRPAs).

<sup>1</sup> The two non-health voluntary professions are Social Workers and Social Service Workers and Chartered Professional Accountants. There are no voluntary health professions regulated by public act in Ontario

- At a rate of 10.67 complaints per 1000 registrants (the median number of complaints per 1000 registrants across all professional regulatory bodies in Ontario), HRPAs would have received 243 complaints in 2018-2019.
- At a rate of 8.52 complaints per 1000 registrants (the median number of complaints per 1000 registrants across all non-health professional regulatory bodies in Ontario), HRPAs would have received 194 complaints in 2018-2019.
- At a rate of 2.30 complaints per 1000 registrants (the complaint rate for non-health voluntary professions), HRPAs would have received 52 complaints in 2018-2019.

The most likely explanation is that professional misconduct on the part of registered Human Resources professionals is underreported. This underreporting of professional misconduct creates risk for HRPAs for the following reasons:

1. The public is experiencing some degree of harm
2. Misconduct on the part of registered Human Resources professionals contributes to a negative perception of the profession
3. That there are no consequences for misconduct reflect poorly on the profession's professional regulatory body
4. Some external observers might assume, based on the low rates of complaints, that HRPAs are really not interested in pursuing complaints against its members
5. Some may conclude that the Human Resources profession doesn't need to be regulated

In January 2018 HRPAs commissioned Ipsos to conduct a public opinion survey commissioned by HRPAs to explore some of the reasons why HRPAs's complaint rate is so low.

- Only 21% of the public thinks of Human Resources as a regulated profession
- Only 16% of the public were aware that members of the public could make a formal complaint against a registered Human Resources professional through the Human Resources Professionals Association (HRPA)
- On the other hand, 73% were *somewhat* or *very* confident in their ability to know what constitute inappropriate conduct for a Human Resources professional
- As it turns out, members of the public are just as likely to register a complaint against a registered Human Resources professional with the Ontario Human Rights Commission or the Human Resources professional's employer that they would be with HRPAs

Respondents who had indicated that they would be unlikely to register a complaint with HRPAs even though they believed that a human resources professional had conducted themselves in an inappropriate manner, were asked to indicate why.

**Figure 2: Reasons why members of the public do not file complaints with HRP**

*“You indicated that you wouldn’t be likely to register a complaint with the Human Resources Professionals Association (HRPA). Why not? (Check as many as apply)”*



- Even if a member of the public knew that Human Resources was a regulated profession and had worked out that HRP was the body that would hear the complaint, 50% of the public say they wouldn't know how to proceed with a complaint.
- A third of the public would think of registering a complaint with HRP as 'just not worth the hassle' or that it would do no good or that there are more effective ways of making a complaint.
- Fear of retaliation was 21%, this is still a significant proportion.
- It is good to see that only a minority of the public indicated a lack of confidence in HRP's complaints process

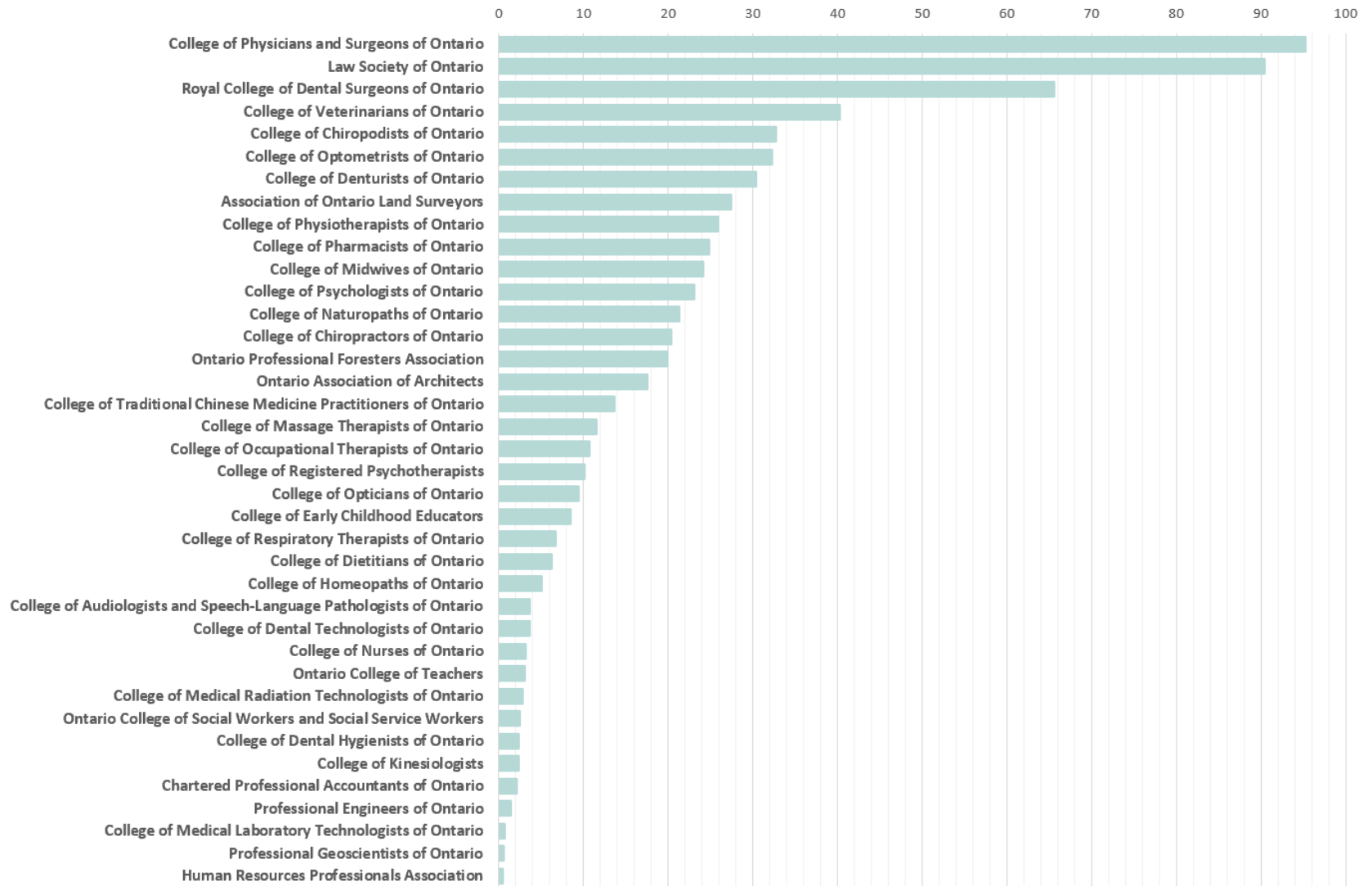
For a discussion of the existing mitigating tactics / controls, key risk indicator (KRIs), and planned actions and timelines, one is referred to the Enterprise Risk Register.

**Table 7: Registrants, complaints, and complaint rate *per 1000* registrants for Ontario Professional Regulatory Bodies in 2019**

Regulatory Body	2019		
	Registrants	Complaints	Rate <i>per 1000</i>
College of Physicians and Surgeons of Ontario	36961	3523	95.32
Law Society of Ontario	62746	5679	90.51
Royal College of Dental Surgeons of Ontario	10095	662	65.58
College of Veterinarians of Ontario	5013	202	40.30
College of Chiropodists of Ontario	733	24	32.74
College of Optometrists of Ontario	2514	81	32.22
College of Denturists of Ontario	724	22	30.39
Association of Ontario Land Surveyors	509	14	27.50
College of Physiotherapists of Ontario	9537	247	26.00
College of Pharmacists of Ontario	22072	548	24.83
College of Midwives of Ontario	910	22	24.18
College of Psychologists of Ontario	4378	101	23.07
College of Naturopaths of Ontario	1591	34	21.37
College of Chiropractors of Ontario	4873	99	20.32
Ontario Professional Foresters Association	952	19	19.96
Ontario Association of Architects	4269	75	17.57
College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario	2415	33	13.66
College of Massage Therapists of Ontario	14567	168	11.53
College of Occupational Therapists of Ontario	6094	65	10.67
College of Registered Psychotherapists	6782	69	10.17
College of Opticians of Ontario	3083	29	9.41
College of Early Childhood Educators	53756	458	8.52
College of Respiratory Therapists of Ontario	3559	24	6.74
College of Dietitians of Ontario	4139	26	6.28
College of Homeopaths of Ontario	587	3	5.11
College of Audiologists and Speech-Language Pathologists of Ontario	4075	15	3.68
College of Dental Technologists of Ontario	548	2	3.65
College of Nurses of Ontario	182290	587	3.22
Ontario College of Teachers	233787	722	3.09
College of Medical Radiation Technologists of Ontario	10720	30	2.80
Ontario College of Social Workers and Social Service Workers	22491	55	2.45
College of Kinesiologists	2893	7	2.42
College of Dental Hygienists of Ontario	13735	33	2.40
Chartered Professional Accountants of Ontario	92814	200	2.15
Professional Engineers of Ontario	85875	121	1.41
College of Medical Laboratory Technologists of Ontario	7106	5	0.70
Association of Professional Geoscientists of Ontario	3603	2	0.56
<b>Human Resources Professionals Association</b>	<b>22757</b>	<b>12</b>	<b>0.53</b>



**Figure 3: Number of complaints per 1000 registrants for professional regulatory bodies in Ontario 2019**



**Figure 4: HRPAs Regulatory Framework**





## Regulatory activity coordination and policy formulation

The regulatory and policy formulation team continues to actively work on the shift towards risk-based regulation, a proactive approach that focuses on mitigating, preventing, and/or eliminating the risks to the public stemming from the practice of the HR profession. The strength of this approach is that it proactively mitigates risks before such risks can translate themselves into actual harm experienced by the public.

The following is a summary of projects that were completed in Q3:

- Risk-based regulation initial planning and research, including:
  - Review of tribunal decisions, media stories, complaints and discipline data
  - Risk-based regulation survey of registrants
  - Interviews and focus groups with various stakeholders (employers, employees, registrants, and employment law lawyers)
- Initial recruitment for the Professional Standards Committee completed and an orientation module developed and implemented
- Professional Liability Insurance compliance project continued
- Initiatives to enhance the governance of HRPAs Regulatory Committees
  - GNC to approve review appointments to Regulatory Committees
  - GNC to approve appointments of Chairs and Vice-Chairs
  - An upgraded selection and appointment process for HRPAs Regulatory Committees including a regulatory committee boot camp
  - Selection profiles for HRPAs Regulatory Committees
- An annual meeting between the Board and the Chairs and Vice-Chairs of HRPAs Regulatory Committees
- 2020 Regulatory Committee Effectiveness Survey

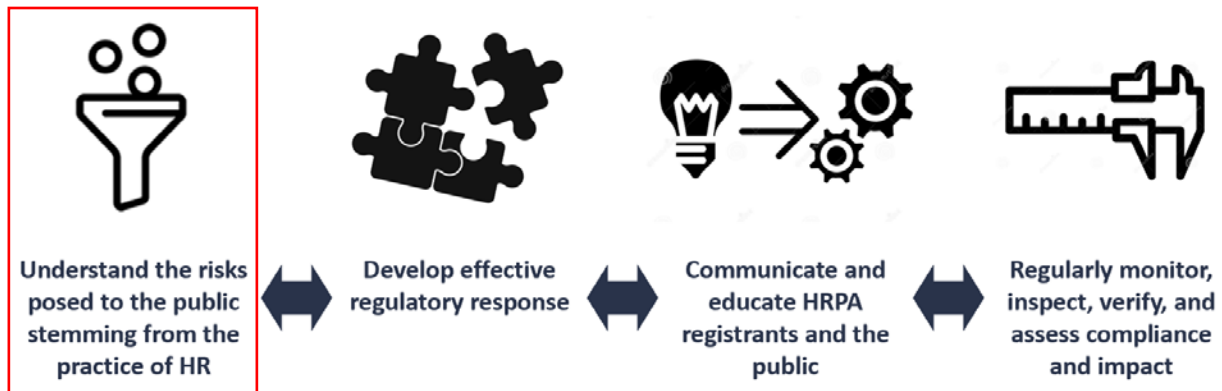
### **Risk-Based Regulation Initial Planning and Research**

This past quarter much of the initial research to help understand the risks posed to the public stemming from the practice of HR has been completed or is near completion. This research is part of one of the four key 'backbones' to risk-based regulation, as illustrated in Figure 1 below. Research completed (or near completion where marked) to understand the risks posed includes:

- Risk consultation survey of HRPAs registrants
- Analysis of HRPAs complaints data and discipline hearings of other regulatory bodies
- Analysis of cases appearing before HR-related tribunals
- Court cases in civil court
- Environmental scan of high-profile media stories related to HR issues/risks

- Examining changes in employment and workplace legislation as well as technology
- Multi-stakeholder focus groups and interviews (registrants, general non-HR employees, employers, such as executives of companies, and employment lawyers) – \*near completion in collaboration with Environics, a third-party research and evaluation company

**Figure 5: The risk-based regulation ‘backbone’**



This initial understanding of the risks posed to the public stemming from the practice of HR through research is a major milestone in helping get us closer to developing a risk roster by the end of this fiscal year.

The risk roster will be a working document and updated on an ongoing basis after being developed, as new or changing risks emerge. Included in the roster is a repository for all risks of the profession posed to the public that have been identified, mitigation measures for each risk, and rankings on the severity of each risk to help determine which risks to prioritize.

The next steps for the fourth quarter will be consulting with key stakeholders on the draft risk roster and rate the risks for likelihood and impact – which will be key to determining the prioritization of risks. The goal is to have the initial risk roster completed by November 30<sup>th</sup>. In addition to this, the HRPAs Risk-Based Regulation Core Project Team will continue to plan for communication, education and change-management initiatives to ensure that our registrants and all key stakeholders are aware of this initiative, what it entails and the importance of partnering together in implementing risk-based regulation.

### **Re-activation of the Professional Standards Committee**

Six registrants were recruited for the Professional Standards Committee (PSC) in Q2. To ensure proper succession planning for the PSC, the committee terms were staggered – two committee members have a two-year term, while the other four have a three-year term. Recruitment for a public representative is still ongoing since a posting on Charity Village, unfortunately, did not yield a strong candidate.

An orientation module to onboard the committee members was developed and implemented. All current committee members have completed the onboarding the first meeting of the PSC is tentatively scheduled for late October/early November.

### **Professional Liability Insurance Compliance Project**

The clean-up of Professional Liability Insurance information contained in registrant records continued in Q3. Approximately 344 registrants who had some information related to professional liability insurance in their record but who have not been authorized for independent practice were contacted in early May. The deadline to respond was May 29, 2020. In June, we completed this section of the clean-up. A majority of those whom we reached out to confirmed that they were no longer or were never independent practitioners. The rest confirmed their status and supplied updated professional liability insurance information.

In August, we finished the clean-up on another group: removing lapsed professional liability information for registrants who have resigned or been revoked.

Additionally, in Q4 we will also reach out to registrants whose job title or company name indicates that they are in independent practice but for whom we do not have professional liability insurance on file.

## Public register

**Table 8: Registration by class as of September 1, 2020**

Table 3 gives the registration by class as of September 1, 2020, and year-over-year in comparison with September 4, 2019. Total registration now stands at 24,370, with 23,865 members and 505 students. Between September 4, 2019, and September 1, 2020, total registration fell by 0.2%.

			Registration loss			G	H	I	J	
	A	B	C	D	E					F
	4-Sep-19	1-Sep-20	Registration gain (loss)	Resignations Q3	Revocations	Total	Net Growth (Loss)	% Growth (Loss)	Retention Rate	Turnover Rate
<b>Designated members</b>	<b>14891</b>	<b>14792</b>	<b>515</b>	<b>172</b>	<b>442</b>	<b>614</b>	<b>-99</b>	<b>-0.7%</b>	<b>95.9%</b>	<b>4.1%</b>
Highest designation CHRE (including CHRE retired)	275	267	6	6	8	14	-8	-2.9%	94.9%	5.2%
Highest designation CHRL (including CHRL retired)	9782	9627	181	111	225	336	-155	-1.6%	96.6%	3.5%
Highest designation CHRP (including CHRP retired)	4834	4898	328	55	209	264	64	1.3%	94.5%	5.4%
<b>Undesignated Members</b>	<b>7986</b>	<b>9073</b>	<b>2958</b>	<b>327</b>	<b>1544</b>	<b>1871</b>	<b>1087</b>	<b>13.6%</b>	<b>76.6%</b>	<b>21.9%</b>
Practitioner	7704	8805	2909	313	1495	1808	1101	14.3%	76.5%	21.9%
Allied Professional	282	268	49	14	49	63	-14	-5.0%	77.7%	22.9%
<b>Total members</b>	<b>22877</b>	<b>23865</b>	<b>3473</b>	<b>499</b>	<b>1986</b>	<b>2485</b>	<b>988</b>	<b>4.3%</b>	<b>89.1%</b>	<b>10.6%</b>
Students (registered but not members)	1532	505	-665	22	340	362	-1027	-67.0%	76.4%	35.5%
<b>Total registrants</b>	<b>24409</b>	<b>24370</b>	<b>2808</b>	<b>521</b>	<b>2326</b>	<b>2847</b>	<b>-39</b>	<b>-0.2%</b>	<b>88.3%</b>	<b>11.7%</b>

**Note:** The numbers for the student registration class should not be interpreted in isolation. The changes here were mostly a result of having implemented better administrative and better tracking processes for students. Specifically, the reduction in the number of individuals registered in the *Student* class is matched to an increase in the number of individuals registered in the *Practitioner* class.

**Table 9: Out-of-jurisdiction registration as of September 1, 2020**

Table 4 gives the out-of-jurisdiction registration by class. As of September 1, 2020, HRPA had 705 registrants residing in jurisdictions other than Ontario.

	Ontario	Alberta	Quebec	British Columbia	Nova Scotia	New Brunswick	Saskatchewan	Manitoba	Northwest Territories	Newfoundland and Labrador	Prince Edward Island	Nunavut	Yukon	Total Canadian provinces excluding Ontario	Out of Canada	Total Out of Jurisdiction	Total
<b>Designated members</b>	<b>14,416</b>	<b>55</b>	<b>57</b>	<b>62</b>	<b>19</b>	<b>5</b>	<b>12</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>6</b>	<b>227</b>	<b>149</b>	<b>376</b>	<b>14,792</b>
Highest designation CHRE (incl. CHRE retired)	249	4	4	3	1	1	0	0	0	0	0	0	0	13	5	18	267
Highest designation CHRL (incl. CHRL retired)	9,372	33	35	39	12	3	9	1	2	1	1	3	2	141	114	255	9,627
Highest designation CHRP (incl. CHRP retired)	4,795	18	18	20	6	1	3	2	0	0	1	0	4	73	30	103	4,898
<b>Undesignated Members</b>	<b>8,746</b>	<b>54</b>	<b>61</b>	<b>22</b>	<b>13</b>	<b>7</b>	<b>9</b>	<b>7</b>	<b>3</b>	<b>5</b>	<b>5</b>	<b>3</b>	<b>3</b>	<b>192</b>	<b>135</b>	<b>327</b>	<b>9,073</b>
Practitioner	8,485	51	59	22	12	7	9	7	3	5	5	3	3	186	134	320	8,805
Allied Professional	261	3	2	0	1	0	0	0	0	0	0	0	0	6	1	7	268
<b>Total members</b>	<b>23,162</b>	<b>109</b>	<b>118</b>	<b>84</b>	<b>32</b>	<b>12</b>	<b>21</b>	<b>10</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>6</b>	<b>9</b>	<b>419</b>	<b>284</b>	<b>703</b>	<b>23,865</b>
Students (registered but not members)	503	0	0	0	0	1	0	0	0	0	0	0	0	1	1	2	505
<b>Total registrants</b>	<b>23,665</b>	<b>109</b>	<b>118</b>	<b>84</b>	<b>32</b>	<b>13</b>	<b>21</b>	<b>10</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>6</b>	<b>9</b>	<b>420</b>	<b>285</b>	<b>705</b>	<b>24,370</b>

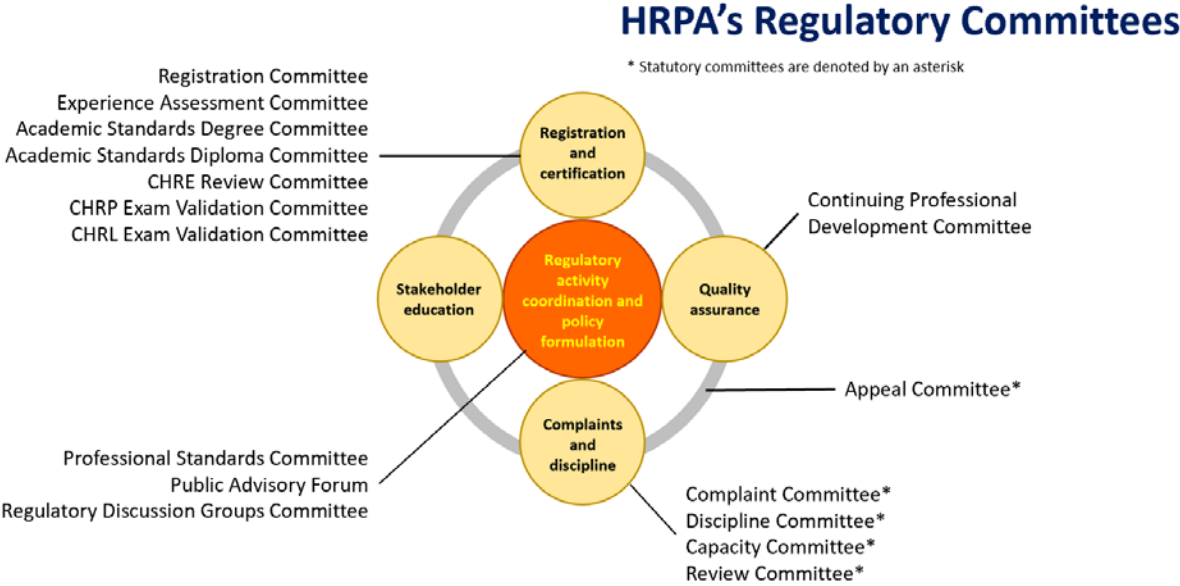
# HRPA’s Regulatory Committees

In one way or another, regulatory committees administer the *Act* and the By-laws by applying rules to individual cases. HRP A has four types of regulatory committees. All regulatory committees perform their functions in the public interest.

**Table 5: HRP A’s Regulatory Committees**

Adjudicative and Pre-adjudicative Committees	Assessment Committees
<ul style="list-style-type: none"> <li>• Complaints Committee</li> <li>• Discipline Committee</li> <li>• Capacity Committee</li> <li>• Review Committee</li> <li>• Appeal Committee</li> </ul>	<ul style="list-style-type: none"> <li>• Registration Committee</li> <li>• Experience Assessment Committee</li> <li>• CHRE Review Committee</li> <li>• Academic Standards (Degree) Committee</li> <li>• Academic Standards (Diploma) Committee</li> <li>• Continuing Professional Development Committee</li> </ul>
Standard-Setting Committees	Policy and Standards Advisory Committees
<ul style="list-style-type: none"> <li>• CHRP Exam Validation Committee</li> <li>• CHRL Exam Validation Committee</li> </ul>	<ul style="list-style-type: none"> <li>• Professional Standards Committee</li> <li>• Public Advisory Forum</li> <li>• Chapter Regulatory Liaison Committee</li> </ul>

**Figure 6: HRP A’s Regulatory committees**





# Regulatory operations snap-shot

## Q3 2020

### Registration and certification

The exam volume seems to have returned. Because of its heavier reliance on technology, remote proctoring does lead to more administration issues. These issues are manageable, however.



There are operational issues which require immediate attention  
Overall operations are running smoothly, but some issues require attention  
Committee(s) and processes are running smoothly

### Quality assurance

The CPD process is running smoothly. The Professional Liability Insurance (PLI) Compliance rate is a continuing concern. The PLI clean-up initiative continues. Next quarter will see updated compliance measures.



There are operational issues which require immediate attention  
Overall operations are running smoothly, but some issues require attention  
Committee(s) and operations are running smoothly

### Complaints and discipline

The complaints process is running smoothly, although the number of complaints received by HRPAs is significantly less than should be. Two cases were referred to discipline and the hearings have been scheduled for October and November 2020. Reports of bankruptcies continue to be well below expectation.



There are operational issues which require immediate attention  
Overall operations are running smoothly, but some issues require attention  
Committee(s) and operations are running smoothly

### Appeals

There were no appeals filed in Q3 2020.



There are operational issues which require immediate attention  
Overall operations are running smoothly, but some issues require attention  
Committee(s) and processes are running smoothly

### Stakeholder education

Again COVID has put a temporary hold on stakeholder education initiatives. However, a webinar is planned for Q3 with regulatory expert Darrel Pink on the topic of risk-based regulation.



There are operational issues which require immediate attention  
Overall operations are running smoothly, but some issues require attention  
Committee(s) and operations are running smoothly



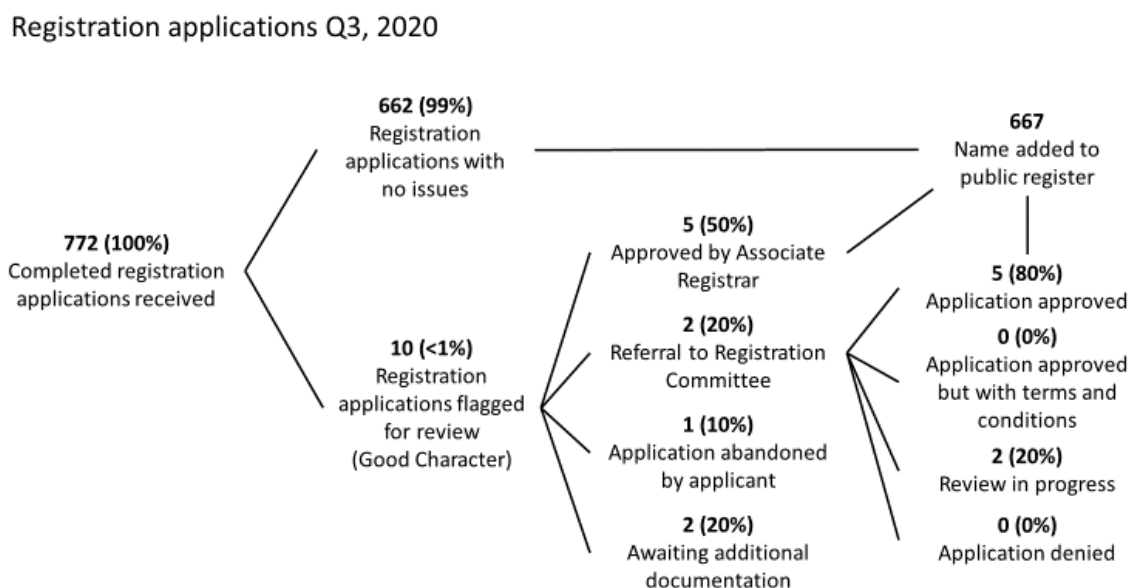
## Registration and certification

The purpose of the registration and certification functions is to ensure that only competent and ethical professionals are registered and certified by HRP. HRP is unique amongst professional regulatory bodies in Ontario in that it registers non-certified individuals. These individuals are registered in the Practitioner registration class.

### From application to registration

Not all applications for initial registration with HRP are automatically accepted. HRP has a *good character* requirement that all applicants for initial registration must meet. In Q3 2020, HRP received 772 registration applications. This includes both initial registration as a member and initial registration as a student.

**Figure 7: Q3 2020, Registration applications flow chart**



In total, zero cases were disposed of by the Registration Committee in Q3. The Associate Registrar approved five applications for registration, two applications are awaiting panel review and two applications are in the document phase while one registration was abandoned.

### Registration Committee

*Chair: Agnes Ciesla, CHRL*

*Vice-Chair: TBD*

*Independent Legal Counsel: Stephen Ronan, Lerners LLP*

The Registration Committee is a standing committee established under Section 8.04 of the By-laws. The Registration Committee shall review every application referred to it by the Registrar to determine the suitability of an applicant for registration or the appropriateness of the category of registration being applied for. The Registration Committee also considers applications for removal or modification of any term, condition or limitation previously imposed on a registrant’s registration with HRP. The Registration Committee does not have the authority to deem that an applicant has met the requirements for registration where the registration requirement is prescribed as non-exemptible.

The table below gives the activity and decisions of the Registration Committee in Q3 2020. It is to be noted that the numbers are a bit different than those related above because they include applications for initial registration which were received before Q3.

Less than 1% of applications indicate some event that would require further review. There is a possibility that this number might be lower than it should be.

**Table 10: Registration committee activity**

	2018	2019	2020				2020
	Total	Total	Q1	Q2	Q3	Q4	Total
<b>Referral to Registration Committee</b>	22	24	6	5	2		
<b>Approved for registration</b>	16	16	3	4	5		
<b>Approved with conditions</b>	5	2	0	0	0		
<b>Not approved</b>	1	6	2	1	0		

**Initial registrations**

There were 772 new registrations in Q3, 569 new registrations as a member and 203 new registrations as a student.

**Table 11: Initial registration in Q3 2020**

	Count	Percent
New registrations as a member	569	74%
New registrations as a student	203	26%
Total new registrations	772	100%

Not surprisingly 95% of initial registrations are from Ontario. Interestingly, initial registrations from out of Canada are about equal to initial registrations from other Canadian provinces.

**Table 12: New registrant jurisdiction Q3 2020**

	<b>Count</b>	<b>Percent</b>
Ontario	734	95%
International	19	2%
Alberta	6	1%
British Columbia	2	< 1%
Manitoba	1	< 1%
Newfoundland and Labrador	1	< 1%
Nova Scotia	1	< 1%
Quebec	6	1%
Prince Edward Island	1	< 1%
Saskatchewan	1	< 1%
Total	772	100%

Less than one percent of initial registrations were from individuals previously registered with HRPAs but who had resigned or had been revoked for failure to renew their registration with HRPAs. These individuals must apply for registration as new registrants. However, upon re-registration, their public register entry will be updated.

**Table 13: Registration of individuals previously registered with HRPAs**

	<b>Count</b>	<b>Percent</b>
Previously registered with HRPAs	2	<1%
Not previously registered with HRPAs	770	99%
Total new registrations	772	100%

### **Registration of firms**

The registration of firms has not yet been put into force.

### **Certification**

HRPA offers three designations - the Certified Human Resources Professional (CHRP), the Certified Human Resources Leader (CHRL) and the Certified Human Resources Executive (CHRE).

The CHRP and the CHRL have a coursework requirement. The coursework is approved by the Academic Standards Committees. There is an Academic Standards Committee for diploma-level coursework and an Academic Standards Committee for degree-level coursework.

## Academic Standards Diploma Committee

*Chair: Michelle White, CHRL*

*Vice-Chair: TBD*

The Academic Standards Diploma Committee is a standing committee established under Section 8.04 of the By-laws. The Academic Standards Diploma Committee shall review every course outline(s) and any accompanying, relevant, supplementary material submitted by eligible post-secondary educational institutions that offer college diploma, advanced diploma, and graduate certificate (post-diploma certificate) level courses and individual registrants seeking to have one or more courses approved at college diploma, advanced diploma, and graduate certificate (post-diploma certificate) level in the fulfillment of HRPAs coursework requirement (course approval), making a decision pertaining thereto and providing rationale per the criteria as established by the Board. Ministry approved HR courses within an established HR program are exempted.

- Between June 1, 2020, and August 31, 2020, there was one student course approval application received with 9 courses for review. The courses will be reviewed at an upcoming Course Review Meeting scheduled in Q4.

**Table 14: Academic Standards Diploma Committee activity**

	2018	2019	2020				2020
	Total	Total	Q1	Q2	Q3	Q4	Total
<b>Student applications received</b>	1	3	0	0	9		
<b>Student applications approved</b>	0	1	0	0	0		
<b>Institution applications received</b>	0	9	0	0	0		
<b>Institution applications approved</b>	0	9	0	0	0		

## Academic Standards Degree Committee

*Chair: Julie Aitken Schermer (member of the public)*

*Vice-Chair: TBD*

The Academic Standards Degree Committee is a standing committee established under Section 8.04 of the By-laws. The Academic Standards Degree Committee shall review every course outline(s) and any accompanying, relevant, supplementary material submitted by eligible post-secondary educational institutions that have Ministry approval to offer degree-level courses and individual registrants seeking to have one or more courses approved at degree level or, re-approved in the fulfillment of HRPAs coursework requirement (course approval), making a decision pertaining thereto, and providing rationale per the criteria as established by the Board.

- Between June 1, 2020, and August 31, 2020, a total of 20 courses were submitted for approval by five students. During the same timeframe, a total of eight courses were submitted for review by three academic institutions. These courses will be reviewed at an upcoming Course Review Meeting scheduled in Q4.

**Table 15: Academic Standards Degree Committee activity**

	2018	2019	2020				2020
	Total	Total	Q1	Q2	Q3	Q4	Total
<b>Student applications received</b>	36	31	10	12	20		
<b>Student applications approved</b>	11	19	0	2	6		
<b>Institution applications received</b>	17	45	10	4	8		
<b>Institution applications approved</b>	16	20	0	10	4		

**Experience Assessment Committee**

The CHRL has a three-year experience requirement. Also, there is an alternate route to meeting the coursework requirement for both the CHRP and CHRL that will also consider experience. The review of experience for the experience requirement and the Alternate Route is conducted by the Experience Assessment Committee.

*Chair: Mark Seymour, CHRL*

*Vice-Chair: Michelle Rathwell, CHRL*

The Experience Assessment Committee is a standing committee established under Section 8.04 of the By-laws. The Experience Assessment Committee shall review every application referred to it by the Registrar to determine the appropriateness and adequacy of the experience of each applicant to meet the experience requirement for the Certified Human Resources Leader (CHRL) designation or to meet the coursework requirement for the Certified Human Resources Professional (CHRP) or the CHRL designation via the Alternate Route per the criteria as established by the Board.

**Alternate Route**

Between June 1, 2020, to August 31, 2020, 33 Alternate Route applications were received, and 30 result letters have been released (results from April, May and June 2020).

**Table 16: Experience Assessment Committee activity (Alternate Route)**

	2018	2019	2020				2020
	Total	Total	Q1	Q2	Q3	Q4	Total
<b>Alternate Route applications received</b>	122	108	36	25	33		
<b>Alternate Route applications approved</b>	85	60	29	24	21		

**Table 16: Alternate Route results released**

	Count	Percent
<b>Successful</b>	21	70%
<b>Unsuccessful</b>	9	30%
<b>Total</b>	30	100%

## Validation of Experience

Between June 1, 2020, to August 31, 2020, 32 Validation of Experience applications were received, and 30 result letters have been released (results from April, May and June 2020).

**Table 17: Experience Assessment Committee activity (Validation of Experience)**

	2018	2019	2020				2020
	Total	Total	Q1	Q2	Q3	Q4	Total
<b>Validation of Experience applications received</b>	1779	223	42	26	32		
<b>Validation of Experience applications approved</b>	467	103	48	35	20		

**Table 15: Validation of Experience results released**

	Count	Percent
<b>Successful</b>	20	66.7%
<b>Unsuccessful</b>	10	33.3%
<b>Total</b>	30	100%

## Challenge Exams

In addition to the Alternate Route, HRPAs offers still another way of meeting the Coursework Requirement. For each of the nine required courses, candidates may opt to write a Challenge Exam. Some use the Challenge Exam option instead of taking the course, others use the Challenge Exams to make up for a grade that was too low or for a course that has expired due to it having been completed more than 10 years.

**Note:** The May 2020 Challenge Exams were cancelled due to COVID-19. Challenge Exams resumed from July 28<sup>th</sup> to July 30<sup>th</sup>, 2020 and were administered via online proctoring, whereas in the past they were written in person via paper-and-pencil, and a third testing window is scheduled for November 2<sup>nd</sup> to November 4<sup>th</sup>, 2020.

**Table 18: Challenge exams breakdown by month**

Month	Registrants	Pass	Pass Rate
January 2020	61	38	62%
May 2020	Cancelled	Cancelled	Cancelled
July 2020	53	36	68%
November 2020			
<b>Total</b>			

**Table 19: Challenge Exams breakdown by subject**

<b>Subject</b>	<b>Registrants</b>	<b>Pass</b>	<b>Pass Rate</b>
Training and Development	9	2	22%
Compensation	4	4	100%
Organizational Behaviour	5	3	60%
Finance and Accounting	5	3	60%
Recruitment and Selection	4	4	100%
Human Resources Management	10	9	90%
Human Resources Planning	8	5	63%
Occupational Health and Safety	4	4	100%
Labour Relations	4	2	50%
<b>Total</b>	<b>53</b>	<b>36</b>	

**Online Academic Program (OAP)**

In addition to the Alternate Route, HRPAs offers another way of meeting the Coursework Requirement. The Online Academic Program is comprised of three semesters: fall, winter and spring. All nine courses are available each semester.

- The spring semester ran from May 4<sup>th</sup> to August 7<sup>th</sup>, 2020.
- There were a total of 301 registrants enrolled in the OAP for the spring 2020 semester. There were a total of 498 courses taken in the spring 2020 semester as some registrants enrolled in more than one course.

**Table 20: Online Academic Program (OAP) registration by semester**

<b>Semester</b>	<b>Registrants</b>
Winter 2020	294
Spring 2020	301
Fall 2020	
<b>Total</b>	



**Table 21: OAP breakdown per subject**

<b>Subject</b>	<b>Courses</b>
Training and Development	41
Compensation	60
Organizational Behaviour	55
Finance and Accounting	58
Recruitment and Selection	52
Human Resources Management	72
Human Resources Planning	60
Occupational Health and Safety	47
Labour Relations	53
<b>Total</b>	<b>498</b>

The number of courses (498) is not the same as the number of registrants (301) because some registrants take more than one course in each semester.

34 courses were deferred from the winter 2020 term by 26 registrants. This number also includes deferred exams.

### **Certification Exams**

The CHRP requires successful performance on the Comprehensive Knowledge Exam 1 (CKE 1) and the CHRP Employment Law Exam (CHRP ELE). The CHRL requires successful performance on the Comprehensive Knowledge Exam 2 (CKE 2) and the CHRL Employment Law Exam (CHRL ELE).

The development and validation of certification exams is a complex process for which the input of members of the profession is essential. The CHRP Exam Validation Committee performs this role for the CHRP exams (the CKE 1 and CHRP ELE), and the CHRL Exam Validation Committee performs this role for the CHRL exams (the CKE 2 and CHRL ELE).

The CHRP and CHRL Employment Law Exams resumed using remote proctoring in Q3.

There were two exam windows in Q3.

- The CHRP Employment Law Exam was administered from August 10<sup>th</sup> to August 17<sup>th</sup>, 2020.
- The CHRL Employment Law Exam was administered from August 16<sup>th</sup> to August 24<sup>th</sup>, 2020.

### **CHRP Exam Validation Committee**

The Certified Human Resource Professional Exam Validation Committee (CHRP-EVC) is a standing committee established under the By-laws. The mandate of the CHRP-EVC is to approve all examination content used to evaluate CHRP candidates and make recommendations to the Registrar as to

appropriate cut-scores for the CHRP exams. The CHRP-EVC is also responsible for the approval of examination blueprints for the CKE 1 and CHRP ELE.

In Q3 the CHRP-EVC held the following exam related activities:

A CHRP Employment Law Exam Key Validation and Pass Mark Approval session was held in August of 2020. The purpose of the Key Validation and Pass Mark Approval sessions is to obtain an agreement as to the appropriateness of the pass mark and pass rate for the CHRP Employment Law Exam written in August of 2020. The CHRP-EVC will make a recommendation to HRPAs Registrar to approve the agreed-upon pass mark.

**CHRL Exam Validation Committee**

The Certified Human Resource Leader Exam Validation Committee (CHRL-EVC) is a standing committee established under the By-laws. The mandate of the CHRL-EVC is to approve all examination content used to evaluate CHRL candidates and make recommendations to the Registrar as to appropriate cut-scores for the CHRL exams. The CHRL-EVC is also responsible for the approval of examination blueprints for the CKE 2 and the CHRL Employment Law Exams.

In Q3 the CHRL-EVC held the following exam related activities:

A CHRL Employment Law Exam Key Validation session was held in August of 2020. The purpose of the Key Validation and Pass Mark Approval sessions is to obtain an agreement for the appropriateness of the pass mark and pass rate for the CHRL Employment Law Exam in August 2020. The CHRL-EVC will make a recommendation to HRPAs Registrar to approve the agreed-upon pass mark.

In Q3 the following ad-hoc related exam activities were held:

- A CHRP Employment Law Exam and CKE 1 Exam Review session was held in June 2020 This session was done remotely over 4 days.
- A CHRL Employment Law Exam and CKE 2 Exam Review session was held in July of 2020 This session was done remotely over 4 days

The purpose of the Review session is to review items and verify references of items for future sittings of the CKE 1, CKE 2, CHRP ELE and CHRL ELE. The Review session had to be moved from an in-person session to a remote session due to COVID-19. All items were reviewed, and references verified during an ad-hoc session comprised of HRPAs designated members who are not members of the CHRP-EVC and CHRL-EVC. The items that were reviewed will move to the next step in the development cycle and will be validated by the CHRP-EVC and CHRL- EVC at a session in the Fall of 2020.

**Table 22: Q2 2020 Exam schedule**

<b>Exam</b>	<b>Window</b>	<b>Quarter</b>
<b>CKE 2</b>	March 2 – 16, 2020	Q2
<b>CKE 1</b>	August 31 – Sept 15, 2020	Q4
<b>CKE 2</b>	Sept 16 – Sept 30 2020	Q4

**Table 23: 2020 Comprehensive Knowledge Exam 1 (CKE 1) summary**

	Candidates	Pass	Pass Rate	Reliability
February 2020	144	94	65.3%	.90
June 2020 - cancelled	n/a	n/a	n/a	n/a
September 2020				

**Table 24: 2020 Comprehensive Knowledge Exam 2 (CKE 2) summary**

Comprehensive Knowledge Exam 2 (CKE 2)	Candidates	Pass	Pass Rate	Reliability
March 2020	174	113	64.9%	.93
June/July 2020- cancelled	n/a	n/a	n/a	n/a
September 2020				

**Table 25: 2020 CHRP Employment Law Exam summary**

	Candidates	Pass	Pass Rate	Reliability
January 2020	138	127	92.03%	.77
May 2020 – cancelled	n/a	n/a	n/a	n/a
August 2020	126	121	96.03%	.78
October 2020				

**Table 26: 2020 CHRL Employment Law Exam summary**

CHRL Employment Law Exam	Candidates	Pass	Pass Rate	Reliability
January 2020	145	126	86.90%	.77
May 2020 – cancelled	n/a	n/a	n/a	n/a
August 2020	169	149	88.17%	.74
November 2020				

**Technical reports for exams published**

HRPA publishes the technical reports for the CKE 1, CKE 2, CHRP and CHRL Employment Law Exams. Technical reports are published for each administration (viz., exam window) of the exams. There were no technical reports published in Q3 2020.

**Job Ready Program**

Completion of the Job Ready Program is required to earn the CHRP designation. The Job Ready Program is not graded but must be completed.

Between June 1, 2020, and August 31, 2020, 15 registrants completed the Job Ready Program and were granted the CHRP designation.

**CHRE Review Committee**

*Chair: Bob Canuel, CHRP, CHRL, CHRE*

*Vice-Chair: Dennis Concordia, CHRE*

The CHRE Review Committee is a standing committee established under Section 8.04 of the By-laws. The CHRE Review Committee shall review every application referred to it by the Registrar to determine whether an applicant meets the criteria for the Certified Human Resources Executive (CHRE) as established by the Board.

- The number of CHREs was 267273 at the end of Q3.
- Between June 1, 2020, and August 31, 2020, five (5) Phase II CHRE applications were reviewed by the CHRE Review Committee, all of which were unsuccessful. Seven Phase II CHRE applications were submitted in Q3. Two of the applications submitted in Q3 are currently being reviewed with results to be released in Q4. The remaining five applications will be submitted to panels for review in Q4.

**Table 27: CHRE Review Committee activity in 2020**

	2018	2019	2020				2020
	Total	Total	Q1	Q2	Q3	Q4	Total
<b>Applications referred to the Committee</b>	63	87	5	17	7		
<b>Designation granted by CHRE Review Committee</b>	8	14	0	2	0		

**Issuance of Certificates**

Certificates are issued for all three levels of designation: CHRP, CHRL, and CHRE. A certificate issuance commenced in mid-August, and registrants are scheduled to receive their certificates by early September. An email went out to 74 registrants in mid-August notifying them that they could expect to receive their certificates during this issuance.

**Table 28: Certificates issued in 2020**

	CHRP	CHRL	CHRE	Total
<b>February 2020 (Q1)</b>	72	45	0	117
<b>May 2020 (Q2)</b>	201	58	2	261
<b>August 2020 (Q3)</b>	35	38	1	74
<b>November 2020 (Q4)</b>				
<b>Total</b>	308	141	3	452

### Continuing Professional Development Committee

*Chair: Vito Montesano, CHRL*

*Vice-Chair: Serenela Felea, CHRL*

The Continuing Professional Development (CPD) Committee is a standing committee established under Section 8.04 of the By-laws. The Continuing Professional Development Committee shall audit every continuing professional development log referred to it by the Registrar to determine whether the continuing professional development requirement has been met per the criteria as established by the Board. The Committee shall also review every extension request for a member’s continuing professional development period referred to it by the Registrar to determine whether there are valid grounds to grant an extension per the Continuing Professional Development Extension Policy.

There are 3246 designated registrants due to submit their CPD Log by May 31, 2020. Of those, 2800 designated registrants have submitted their CPD log as of August 31, 2020. The total number of registrants who received an extension and were due to submit their CPD log on May 31, 2020, was 147 in Q3.

**Table 29: Summary of CPD activity for 2020**

	Due	Submitted		Extensions	
		Count	Percent	Count	Percent
CHRP	561	480	85.6%	39	7.0%
CHRL	2608	2254	86.6%	108	4.2%
CHRE	77	66	85.7%	0	0%
<b>Totals</b>	<b>3246</b>	<b>2800</b>	<b>86.3%</b>	<b>147</b>	<b>4.5%</b>

**Table 30: Continuing Professional Development (CPD) Committee activity**

	2017	2018	2019	2020				2020
	Total	Total	Total	Q1	Q2	Q3	Q4	Total
<b>CPD logs due to be submitted</b>	3204	5960	4173	3500	3362	3246		
<b>CPD logs submitted</b>	2805	5288	3419	733	2022	2800		

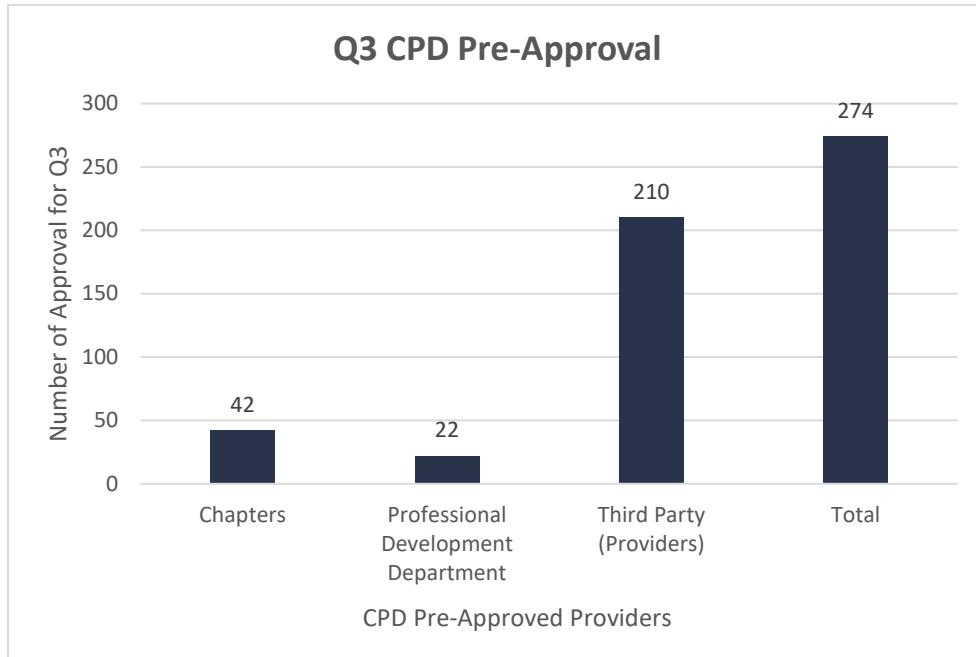
### CPD Pre-approval

For Q3, a total of 274 events were pre-approved for CPD. The events can be broken down into four categories:

- HRPAs Chapters
- HRPAs Professional Development Department

- Third-Party Providers
- Third-Party Programs

**Figure 8: Summary of CPD Pre-Approved Sessions for Q3**





## Complaints, discipline, capacity and review

### Complaints Committee

*Chair: Jennifer Cooper, LL. B (member of the public)*

*Vice-Chair: Michael Burokas, JD (member of the public)*

*Independent Legal Counsel: Lonny Rosen, C.S., Rosen Sunshine LLP*

The Complaints Committee is a statutory committee established under Section 12 of the *Registered Human Resources Professionals Act, 2013* (the “Act”) and the By-laws. The Complaints Committee shall review every complaint referred to it under Section 31 of the Act and section 15.03 of the By-laws regarding the conduct of a member or registered student of the Association or a firm and, if the complaint contains information suggesting that the member, student or firm may be guilty of professional misconduct as defined in the by-laws, the committee shall investigate the matter. Following the investigation of a complaint, the Complaints Committee may:

- direct that the matter be referred, in whole or in part, to the Discipline Committee;
- direct that the matter not be referred to the Discipline Committee;
- negotiate a settlement agreement between the Association and the member, student or firm and refer the agreement to the Discipline Committee for approval;
- or take any action that it considers appropriate in the circumstances and that is not inconsistent with the Act or the By-laws, including cautioning or admonishing the member, firm, or student.

There was one open complaint before the start of Q3 (June 1, 2020 – August 31, 2020).

There were three referrals to the Complaints Committee in Q3, all of which are currently in the information-gathering stage. Details of these referrals are listed below:

**Table 31: Summary of complaints activity**

	2018	2019	2020				2020
	Total	Total	Q1	Q2	Q3	Q4	Total
<b>Referrals to Complaints Committee</b>	14	12	5	1	3		
<b>Decision issued by Complaints Committee</b>	12	12	0	1	0		
<b>Average time to dispose of complaint(s) (days)</b>	146	157	--	122	-		

No complaints were disposed of in Q3 2020.

**Table 32: New Complaints registered in Q3 2020**

Case	Date complaint filed	Nature of allegations	Date of disposition of complaint and decision of Complaints Committee
C-2020-4	March 18, 2020	It is alleged that the registrant breached the rules of professional conduct by 1) failing to provide dignity in the workplace and 2) balancing interest.	TBD
C-2020-5	July 21, 2020	It is alleged that the member breached the Rules of Professional Conduct by 1) failing to discharge his or her professional obligations with competence and integrity; 2) failing to prevent inappropriate use and applications by others of the tools, techniques, and process used in the practice of human resources management; 3) failing to advise an employer by assisting in or encouraging dishonestly, fraud, crime, or illegal conduct; 4) failing to act in a way respectful of the rights of all individuals; 5) failing to act in such a way to protect the dignity of all individuals; 6) failing to understand they have a duty to parties other than their employer or their client, and 7) failing to act in good faith towards all parties at all times.	TBD
C-2020-6	August 14, 2020	It is alleged that the member breached the following Rules of Professional Conduct: 1) When advising an employer or client, a registrant shall not knowingly assist in or encourage dishonesty, fraud, crime, or illegal conduct, or instruct the employer or client on how to violate or circumvent the law; 2) breaching the confidentiality of the records of persons under his or her authority or supervision and of the confidential information concerning these persons that becomes known to him or her in the practice of his or her profession; 3) in adversarial situations or in situations with competing interests, a registrant is required to act in good faith towards	TBD



		<p>all parties at all times; 4) when engaged to act as a mediator, whether formally or informally, the registrant shall act in an impartial and unbiased manner; 5) breaching confidentiality; 6) failing to ignore any intervention by a third party which could influence the fulfillment of his or her professional obligations to the detriment of his or her employer or client; 7) failing to avoid carrying out a task contrary to his or her conscience or to the principles governing the practice of his or her profession; 8) failing to avoid any situation in which the registrant would be in conflict of interest; 9) allowing personal interest to cloud his or her judgment or to cause him or her to act in an unprofessional manner; 10) failing to only act, in the same matter, for a party representing similar interests; 11) failing to notify the employer or client of conflict of interest and request his or her authorization to continue carrying out the engagement; 12) failing to avoid any behaviour that would be unbecoming of a registrant of a profession; 13) breached another person's trust, voluntarily mislead another person, betray another person's good faith or use unfair practices; and 13) abused his or her power or influence as managers and supervisors.</p>	
C-2020-7	August 24, 2020	<p>It is alleged that the member breached the Rules of Professional Conduct by 1) failing to treat the handling of confidential, personal, or privileged information with the utmost importance as it is core to the credibility of their profession.</p>	TBD

## Discipline Committee

*Chair: Stephanie Izzard, CHRL*

*Vice-Chair: Lynne Latulippe, LL. B (member of the public)*

*Independent Legal Counsel: Luisa Ritacca, Managing Partner, Stockwoods LLP*

The Discipline Committee is a statutory committee established under Section 12 of the *Registered Human Resources Professionals Act, 2013* (the “Act”) and the By-laws. The Discipline Committee shall hear every matter referred to it by the Complaints Committee under Section 34 of the Act and section 15.03 of the By-laws to determine whether the member, student or firm is guilty of professional misconduct as defined in the by-laws and if the Committee finds a member, student or firm guilty of professional misconduct, to exercise any of the powers granted to it under Subsection 34(4) of the Act.

No discipline hearings were conducted in Q3.

There were no new referrals to the Discipline Committee in Q3. Two Notices of Hearing were served on two registrants in Q3 and the hearings are scheduled to take place in Q4.

**Table 33: Discipline Committee activity**

	2018	2019	2020				2020
	Total	Total	Q1	Q2	Q3	Q4	Total
<b>Referrals to Discipline Committee</b>	1	1	0	2	0		
<b>Decision issued by Discipline Committee</b>	1	1	0	0	0		

## Capacity Committee

*Chair: Stephanie Izzard, CHRL*

*Vice-Chair: Lynne Latulippe, LL. B (member of the public)*

*Independent Legal Counsel: Luisa Ritacca, Managing Partner, Stockwoods LLP*

The Capacity Committee is a statutory committee established under Section 12 of the *Registered Human Resources Professionals Act, 2013* (the “Act”) and the By-laws. The Capacity Committee shall hear every matter referred to it by the Association under Section 47 of the Act and section 15.03 of the By-laws to determine whether a member or student is incapacitated and if the Committee finds a member or student is incapacitated, to exercise any of the powers granted to it under Subsection 47(8) of the Act.

No capacity hearings were conducted in Q3.

There were no new referrals to the Capacity Committee in Q3.

**Table 34: Capacity Committee activity**

	2017	2018	2020				2020
	Total	Total	Q1	Q2	Q3	Q4	Total
<b>Referrals to Capacity Committee</b>	0	0	0	0	0		
<b>Decision issued by Capacity Committee</b>	0	0	0	0	0		

**Review Committee**

*Chair: Damienne Lebrun-Reid (member of the public)*

*Vice-Chair: TBD*

*Independent Legal Counsel: John Wilkinson, Partner, WeirFoulds LLP.*

The Review Committee is a statutory committee established under Section 12 of the *Registered Human Resources Professionals Act, 2013* (the “Act”) and the By-laws. The Review Committee shall review every matter referred to it by the Registrar under Section 40 of the Act to determine whether the member or firm’s bankruptcy or insolvency event may pose a risk of harm to any person; to direct the Registrar to investigate the matter; to determine whether a hearing is warranted; to conduct hearings when warranted to determine whether the member or firm’s bankruptcy or insolvency event poses a risk of harm to any person; and upon a determination that there are reasonable grounds for believing that the member or firm’s bankruptcy or insolvency event poses or may pose a risk of harm to any person following a hearing, to exercise any of the powers granted to it under Subsection 41(8) of the Act.

There was one notice of a bankruptcy or insolvency event received by the Registrar in Q3.

**Table 35: Review Committee activity**

	2018	2019	2020				2020
	Total	Total	Q1	Q2	Q3	Q4	Total
<b>Notices of bankruptcies or insolvency events</b>	5	3	0	0	1		
<b>Decisions issued by the Review Committee</b>	16	8	0	0	0		



## Appeal Committee

*Chair: Melanie Kerr, CHRL*

*Vice-Chair: Maureen Quinlan (member of the public)*

*Independent Legal Counsel: Luisa Ritacca, Managing Partner, Stockwoods LLP*

The Appeal Committee is a statutory committee established under Section 12 of the *Registered Human Resources Professionals Act, 2013* (the “Act”) and the By-laws. The Appeal Committee shall review every request for appeal filed under the Act and the By-laws by registrants of HRP or members of the public to determine whether there was a denial of natural justice or an error on the record of the decision of the committee or the Registrar and to exercise any of the powers granted to it under the Act and Section 22 of the By-laws.

There were no appeals filed in Q3.

One appeal was resolved through the alternate resolution process in Q3. The appeal was regarding a decision of the Experience Assessment Committee.

One decision was issued in Q3 upholding the CHRE Review Committee’s original decision.

**Table 36: Appeal Committee activity**

	2018	2019	2020				2020
	Total	Total	Q1	Q2	Q3	Q4	Total
<b>Number of appeals filed*</b>	16	75	4	4	0		
<b>Settled via the Alternate Resolution Process</b>	7	27	5	2	1		
<b>Decisions issued by the Appeal Committee</b>	6	48	2	1	1		

\*Please note: The number of appeals filed will not necessarily be equal to the number of appeals settled or decided by the Appeal Committee, since appeals filed in one year may be resolved in the following year.

### Alternate Resolution Process

One factor that influences the number of appeals that are heard by the Appeal Committee is the HRP’s alternate resolution process for appeals. If the Registrar believes that the appellant has shown in their Request for an Appeal that something may have gone wrong with the process or that there may have been a denial of natural justice, the Registrar may extend an offer to the appellant to settle the appeal. Under those circumstances, the appellant has three options:

1. Accept the offer and withdraw the appeal,

2. Accept the offer with the provision that a panel of the Appeal Committee review and sign off on the agreement between the appellant and HRP, or
3. Reject the offer, which means the appeal will proceed as an uncontested appeal.

Appellants are never pressured to choose one option or another. The benefit for appellants and HRP is a quicker resolution of the matter. With respect to appeals of decisions of the Experience Assessment Committee (EAC), the settlement usually involves having the Validation of Experience (VOE) or alternate route application reviewed by a second independent panel. Most appellants who are appealing a decision by the EAC want a ‘second opinion’ on their application. As noted above, the Appeal Committee was not established to give second opinions but to review the process by which the decision was arrived at.

The impact of the alternate resolution process is that most of the decisions of the (EAC) where the facts suggest that an appeal might be warranted, never make it to being reviewed by a panel of the Appeal Committee as the VOE or Alternate Route application is sent to a new Experience Assessment Committee (EAC) panel for review.

**Table 37: Q3 2020 Appeal Committee activity**

	<b>Date Appeal Filed</b>	<b>The nature of the appeal</b>	<b>The outcome of the appeal</b>
A-2020-06	March 10, 2020	Would like the CHRE application to be reconsidered with the submission of fresh evidence.	A decision was issued in June 2020 upholding the CHRE Review Committee’s decision.
A-2020-07	April 3, 2020	The Experience Assessment Committee made an error in the assessment of the Validation of Experience application.	An agreement was made between HRP and the appellant via the alternate resolution process. The appeal was withdrawn by the appellant in June 2020.
A-2020-08	May 20, 2020	The Experience Assessment Committee made an error in the assessment of the Validation of Experience application by not giving it adequate consideration.	A panel of the Appeal Committee met in August 2020 to review the request for appeal. The decision of the panel is currently being drafted.

**Table 38: Analysis of appeal decisions**

<b>Appeal outcomes</b>	<b>Count</b>
Total number of requests for appeal received between June 1, 2020, and August 31, 2020	0
Total number of appeals settled via the Alternate Resolution Process	1
Total number of final appeal decisions released between June 1, 2020, and August 31, 2020	1
Decisions upholding the original decision	1
Decisions overturning the original decision	0



## Stakeholder education

### ***Regulatory Affairs* newsletter**

The *Regulatory Affairs* newsletter is published under By-laws 13.06 and 13.07.

As set out in the By-laws, the *Regulatory Affairs* newsletter shall include but not be limited to:

- (a) Notices of annual meetings;
- (b) Election results; and
- (c) All information as set out in Section 21.03 and Section 21.08 concerning discipline or review proceedings. Where there is a dissenting opinion prepared by a member of the panel and the decision, finding or order of the Discipline Committee or the Review Committee is to be published, in detail or summary, any publication will include the dissenting opinion.

In Q3, a *Regulatory Affairs* Newsletter was published on July 20, 2020.

### **HRPA staff development**

The COVID-19 epidemic has put a temporary halt to in-person development events. It is expected that many events will soon return as online events.