



College of
**HEALTH AND CARE
PROFESSIONALS OF BC**

Regulatory Committee Panels

Guidelines

June 28, 2024



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Background

In accordance with Bylaw 4.30, the following regulatory committees may meet in panels:

- Registration Committee
- Inquiry Committee
- Discipline Committee
- Quality Assurance Committee
- Professional Practice and Standards Advisory Committee

These Guidelines have been developed for committee chairs to reference when establishing panels in consultation with the Registrar, College and/or staff who support them. The Guidelines summarize the panelling requirements in the bylaws, make reference to the *Board and Committee Code of Conduct* and offer suggestions and considerations for the selection and appointment of panel members in accordance with regulatory requirements. The Guidelines are intended to achieve the following outcomes:

- A consistent approach is applied across regulatory committees when selecting and appointing members of panels established to conduct committee business.
- Committee chairs and support staff understand and apply key governance principles when selecting panel members, including but not limited to:
 - ensuring the credibility of college decisions is upheld through the consistent management of conflicts of interest;
 - ensuring panel members have access to the information, knowledge and expertise to make good regulatory decisions;
 - ensuring panel members benefit from diverse perspectives from panel members, staff and/or external experts to support the decision;
 - ensuring panel members and chairs have the knowledge, skill and experience to create culturally safe and inclusive spaces for panel discussions.
- Panel membership aligns with the fundamental principle of health profession regulation that practitioners should be engaged directly in the oversight of their own Designated Health Profession in a way that supports the public interest.
- The transition from legacy colleges and committees to the College is facilitated, including:
 - committee and panel work in progress prior to amalgamation;
 - moving responsibilities from some committees of legacy colleges to standing panels of committees in the amalgamated college;
 - assisting staff, Board and committee members to understand and enact the bylaws of the College.



Summary of Bylaws and Code of Conduct Requirements

As outlined in *Bylaw 4.0 Committees and Panels* and regulatory committee terms of reference:

- Panel appointments are made by committee chairs (operationally in consultation with the Registrar or delegate).
- All panels must have a minimum of three committee members and at least one public committee member.
- The chair of a panel is named by the committee chair; while not in bylaw, it is intended for panel chairs to be designated by the committee chair from among committee vice chairs appointed by the Board.
 - In the case of the Public Practice and Standards Advisory Committee (PPSAC), the committee chair is the Registrar or designate, therefore the Registrar will assign staff member(s) or themselves as the panel chair(s) and vice chair(s).
- The Board may remove (and appoint a replacement for) the chair from office or a panel member from a panel.
- A panel has all the authority of the committee itself to make decisions, subject to any exceptions set out by the Board in policy, procedures, guidelines or rules.
- Panel meetings may be held in person, by telephone, by videoconference or in a hybrid manner.
- If the panel has fewer than four members, quorum is all members. If the panel has four members or more, quorum is at least one public member and three-quarters of all panel members.
- Ideally panel decisions will be achieved through consensus whenever possible; should consensus not be reached, a vote will be held.
- When voting, decisions are made by majority vote. If the vote is held by email, a decision must be unanimous.
 - In the case of the PPSAC, unless otherwise stated in a panel terms of reference, a panel will provide advice and/or recommendations rather than put forward a motion. See PPSAC Terms of Reference.

As outlined in the *Board and Committee Code of Conduct*:

Panel members, by virtue of their membership on their respective regulatory committee, are expected to review and sign the *Board and Committee Code of Conduct* and the *Declaration of Interests* annually and understand their obligations with respect to conflict of interest. It is important to read the conflict of interest obligations in the Code of Conduct carefully. Panel members have the duty to declare any actual, potential or perceived conflicts of interest.

Panel members are expected to be able to hold themselves and others accountable for creating safe and inclusive spaces in which brave conversations about racism, power,



bias, and privilege can occur within the context of their work. As panel members, they are expected to support the College as it works to address Indigenous-specific racism and develop a culturally safe organization and standards for health professionals, through a consistent and continuous practice of cultural awareness, humility, and safety in their own discussions and decision-making.

Panel Duration

Panels of the regulatory committees exist in order to ensure the work of their respective committee is completed in the most efficient, fair, and informed way. The required number, nature and duration of panels is not defined in the bylaws; committee chairs, in consultation with their support staff and/or the Registrar determine how many, what size and what type of panels best serve to meet the needs of the committee.

Panels may be:

- long standing; if so, they may benefit from development of Terms of Reference which would include the ideal composition of the panel; or
- composed on an ad hoc, short-term basis to serve a specific purpose and would not require Terms of Reference.

Selecting Panel Members: Important Considerations

Diverse perspectives

Committee chairs are expected to give careful attention to the collective diversity of panels. The Board believes that bringing diverse experiences, perspectives, and backgrounds to decision-making results in more relevant and appropriate decisions. Diversity in this context is broader than professional background, qualifications, and relevant committee and regulatory decision-making experience; it must also include characteristics such as race, cultural heritage, disability, neurodiversity, geography, age, socio-economic background, gender identity and gender expression, sexual orientation, and lived experience.

Operationally, it is therefore critical that regulatory committees include an adequate number and diversity of members to ensure capacity for panel member diversity.

Indigenous perspectives

In addition to the Designated Health Profession and public member requirements in the bylaws, when a panel is struck in relation to an Indigenous matter (including but not limited to racism or discrimination), an Indigenous complainant, an Indigenous respondent, and/or an Indigenous registrant, it is critical that the panel include at least two panel members who identify as First Nations, Métis or Inuk/Inuit. Ensuring at least two Indigenous panel members allows for diversity of Indigenous perspectives, mitigates



the risk of harm inherent when an Indigenous member participates alone, and contributes to ensuring a culturally safe space.

The College will strive towards appointing two members who identify as First Nations, Métis or Inuk/Inuit to as many panels as possible while recognizing the burden placed on very few Indigenous committee members to meet panel needs. Operationally, to achieve this, it is also therefore critical that regulatory committees include the number and diversity of members who identify as First Nations, Métis or Inuit to ensure capacity for panel needs. Panels may also engage outside cultural advice to meet panel needs in accordance with budget allocation.

Profession-specific perspectives

When a panel is considering an issue, making a decision, or exercising the power or duty of the committee about a particular registrant or applicant, the panel must include at least one panel member who is a registrant from the same Designated Health Profession.

When, in the committee chair's opinion, the matter being considered needs profession-specific expertise, the panel must include at least one panel member from the Designated Health Profession(s) connected with or affected by that matter. More than a single panel member from the Designated Health Profession may be necessary or preferred in many circumstances. Representation from diverse perspectives, practice contexts, expertise is an important consideration.

Whether a matter requires profession-specific expertise is for committee chair to determine in consultation with, or upon the recommendation of, staff and/or the Registrar. Factors which may assist in this determination include, for example, whether the matter involves performance of a restricted activity, unique philosophies of care, a practice standard or policy specific to a particular profession.

Conflict of interest

Committee chairs and the staff who support them play a role in managing the conflicts that inevitably arise in the regulatory environment and are expected to appoint panel members with a view to minimizing the potential for conflicts of interest to arise. This can be achieved by committee chairs or support staff providing prospective panel members with the required information and an opportunity to disclose actual, potential or perceived conflicts of interest prior to confirmation of the panel's composition. Where a conflict of interest is identified, whether by a prospective panel member, a committee chair or support staff, committee chairs are expected to appoint another committee member to the panel or consider other ways to manage the conflict appropriately. See also the Board and Committee Code of Conduct for more details about conflict of interest.



Number of panel members

The number of panel members to be appointed will vary by regulatory committee and by panel in recognition of different committee and panel roles and responsibilities, volume of files, types and volumes of decisions to be made, matters to be addressed, and panel membership requirements. Panels must have a minimum of three committee members, must include one public member, must meet the Designated Health Profession specific requirements, must ensure diversity of perspectives and ensure that collectively the panel holds varied skills, experience and knowledge. The number of members and diversity of regulatory committees will need to be adequate to ensure capacity for panel membership. Particular attention will need to be paid to the number of public members to meet the requirement to include one public member on each panel.

Operational examples

For clarity, some **examples of how panels may be composed** are provided.

1. Multiple panels of the Inquiry Committee may each consist of three members, meeting every two weeks throughout the year. Each panel would have similar responsibilities but would review different inquiry files (a particular panel would always review the same files). Panel composition will be determined by requirements in Bylaw (at least three members, at least one public member, meeting any Designated Health Profession specific requirements) and by necessary diversity in perspectives. If more than three members must be appointed to meet those requirements and considerations, there is flexibility to allow this.
2. Panels of the Registration Committee may be more varied. One panel may meet regularly throughout the year to review applications to a particular profession. Another panel may meet on a regular basis to make decisions related to examinations. As above, these long-standing panels may benefit from development of composition matrices or terms of reference. A third panel may be struck and meet only three times related to a particular registration issue. Again, panel composition and size will be determined by requirements in Bylaw (at least three members, at least one public member, meeting any Designated Health Profession specific requirements), by necessary diversity in perspectives; and by the skills and experience needed to meet the panel responsibilities.
3. A panel of the Professional Practice and Standards Advisory Committee may be struck to review and advise on a profession-specific standard of practice. The composition and size of this panel will be determined by requirements in Bylaw (at least three members, at least one public member, meeting any Designated Health Profession specific requirements), and diversity in perspectives and experience specific to a standard. Specifically, for example, this panel might consist of nine members: five from the profession for which the standard has been drafted, three public members, and one from another profession with specific and relevant expertise related to practice standards. A different panel may be struck to provide input on a standard of practice common across all professions within the College. Composition and size



again will be determined by requirements in Bylaw (at least three members, at least one public member, meeting any Designated Health Profession specific requirements) and diversity in perspectives and experience specific to the standard. If in the committee chair's opinion, the review of any standard of practice requires Designated Health Profession specific expertise, this panel would require at least registrant from each of the professions impacted by the standard. To ensure representation across professions, practice settings, contexts and geography, the number of panel members may be high.

Compliance with Regulatory Requirements

Committee chairs and their support staff are encouraged to work with the Governance Committee and its support staff if there are any challenges in meeting the regulatory requirements and implementing the considerations outlined in these Guidelines for selection and appointment of panel members. This is particularly important when there are concerns identified that specific skill sets, diverse perspectives, Indigenous perspectives, or Designated Health Professions are under-represented on the committee and this impacts the ability to fill vacancies on the panels.

Related Documents

- Board and Committee Composition Matrices
- Bylaws
- Health Professions Act
- Safe Spaces Playbook

Definitions

Act means, unless the context requires otherwise, the *Health Professions Act*.

Bias means a favourable or unfavourable predetermined inclination, preference, tendency, or perspective ("perception of bias" means the belief of others that bias will occur or has occurred).

Board means the Board for the College under section 17(1) of the Act.

Board chair means the Board chair who is elected under Bylaw 2.4.

Board vice chair means the Board vice chair who is elected under Bylaw 2.5.

Brave conversation means group discussions which encourage the open sharing of opinions and concerns that may cause significant initial discomfort to those involved in conversation but must take place if justice and equity is to be achieved.



Bylaws means the bylaws for the College made under the Act.

College or CHCPBC means the College of Health and Care Professionals of British Columbia.

Committee means a committee established in the bylaws.

Committee member means an individual who is appointed to (a) a committee, or (b) an ad hoc working group or task force as may be formed by the Board or Registrar from time to time.

Cultural humility is a process of self-reflection and introspection to understand personal and systemic biases and to develop and maintain respectful processes and relationships based on mutual trust. Cultural humility involves humbly acknowledging oneself as a learner when it comes to understanding another's experience.

Cultural safety is an outcome based on respectful engagement that recognizes and strives to address power imbalances inherent in the health-care system. It results in an environment free of racism and discrimination, where people feel safe when receiving health care.

Discrimination means targeting an individual or group of people for negative treatment because of specific characteristics such as race, religion, gender, disability, or other protected characteristics as defined by the B.C. Human Rights Code. Discrimination can occur at an individual, organizational, or societal level. It occurs when a particular social group is denied access to goods, resources, and services, either through action or inaction.

Diversity refers to individual and unique human differences, dimensions, qualities, and characteristics such as age, ethnicity, gender, sexual orientation, physical abilities, race, etc.

Equity is a term that describes fairness and justice in outcomes, recognizing diversity and disadvantages, and directing resources and services towards those most in need to ensure equal outcomes for all.

First Nations is the preferred terminology for the Indigenous peoples and their descendants, who self-identify as neither Métis nor Inuit.

Health-care system means the organizations, institutions (including governments), resources, and people whose primary purpose is to improve health.

Indigenous refers to the first peoples who identify as First Nations, Métis, or Inuit.

Indigenous-specific racism means the ongoing, systemic, and race-based discrimination experienced by the First Nations, Métis, and Inuit peoples and communities that maintains unequal treatment rooted in colonial practices and policies.



Panel means a panel established in the bylaws.

Panel member means an individual who is appointed to a panel.

Racism is the belief that a group of people are inferior based on the colour of their skin, their culture, or spirituality.

Registrar means the Registrar who is appointed under section 21(1) of the Act for the College.

Safe refers to a sense of being empowered to be authentically oneself because there is protection from reprisal, harm, or danger, even in spaces that are uncomfortable due to the nature of the environment, the subject matter under discussion, or where beliefs, knowledge, or practices are being exposed or challenged.

Staff means the employees, contractors, assessors, and inspectors of the College.

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