

# 2020 Meetings with Regulators

## Summary of Key Themes, Observations and Conclusions

March 2021



**FAIRNESS** COMMISSIONER  

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COMMISSAIRE À L'ÉQUITÉ

# Purpose of the Presentation

- To highlight the information that the Office of the Fairness Commissioner (OFC) collected from regulators during its recent annual meetings with them.
- To identify key themes, observations and conclusions based on what we heard.
- To consider how this information could be utilized to inform program activities and best practices.

# Background

- Under its current practices, the OFC meets with each of its 40 regulators, on an annual basis, typically towards the end of the calendar year.
- The parties use this meeting to discuss the contents of the regulator's most recent Fair Registration Practices Report, as well as the regulator's accomplishments challenges and commendable (best) practices.
- The OFC also leverages these forums to inform its priorities for the upcoming year.

# Themes and Observations

- By way of context, regulators provided the information identified in this summary in a spontaneous fashion and not in response to a set of standardized OFC questions. It is, therefore, possible that other regulators have introduced similar practices but did not highlight these to the OFC.
- The materials provided have been organized according to five themes.

## Anti-Racism and Inclusion Programming

- 68 percent of regulators have instituted some form of an *anti-racism /diversity/ inclusion strategy or initiative*. The approaches range from mandating the completion of relevant training, establishing a dedicated committee to address this topic and/or hiring an equity/inclusion lead or consultant to develop a strategy.
- However, relatively few regulators (eight percent) collect race-based or demographics data. Those that do are the accountants, architects and occupational therapists. The collection of such data provides these regulators with an enhanced evidentiary framework from which to make equity-related decisions.

# Themes and Observations (Cont'd)

- In addition, 15 percent of regulators have adopted *Indigenous-focussed initiatives*, which range from providing targeted information to Indigenous organizations, creating a competency-based standard pertaining to Indigenous jurisdictional issues, and implementing an Indigenous registration pathway. The regulators that showcased this work oversee the following professions:
  - engineering technicians
  - lawyers/paralegals
  - psychotherapists
  - foresters
  - occupational therapists
  - pharmacists.

# Themes and Observations (Cont'd)

## Risk Management

- Thirty-eight percent of regulators said that they regularly *integrate risk management principles* into their registration processes and/or other aspects of their operations. Some of the more notable examples involve the following professions:
  - Dietitians: Registration decisions are made in accordance with a risk (harm reduction) framework. The college is committed to risk-based regulation and to continue to develop tools to assess risk. Its goal is to ensure that, by 2024, risk becomes a primary consideration in all college decision-making.
  - Kinesiologists: The college has drafted a risk management plan that employs risk matrices, and assigns an internal resource to assess risks for specific areas. Its Registration and Examination Coordinator is also accountable for identifying risk factors relevant to portfolio responsibilities and for implementing, evaluating and adjusting risk mitigation strategies.
  - Midwives: The college recently completed a Risk Assessment Checklist Program developed by the Healthcare Insurance Reciprocal of Canada (HIROC). This checklist focuses on applying registration and licensing practices in a fair and consistent manner.

# Themes and Observations (Cont'd)

## IT/Digital Modernization

- Sixty-eight percent of regulators have undertaken some form of *technological modernization initiatives or invested in IT/digital infrastructure*, which prominently includes the development of data management strategies.

## Objective Structured Clinical Examination (OSCEs)

- Of the 26 health colleges, 42 percent indicated that, owing to the Covid-19 pandemic, their clinical examinations or OSCEs had been cancelled. However, only 12 percent are actively exploring technologies that will allow migration to a virtual platform. These colleges are responsible for the regulation of physiotherapists, optometrists and nurses.

# Themes and Observations (Cont'd)

## Improving Outcomes for Internationally Trained Individuals (ITI)

- 48 percent of regulators shared initiatives/activities designed to improve outcomes and experiences for ITIs. Four examples are provided below:
  - *Accountants*: The regulator has launched a new online application process for International Trained Applicants (ITAs). Trained registration teams are responsible for dealing with these types of applications. The registration team meets weekly with the profession's registrar to review ITA files and applicable policies.
  - *Dietitians*: The college has determined that its prior learning assessment process (PLAR) is a more effective method of assessing competency than a paper-based approach. The PLAR method more accurately measures applicant competency gaps and allows the college to provide more targeted direction on how those gaps could be filled.
  - *Pharmacists*: The college revised its structured practical training requirement for ITIs to enable applicants to demonstrate competency over a shorter period of time.
  - *Teachers*: The college makes presentations to Ontario community agencies, newcomer groups and cultural or ethnic association to explain its registration requirements.



# Innovative and/or Best Practices

- The OFC has also used these annual meetings to harvest a diverse range of innovative best practices, which can be grouped under six general categories:
  1. Virtual examinations
  2. High touch service for applicants/ITIs
  3. More timely registration practices
  4. Inclusive registration practices
  5. Pandemic response and planning
  6. Accountability mechanism for third-party service providers.

# Examples of Innovative and/or Best Practices

## Virtual Examinations

- The Canadian Alliance of Physiotherapy Regulators plans to introduce a virtual Objective Structured Clinical Exam (OSCE) in 2021. The exam will be virtual and touchless in nature, as candidates will interact with standardized clients via remote meeting software.
- The new exam will be delivered eight times in 2021 to address the backlog created by the cancellation of 2020 exams, in addition to usual demand. Results will be recorded to safeguard fairness and validity. The first of four CAPR clinical exams is scheduled for remote delivery in June 2021.

**For more information, please contact Melissa Collimore at [mcollimore@collegept.org](mailto:mcollimore@collegept.org)**

## High Touch Service for Applicants/ITIs

- The Chartered Professional Accountants of Ontario has launched a new online process for Internationally Trained Applicants (ITAs). Their applications are reviewed by a CPA registration team responsible and trained to deal with these types of applications and related matters. The ITA registration team meets weekly with the Registrar to review ITA files and applicable policies.

**For more information, please contact Heidi Franken at [hfranken@cpa.on.ca](mailto:hfranken@cpa.on.ca)**

# Innovative/Best Practices (Cont'd)

## More Timely Registration Practices

- The College of Early Childhood Educators uses a certified graduation list from each of its feeder colleges to speed up the recognition of education credentials.

**For more information, please contact  
Cynthia Abel at [cynthiaa@college-  
ece.ca](mailto:cynthiaa@college-<br/>ece.ca)**

## Inclusive Registration Practices

- The College of Veterinarians of Ontario (CVO) de-identifies applicant information including name, gender, address, birth dates and the educational institution where the applicant received their degree in veterinary medicine.
- This approach is designed to reduce potential bias when the profession's registration committee reviews individual applications.

**For more information, please contact  
CVO at [licensure@cvo.org](mailto:licensure@cvo.org)**

# Examples of Innovative and/or Best Practices (Cont'd)

## Pandemic response and planning

- The College of Respiratory Therapists of Ontario closely monitored the health system's demand for its professionals during the initial phase of the pandemic last year. The college monitored relevant data (e.g., intensive care unit bed capacity) to anticipate a surge in the labour demand and implemented necessary changes to ensure an adequate supply of respiratory therapists.

**For more information, please contact Lisa Ng at [ng@crto.on.ca](mailto:ng@crto.on.ca)**

## Accountability mechanism for third-party service providers

- The College of Nurses of Ontario is planning to establish mechanisms to hold its third-party service providers accountable by: instituting regular meetings with the provider(s); setting clear standards or expectations; reviewing high-level performance metrics, (e.g., wait times); and establishing outcomes-based metrics in its agreements with them. The college's goal is to implement these processes within a year.

**For more information, please contact Suzanne Vogler at [SVogler@cnomail.org](mailto:SVogler@cnomail.org)**

# Conclusions

- The OFC has observed the following key themes from its annual meetings:
  1. Regulators are sensitive to the special needs of ITIs. Roughly half of the sector has implemented targeted initiatives to help improve outcomes for this group of applicants.
  2. The majority of regulators have established some form of anti-racism/inclusion strategy or engaged in related initiatives. However, only a very small segment collects race-based data. This is an important feature of any anti-racism/inclusion strategy and the OFC plans to provide additional guidance on this subject.
  3. Similarly, only a small segment of the health colleges have explored technologies to support virtual OSCEs. This is another area ripe for investment and education.
  4. The majority of regulators have completed (or in the process of undertaking) some form of technological modernization or have invested in IT/digital infrastructure.
  5. Many regulators integrate risk management principles and processes into their registration process and/or operations.
- All of this progress is noteworthy since much of this work continued during the heart of the Covid-19 pandemic.
- In addition, many of the initiatives identified align well with the OFC's new risk-informed compliance framework.
- The OFC and regulators alike will need to continue to modernize their information/data-management capabilities to better record, monitor, and analyze the data that represents a key tool to promote fair registration practices.