

**ACOT Office/Microsoft Teams**

Attending:

Jennifer Lee – President, Regulated Member  
Arwen Caines – Vice President, Regulated Member  
Carrie Hait – Regulated Member  
Christie Bergman – Public Member  
Dennis Fitzgerald – Public Member

Marianne Baird – CEO & Registrar  
Mallory Foreman – Recording Secretary

**Regrets:**

Whitney McKenzie – Regulated Member  
Dr. Tom Smith – Public Member

**1. Gathering**

Jennifer asked each Council Member how they have been since the last meeting, then called the January 28, 2023, ACOT Council meeting to order at 8:55 a.m.

**2. Celebrating Departing Councillor Heidi Knupp**

With Heidi Knupp unavailable to attend the meeting, Council deferred this portion of the agenda to its next meeting.

**3. Overview of Meeting, Approval of the Agenda**

With no additions, Council voted to approve the agenda as presented.

**MOTION:** To approve the January 28, 2023, ACOT Council meeting agenda - Christie (MOVED) Carrie (SECONDED). CARRIED.

**4. Generative Thinking**

**Key Partner Analysis**

Council viewed the ACOT Key Partner Analysis January 2023 document. The document title has been changed from “stakeholder” to “key partner analysis” to reflect more current language.

On page 2, Ascent3 IT has been added in as a key partner. This IT company provides ACOT with cyber security services including risk mitigation training for staff. A question and answer (Q&A) period followed.

Q: Under *Other Large OT Employers*, should the items outlining the things that are important to other large OT employers be the same as the things that are important to Alberta Health Services?

A: Yes, this will be updated accordingly.

Q: When more Occupational Therapists start their own businesses, are we asking/recording this?

A: Yes, we do ask for their employer or if they are self-employed. About 300 OTs in our database have identified themselves as being in private practice.

Q: Does this increase year-after-year?

A: We are not entirely sure we are capturing all private practice OTs in our numbers because some OTs may not be reporting it. Four years ago, there were approximately 95 OTs who identified their private practices. Now it's around 300, but we don't know if that's because there are more or because they are now entering their private practices in our database more often than before.

Council agreed that it should be clear on the registration application form; if the OT applying has a private practice, they need to add it in.

**ACTION:** An eNews to be sent out to remind registrants to report their private practice, and this includes if they are only seeing a few clients on the side.

**ACTION:** Create a scenario for OTs defining private practice that includes having a few clients on the side.

Q: Do private practitioners get more complaints?

A: There is not a disproportionate number of complaints for private practice OTs, however it's hard to generalize when the total number of complaints is low, under 1% of our registrants.

Q: Could a module be released that supports OTs to have an adequate understanding of the Standard of Practice and Code of Ethics in relation to private practice?

A: A module supporting the understanding of the Standards of Practice and Code of Ethics would be fine. It would need to be written for a variety of private practice settings. However, if the module is focused on supporting their private practice, it would need to be released through SAOT.

Q: What is the mandate of SAOT?

A: The Society exists for promotion of the profession.

Q: With more OTs going into private practice is there a risk to the public, given they don't have oversight like in a brokerage model where the broker is responsible for enforcing Standards of Practice?

A: ACOT provides a variety of resources related to the regulatory requirements for private practice. The Society of Alberta Occupational Therapists (SAOT) has a series on boosting private practice which has included ACOT for the regulatory perspective, as well as legal, information systems and accounting focused sessions.

**ACTION:** Marianne to provide Dennis with the private practice guidance package.

**ACTION:** Marianne to send the Code of Ethics and Standards of Practice to Christie.

This led to a deeper discussion on private practice:

- With the current discussions about changes in healthcare there could be a push for more OTs to provide private practice. In recent years more OTs have identified they have a private practice.
- If an OT is self-employed, the College needs to know. This should be made clear to the registrants. Some OTs may think its an employer rule and not a regulatory rule.

Q: Is there a main insurance company that OTs join?

A: Yes, there are group plans through SAOT and CAOT (Canadian Association of Occupational Therapists) for liability insurance and clinic insurance.

Q: Is ACOT the first place the public would submit a concern to about private practice?

A: If it is a large facility, they would likely go to management first. However, if it's a private practitioner who has only a few OTs hired, a complaint will most likely be lodged with ACOT.

A Councillor mentioned that it would be interesting to find out if other colleges are fully reporting on their registrants' private practice.

## **5. Annual Council Self Evaluation Follow Up Item – Budget for Ongoing Council Training, Desired Training Opportunities**

This evaluation was done in October and follow up action items were brought back in November.

One of the follow up action items was a question about previous Council training experiences and desired future training. Was the Canadian Network of Agencies of Regulation (CNAR) conference valuable for Council?

Those who attended note:

- It was valuable,
- It was helpful to get a perspective of other regulatory agencies and roles across the country,
- It was interesting to hear about the different paths that other colleges are taking.

Marianne stated that there is room in the budget for all of Council to go to CNAR or the Council on Licensure, Enforcement and Regulation (CLEAR) conferences. The International Congress for CLEAR will be held in Dublin, Ireland in May 2023. The budget allows for flights, hotel and some meals to be funded, but there will be less available for each person if all members of Council attended.

Councillors stated that it would be good to go to these conferences as a group. They discussed the size of these conferences and whether it is more beneficial to attend to CNAR as it is Canadian focused. It was agreed that CNAR can be the main conference to attend with CLEAR being attended every second or third year. It was also suggested to alternate between Councillors (who attends CLEAR and who attends CNAR).

Marianne mentioned that she will not be able to attend CLEAR in Dublin this year, and plans to attend CNAR. Angela Meneley, Director, Regulation & Policy will be attending CLEAR and bringing back notes.

It was agreed that new Councillors could start attending conferences during their second year on Council. The first year they would be offered online introductions to governance.

***ACTION:*** Send the dates of the CNAR and CLEAR conferences to Council to determine which event the greatest number of Councillors are able to attend.

Are there any other topics that council would like to learn about? We could look at bringing representatives from CLEAR here like we did in the past, we found that to be beneficial when they tailored the material to our context. There was a suggestion that Field Law also has useful learning sessions regarding the role of Public Members with regulatory bodies governance.

Q: Does ACOT have a connection with Field Law?

A: Yes, Field Law is used for most of our legal counsel requirements.

***ACTION:*** Research the availability for training on roles for council/ governance, including through Field Law.

## **6. Annual Council Self Evaluation Follow Up – Explore Models for Ensuring All Perspectives are Heard**

Council examined the efficiency of having *round-table* discussions and whether this allows for all perspectives to be heard.

Carrie explained the Circle-Way as an alternate option for conversations. This approach is based on Indigenous knowledge and traditions. It is like a roundtable where everyone has a chance to speak. Additionally, there is a speaking “stick”. Whoever holds the stick is the only one who can talk. The roles for the Circle-Way includes a harvester, a mediator, and a leader. Carrie then suggested that she could bring a presentation about the Circle-Way back to Council.

***ACTION:*** Carrie to present the Circle-Way in an upcoming Council meeting.

Council discussed the round table method used at the end of each meeting for gathering reflections on whether Council is meeting its Ends policy. They compared this to the electronic surveys used for each meeting, and what the incentive is for completion of the survey.

Council talked about where OTs are located in Alberta, the demand for OTs throughout the province, and the difficulty attracting OTs and other health professionals to rural areas.

***ACTION:*** Add a breakdown of geographic locations where OTs are working to the next annual report.

## **7. Review of 2023-2025 Draft Strategic Plan**

Council viewed the slide deck of the draft Strategic Plan. A large section of this draft was developed during the November 12<sup>th</sup>, 2022, Strategic Plan workshop; definitions were redefined, core values were distinguished and reflected on.

### **Key areas of focus**

Public, Registrants, College, Strategic Connections - Council agreed that these four key areas of focus were to remain the same.

Definitions for each area of focus were edited.

The 2023-2025 Core Values were validated:

- Responsible
- Ethical
- Equitable
- Leaders

Additional values were identified that reflect how the Council wants itself and ACOT to operate:

- Approachable
- Proactive
- Respectful
- Nimble
- Collaborative
- Transparent

Council went on to discuss ACOT's strengths, weaknesses, opportunities and threats (SWOT analysis).

## **8. 2023-2025 Strategic Plan – Key Deliverables & Measures**

Facilitator: Sheena George, Consultant

Council welcomed Ms. George to the meeting.

Objectives for each of the four key areas of focus discussed and draft success measures were developed.

Dennis pointed out that it would be interesting to see what the current operational plan look like.

***ACTION:*** Send Dennis a copy of the Strategic Plan update from November that includes the current operational plan deliverables.

***ACTION:*** ACOT staff to add the operations deliverables for 2023-2025 and bring back to Council.

Council thanked Sheena for attending the meeting.

## **9. Committee Reports**

### **Governance Committee**

Arwen presented the Governance Committee (GC) Report which outlines work that the Committee has done over the last month:

- Started to create a Terms of Reference. The GC has reached out to three different colleges to receive their Terms of Reference to assist with shaping ACOT's. A template will be created and sent back to the GC.

- With Bill 46 not being proclaimed by government at the end of December 2022, ACOT's Bylaws required another update to carry us through until the Bill is proclaimed. There are two sets of Bylaws being reviewed now – one that has most of the items included in the version Council saw in November 2022, and another set that includes items that can only be put in place after proclamation.

Council requested an edit to the Bylaws on page 5, in the section about Officers, so that Section 8 a) would end after the words Public Member, and 8 b) would say the Executive Committee shall

- i. consist of the President, Vice President, and CEO/Registrar
- ii. ...administer the affairs...

**MOTION:** To approve the January 19, 2023, Governance Committee Report as presented – Christie (MOVED) Arwen (SECONDED). CARRIED.

**MOTION:** To adopt the February 1, 2023 Bylaws with the change to Section 8 - Carrie (MOVED) Christie (SECONDED). CARRIED.

**MOTION:** To adopt the Bylaws as of the date of effect of Part 4 of the *Health Statutes Amendment Act, 202 (No. 2) (Bill 46)* - Dennis (MOVED) Christie (SECONDED). CARRIED.

## 10. Consent Items

Council reviewed the November 29, 2022, Council Meeting Minutes and there were no suggested changes.

**MOTION:** To accept the November 29, 2022, Council Meeting Minutes as presented – Carrie (MOVED) Arwen (SECONDED). CARRIED.

## 11. Registrar Limitation 2.1: 2022-2023 Q3 Budget vs. Actual

Marianne pointed out page 9 and how the revenue is lower than anticipated. This is due to the University of Alberta new graduates finishing their Master of Science in OT program later in the year. This will be the last cohort from the pandemic to finish their program in December.

Further highlights from the budget:

- Revenue is greater than expenses.
- Under budget for administrative expenses and staff training: staff took courses later in the year than expected.
- Legal costs are lower than they were budgeted for, but not as underbudget as prior years. The costs are growing as more complaints are received.
- Education costs for Council are lower than budgeted for as not all of Council went to CNAR and CLEAR.

With no questions from Council, a motion was brought forward.

**MOTION:** To accept Registrar Limitation 2.1: 2022-2023 Q3 Budget vs. Actual as presented – Dennis (MOVED) Carrie (SECONDED). CARRIED.

## 12. Registrar Limitation 2.2: Budget 2023-2024 Introduction, 2 Options

Council viewed the two draft budget options. They focused on bullet point two in the 2023-2024 Budget Discussion Part I: *how does the budget support ACOT's strategic plan?*

The main difference between Options A and B are that Option A incorporates one year of 1.6 FTE contractors to free up ACOT staff to refresh the continuing competence program in time to align with roll out of our new Standards of Practice and Code of Ethics, and to develop more guidance resources.

Council asked whether additional office space would be needed. Marianne replied that due to our hybrid work environment the current office space is suitable, and we won't need to expand it to bring on the contractors who would work mainly from home.

Council discussed ACOT's revenue stream, projected yearly revenue increased, and what happens if an OT does not pay their fees on time.

It was mentioned that it would be helpful to have a fulsome discussion about Return On Investment (ROI) going forward whenever talking about the budget or use of reserve funds. Council agreed that Governance Committee will look at developing a Registrar Limitation that defines what we can use reserve funds for.

Council agreed that the budget is critical in achieving our Strategic Plan objectives, and we have an opportunity to realize our cores values because we have the resources to invest in our Strategic Plan objectives. We must also ensure the budget meets our requirements under the HPA and our mandate to serve the public.

Council clarified the difference between contractors and employees. They agreed that the 1.6 FTE need to be clearly defined as contractors. These hires can be either work hybrid (in the office and from home) or entirely virtually.

**MOTION:** To approve the Draft Budget 2023-2024 Option A (with 1.6 FTE contractors) – Arwen (MOVED) Christie (SECONDED). CARRIED.

## 13. Reflection on Governance

Comments:

- Overall, good discussions focused on the College's role to serve the public.
- Good to have these meetings in-person, we got a lot of things worked out.
- This meeting is what I think of self-regulation being about.
- Nice to see the strategic planning.
- We are always asking ourself if we're achieving our Ends, and this is appreciated.

## 14. Meeting Survey

Council then took five minutes to complete the January 28, 2023, Council Meeting Survey.

**15. In Camera**

**MOTION:** To move to an in-camera session – Christie (MOVED) Carrie (SECONDED).  
CARRIED.

**16. Closing Remarks and Adjournment**

**MOTION:** To adjourn the January 28, 2023, ACOT Council Meeting – Dennis (MOVED) Christie (SECONDED). CARRIED.

The January 28, 2023, ACOT Council meeting was adjourned at 2:46 p.m.