

**ROYAL COLLEGE OF DENTAL SURGEONS OF ONTARIO**

**MINUTES OF THE 402nd MEETING OF COUNCIL**

**Thursday, March 6, 2014**

**DoubleTree by Hilton Toronto Hotel, 108 Chestnut Street, Toronto**

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The 402nd Meeting of the Council of the Royal College of Dental Surgeons of Ontario was held on Thursday, March 6, 2014.

**ATTENDANCE:**

Council Members:

*Elected Representatives:*

Dr. Elizabeth MacSween	District 1
Dr. David Clark	District 2
Dr. Lisa Kelly	District 3
Dr. John Kalbfleisch	District 4
Dr. Lawrence Davidge	District 5
Dr. Joseph Stasko	District 6
Dr. Peter Trainor, President	District 7
Dr. Ronald Yarascavitch	District 8
Dr. Sven Grail	District 9
Dr. Flavio Turchet	District 10
Dr. Robert Carroll	District 11
Dr. David Segal	District 12

*University Representatives:*

Dr. Richard Bohay, University of Western Ontario  
Dr. David Mock, University of Toronto

*Lieutenant-Governor-in-Council Representatives:*

Ms. Kelly Bolduc-O'Hare  
Mr. Ted Callaghan  
Ms. Beth Deazeley  
Mr. K.S. Joseph  
Mr. Manohar Kanagamany  
Ms. Catherine Kerr  
Ms. Evelyn Laraya  
Dr. Edelgard Mahant

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Ms. Marianne Park

Mr. Jose Saavedra

Mr. Abdul Wahid

*Legal Counsel:*

Mr. Alan Bromstein

*Royal College of Dental Surgeons of Ontario Staff:*

Ms. Anna Belz, Administrator, Finance and Property

Ms. René Brewer, Director, Professional Liability Program

Ms. Chantelle de Freitas, Senior Administrative Assistant

Mr. Irwin Fefergrad, Registrar

Dr. Michael Gardner, Manager, Quality Assurance

Mr. Robert Lees, Manager, Registration

Ms. Lori Long, Manager, Professional Conduct and Regulatory Affairs

Ms. Peggi Mace, Director of Communications

Mr. Omar Malik, Manager, Information Technology

Mr. Greg Moors, Director, Finance, Property and Administration

Mr. Ryan Sequeira, Investigator

Ms. Angie Sherban, Executive Assistant

Ms. Dayna Simon, Counsel, Regulatory Affairs

Dr. Chris Swayze, Supervising Dental Consultant

Ms. Brenda Waddington, Manager, Human Resources, Office and Property

Ms. Julie Wilkin, Assistant Manager, Registration

**1. CALL TO ORDER**

The Chair called the meeting to order at 9:00 a.m.

**2. ADOPTION OF AGENDA**

The agenda was adopted, as circulated.

**MOTION:**

**THAT the agenda for the 402nd Meeting of Council be adopted,  
as circulated.**

**CARRIED**  
*(Unanimously)*

**3. ROLL CALL**

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Mr. Fefergrad conducted the roll call. 25 Council members were in attendance and a quorum was declared.

**4. REMARKS/CHAIR**

Mr. Lochrie welcomed members of Council, staff, guests and observers to the meeting.

**5. REMARKS/PRESIDENT**

Dr. Trainor's speech focussed on society's expectation of more openness and transparency. Transparency and public accountability are considered legitimate requirements for increased public confidence. Council was reminded of the positive report received from the Professional Standards Authority for Health and Social Care that the College meets or exceeds all the relevant standards of good regulation.

Dr. Trainor gave many examples of how the College is sharing information with the public, such as the new and improved website that includes full annual reports, public consultations and minutes of Council meetings, access to open Council meetings and Discipline Committee meetings.

He advised that during the meeting Council would be discussing and making a decision on whether to make more information available to the public about deficiencies found during office inspections for facility permits to administer sedation and general anesthesia and to operate dental CT scanners.

The College is also working in collaboration with other Colleges to increase the amount of information available in order to protect the public interest. A group of health regulatory Colleges have formed together to create the Advisory Group for Regulatory Excellence (AGRE). This group will be looking at what information regulatory colleges should provide to the public. A national polling firm has been engaged to conduct a survey of the public on what information is expected to be available from the regulatory colleges. The survey will be used to assist AGRE with making decisions on the complex issues associated with increasing transparency.

A report was given by Dr. Trainor on sealing the regulation that would allow dentists to provide dental treatment to their spouses. The sealed regulation is now

waiting to be signed by Cabinet. He thanked Council, the Registrar and staff for ensuring the regulation was expedited to the present status. He also thanked the Ontario Dental Association for its assistance in order to move this forward towards a successful conclusion.

**6. REMARKS/REGISTRAR**

Mr. Fefergrad reported on the College's accomplishments. He complimented Council on its ability to be proactive and looking "outside of the box" in order to guide the profession and protect public interest.

He reported on the success of the Practice Enhancement Tool (PET) and the positive response from members.

Council was encouraged to be mindful of the changing landscape in dentistry and the important role of the Fairness Commissioner.

**7. COMMITTEE REPORTS**

(a) Executive Committee

The Executive Committee report was presented by the Chair, Dr. Peter Trainor, who moved recommendations on behalf of the Committee. He thanked his Committee members, the Registrar and support staff for their assistance. He also expressed gratitude to all College staff for their commitment and diligence.

1. Professional Misconduct Regulation

It was reported that the College has proposed professional misconduct regulation amendments with the Ministry of Health and Long-Term Care going back to 2007. However, the Ministry was strident in not approving the amendments and the Executive Committee is recommending that these amendments be withdrawn.

**MOTION #1:**

**THAT Council withdraws all of its outstanding professional misconduct regulation amendments and that the Registrar advise the Minister of Health and Long-Term Care of Council's decision.**

**CARRIED**

*(Unanimously)*

2. RCDSO Business Continuity Plan

The College has developed a Business Continuity Plan that is designed to be put into effect in the event of a major disaster that would put the College out of operation for several weeks.

**MOTION #2:**

**THAT Council approves the RCDSO Business Continuity Plan, as attached at APPENDIX A of the Executive Committee Report to Council.**

**CARRIED**

*(Unanimously)*

3. Delegation Working Group

At the November 2013 meeting, Council established an ad hoc committee to study delegation of duties. The ad hoc committee was not to exceed 10 persons which included one public member of Council. In forming the composition of the ad hoc committee, the Executive Committee felt that it would be beneficial to include two public members of Council and recommends that Council increase the number of members from ten to eleven in order to allow for a second public member on the ad hoc committee.

**MOTION #3:**

**THAT Council approves increasing the number of members on the ad hoc committee to consider the appropriateness of permitting dentists to delegate to others acts authorized to them under the *Dentistry Act, 1991* to 11 members, to include two public members of Council.**

**CARRIED**

*(Unanimously)*

4. International Conference of Dental Regulators

Dr. Trainor reported that at the first International Conference of Dental Regulators held in Edinburgh in October 2013, a working group was established to plan future conferences and look at ways to continue the momentum for sharing information on a global level.

The second conference is being planned in London, England on Monday, September 8, 2014. This is the day before the 11<sup>th</sup> International Association of Medical Regulatory Authorities (IAMRA) Conference.

The working group has established an organization called the International Society of Dental Regulators (ISDR) and has proposed a start-up fee of \$5,000 per founding member. Membership will be open to national regulatory bodies, provincial bodies and international bodies.

Funding will be required to set up a website for the organization that will allow sharing of information, articles, guidelines, etc., as well as allow for registration to future conferences. There will be discounted registration fees for founding members.

The Executive Committee felt that Ontario should be represented at the conference and that it becomes a founding member at the fee of \$5,000.

Dr. Trainor reported that the Executive Committee would be making a recommendation to Council at the June 2014 meeting with regard to the Ontario delegation selected to attend the conference in September.

Dr. Trainor was asked if the CDRAF would be participating. He confirmed that CDRAF will be addressing this at its CDRAF Board meeting on April 13, 2014 and it was anticipated CDRAF would become a founding member as well. He also confirmed that other international regulators committed so far are France, New Zealand, Australia, Dubai and Ireland. There has also been interest expressed from the Canadian Armed Forces.

**MOTION #4:**

**THAT Council approves the amount of \$5,000 for the College to become a founding member of the International Society of Dental Regulators.**

**CARRIED**

*(Unanimously)*

5. National Dental Examining Board of Canada (NDEB)

Dr. John Kalbfleisch presented this recommendation, as Dr. Trainor declared a conflict.

Dr. Kalbfleisch reported that the College has been invited to send an observer to the NDEB Assessment of Clinical Skills (ACS) being held in Toronto on June 6 to 8, 2014. The Executive Committee asked the Registrar to canvass Council members for interest in attending and is recommending Dr. Peter Trainor and Ms. Evelyn Laraya as the College's representatives for the NDEB examinations.

**MOTION #5:**

**THAT Council approves Peter Trainor and Evelyn Laraya to attend the National Dental Examining Board of Canada (NDEB) examinations on June 6, 7 and 8, 2014 as observers.**

**CARRIED**

*(Unanimously)*

FOR INFORMATION

Dr. Trainor referred Council to the items listed in their resource materials.

He gave a fulsome report on the activities of the CDRAF and the current financial status of the organization. At the October 2013 CDRAF Board meeting, an operating fee of \$5.00 per member per province was approved and a new Treasurer was elected. It was agreed to have the accounting housed at the RCDSO offices and Ms. Kelly Wyner (the RCDSO Comptroller) agreed to perform to duties of the CDRAF Controller.

It was found that the forecast and budget passed by the CDRAF Board for 2014 would leave the CDRAF with a significant cash flow shortfall before

mid-2014 and significant changes have been put in place to try and rectify this situation. A scaled budget has been prepared that will leave a projected shortfall of no more than \$12,000.

More stringent accounting and signing practices have been put in place that will hopefully alleviate some of these issues in the future.

It was reported that there are some challenges with some of the CDRAF Board members at the present time.

A Council member asked if there might be any liability issues for CDRAF. Mr. Fefergrad confirmed that the RCDSO Directors are covered under errors and omissions insurance and it was assumed that was the same case for other provinces as well.

(b) Inquiries, Complaints and Reports Committee

Dr. Joseph Stasko, Chair of the Inquiries, Complaints and Reports Committee presented the report. There were no recommendations from the Committee.

Dr. Stasko thanked his fellow Committee members and support staff for their assistance.

(c) Discipline Committee

Dr. David Segal, Co-Chair of the Discipline Committee, presented the report. There were no recommendations from the Committee.

Dr. Segal thanked the Co-Chair, Dr. Rick Bohay, Committee members and support staff for their assistance.

(d) Quality Assurance Committee

Dr. David Clark, Chair of the Quality Assurance Committee, presented the report. There were no recommendations from the Committee.

He thanked his Committee members and support staff for their continued assistance.

FOR INFORMATION



Dr. Clark referred Council to the items listed for information. He highlighted the information about the Practice Enhancement Tool (PET) and reported that to-date, there had been 1,350 members selected for PET and approximately 99 percent of members successfully completed it on their first attempts. The anonymized results have been submitted to Dr. Vicki LeBlanc at the Wilson Centre to assist her in her evaluation and analysis of the results. He hoped to report on that evaluation in the June 2014 Council meeting.

He added that the College's Practice Enhancement Consultant has been a great resource for members in helping members in particular competencies. Most members have reported that it has been a rewarding experience.

(e) Legal and Legislation Committee

Ms. Beth Deazeley, Chair of the Legal and Legislation Committee, presented the report and moved recommendation on behalf of the Committee. The members of the Committee and support staff were thanked.

1. Proposed Amendments to By-Law No. 5: Qualifications and Appointment of Non-Council Committee Members to Committees of the College and By-Law No. 6: Election and Selection of Committees

At its November 2013 meeting, Council approved proposed amendments to College By-Law No. 5 and By Law No. 6 and directed that they be circulated to members and stakeholders for comment. As a result of the circulation, one comment was received and reviewed by the Committee and it decided there was no reason to reconsider the proposed amendments.

Printed lists and labels provided and Procedure for By-Election

**MOTION #1:**

**THAT Council approves the following amendments to College By-Law No. 6: Election and Selection of Councillors:**

1. **THAT section 11.1 be amended to change the words "two printed lists ("Printed Lists")" to the words "one printed list ("Printed List")" and to change the reference to "Printed Lists" to "Printed List" such that section 11.1 would read as follows:**

**"11.1 Immediately following the deadline for nominations and where there is to be an election for an electoral district, the registrar shall make available to each candidate two sets of mailing labels ("Mailing Labels") and one printed list ("Printed List") containing the designated register address, in the case of the Mailing Label and the phone number and designated register address, in the case of the Printed List, of each member believed by the College to be eligible to vote in the electoral district in which the candidate was nominated."**

**2. THAT a new section 32 be added as follows:**

**"BY-ELECTION**

- 32. (1) The time limits and deadlines specified for the holding of [other] elections of members to council shall not be applicable to a by-election held as a result of this by-law.**
- (2) The registrar shall be responsible for all aspects of the by-election including, without limitation, the setting of the date for the by-election and the determination for all dates and deadlines that are required to hold the by-election.**
- (3) Subject to subsection (1) and (2), the provisions of this by-law referable to [other] elections of members to council including, without limitation, eligibility to vote, nominations, disputes as to eligibility for election, acclamation, voting, registrar's duties, voting procedures, tie votes, recounts, and interruption of mail service, apply with necessary modification to a by-election held under this by-law."**

3. **THAT clause (a) of subsection 23(2) be amended to replace the words "the person" with the words "the member".**

**CARRIED**

*(Unanimously)*

Declaration for Council and Non-Council

Ms. Deazeley reported that the second recommendation was for the introduction of a Declaration to be signed acknowledging the duties and expectations of Council members and non-Council members. She stated that the final form of the Declaration would be brought to Council at its June 2014 meeting.

Mr. Bromstein confirmed that the Declaration would be applicable to Council members who are elected members, Council members who are selected members and non-council committee member dentists.

**MOTION #2:**

**THAT Council approves the following amendments to College By-Law No. 5: Qualifications and Appointment of Non-Council Members to Committees of the College and to By-Law No. 6: Election and Selection of Councillors:**

1. **THAT a new clause (a.1) be added to subsection 3(1) of By-Law No. 5 as follows:**

**"(a.1) the member completed and signed a written declaration in a form approved by the council and that form was received by the registrar;"**

2. **THAT a new clause (b.1.1) be added to subsection 8(1) of By-Law No. 6 as follows:**

**"(b.1.1) the member completed and signed a written declaration in a form approved by the council and that form was received by the registrar;"**

3. **THAT a new clause (a.1) be added to subsection 23(2) of By-Law No. 6 as follows:**

**"(a.1) the member completed and signed a written declaration in a form approved by the council and that form was received by the registrar;"**

**CARRIED**

*(Unanimously)*

3. Eligibility Criteria

Ms. Deazeley reported that Council has agreed that the current eligibility criteria for election or selection to Council should be strengthened. She added that a member who is the subject of a disciplinary or incapacity proceeding is not eligible to sit on Council. Council felt that this provision should be expanded to apply to any jurisdiction. Also, the current eligibility criteria that prevent a member from being eligible for three years if they have been found guilty of an offence under the Criminal Code of Canada should be expanded to include criminal convictions in any jurisdiction.

**MOTION #3 (Criminal Convictions):**

**THAT Council approves the following amendments to College By-Law No. 5: Qualifications and Appointment of Non-Council Members to Committees of the College and to College By-Law No. 6: Election and Selection of Councillors:**

1. **THAT clause (d.1) of subsection 3(1) of By-Law No. 5 be amended to add after the words "the Criminal Code (Canada)" the words "or any other criminal offence in any jurisdiction".**
2. **THAT clause (b.2) of subsection 8(1) of By-Law No. 6 be amended to add after the words "the Criminal Code (Canada)" the words "or any other criminal offence in any jurisdiction".**
3. **THAT clause (b.1) of subsection 23(2) of By-Law No. 6 be amended to add after the words "the Criminal Code (Canada)" the words "or any other criminal offence in any jurisdiction".**

**CARRIED**

*(Unanimously)*

**MOTION #4 (Discipline/Incapacity Proceedings):**

**THAT Council approves the following amendments to College By-Law No. 5: Qualifications and Appointment of Non-Council Members to Committees of the College and to College By-Law No. 6: Election and Selection of Councillors:**

1. **THAT clause (g) of subsection 3(1) of By-Law No. 5 be amended to add to the end of that clause the words "in Ontario or any similar proceeding in any other jurisdiction".**
2. **THAT clause (e) of subsection 8(1) of By-Law No. 6: Election and Selection of Councillors be amended to add to the end of that clause the words "in Ontario or any similar proceeding in any other jurisdiction".**
3. **THAT clause (d) of subsection 23(2) of By-Law No. 6 be amended to add to the end of that clause the words "in Ontario or any similar proceeding in any other jurisdiction".**

**CARRIED**

*(Unanimously)*

**MOTION #5 (Discipline/Incapacity Findings):**

**THAT Council approves the following amendments to College By-Law No. 5: Qualifications and Appointment of Non-Council Members to Committees of the College and to College By-Law No. 6: Election and Selection of Councillors:**

1. **THAT clause (i) of subsection 3(1) of By-Law No. 5 be amended to add to the end of that clause the words "or any similar order made in any other jurisdiction in relation to a profession".**

2. **THAT clause (g) of subsection 8(1) of By-Law No. 6 be amended to add to the end of that clause the words "or any similar order made in any other jurisdiction in relation to a profession".**
  
3. **THAT clause (f) of subsection 23(2) of By-Law No. 6 be amended to add to the end of that clause the words "or any similar order made in any other jurisdiction in relation to a profession".**

**CARRIED**

*(Unanimously)*

2. Proposed Amendments to By-Law No. 7: The Register

At its November 2013 meeting, Council approved a proposed amendment to By-Law No. 7: The Register requiring all members to provide the College with their e-mail address. The proposed amendment was circulated to members and stakeholders. One comment was received that was in support of the proposed amendments and the Legal and Legislation Committee saw no reason to give further consideration to them.

**MOTION #6:**

**THAT Council approves the following amendment to paragraph 1.1 of subsection 6(1), of College By-Law No. 7: The Register:**

**“1.1 His or her e-mail address.”**

**CARRIED**

*(Unanimously)*

FOR INFORMATION

Ms. Deazeley referred Council to the items listed for information in the resource materials. These related to By-Law No. 13: Sedation and Anaesthesia and the By-Law review project.

***IN-CAMERA***

The meeting was moved *in-camera* for discussion of a sensitive and confidential nature.

**MOTION: #1:**

**That the public be excluded from the meeting pursuant to clause 7(2)(b) of the Health Professions Procedural Code of the *Regulated Health Professions Act, 1991* in that financial or personal or other matters may be disclosed of such a nature that the desirability of avoiding public disclosure of them in the interest of any person affected or in the public interest outweighs the desirability of adhering to the principle that meetings be open to the public.**

**CARRIED**

*(Unanimously)*

Following the *in-camera*-session, the meeting was adjourned for a lunch break and then resumed to open session.

(f) Professional Liability Program Committee

Ms. Kelly Bolduc-O'Hare, Chair of the PLP Committee presented the report and moved a recommendation on behalf of the Committee. She expressed her gratitude to fellow Committee members and support staff to the Committee.

Council was provided with a proposed amendment to section 6 of By-Law No. 1: General with respect to the composition of the Professional Liability Program Committee to remove the dentist member of Council and return to the original model of six non-Council members appointed through an application process with a public member of Council as Chair. That public member would not be permitted to sit on a statutory committee of the College while chairing the PLP Committee.

If approved, the by-law amendment would be effective following the December 2014 election of elected councillors.

**MOTION #1:**

**THAT Council amends section 6 of By-Law No. 1: General, effective at the commencement of the first regular meeting of Council following the December 2014 election of elected councillors, as follows:**

- 1) Delete the words “, one member of the council who shall be a member of the College” from subsection (1);
- 2) Add the words “Subject to subsection (1.2),” at the beginning of subsection (1.1); and
- 3) Add a new subsection (1.2) as follows:  
“(1.2) The Chair of the professional liability program committee shall not be a member of any statutory committee of the College.”

**CARRIED**

*(Unanimously)*

FOR INFORMATION

Ms. Bolduc-O’Hare referred Council to the items listed for information – these included the renewal of the contract with ENCON; concerns with service of Marsh Canada; excess insurance coverage of an additional \$15 million for members; and a new file management system for PLP.

**8. ADOPTION OF MINUTES**

8.1 Minutes of the 400<sup>th</sup> Meeting of Council of November 14, 2013

There were some minor typographical errors identified and the minutes were approved, as amended.

**MOTION #1:**

**THAT Council adopts the minutes of the 400<sup>th</sup> Meeting of Council, as amended.**

**CARRIED**

*(Unanimously)*

**9. GOOD AND WELFARE**



**402<sup>nd</sup> Meeting of Council**

**March 6, 2014**

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Council members were invited to offer good and welfare comments on the meeting.

**10. DATE OF NEXT COUNCIL MEETING**

The next Council meeting will be held at the DoubleTree by Hilton Toronto Hotel, 108 Chestnut Street, Toronto on Thursday, June 12, 2014.

**11. ADJOURNMENT**

There being no further business, the meeting was adjourned at 2:00 p.m.

**SIGNED:**

\_\_\_\_\_  
Signature of Presiding Officer

\_\_\_\_\_  
Signature of Recording Officer

\_\_\_\_\_  
Date

ROYAL COLLEGE OF  
DENTAL SURGEONS OF ONTARIO

# BUSINESS CONTINUITY PLAN

November 2013



Royal College of  
Dental Surgeons of Ontario

*Ensuring Continued Trust*

6 Crescent Road  
Toronto, ON Canada M4W 1T1

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# PRINCIPLES OF CRISIS MANAGEMENT

- 1.** Prepare in advance and make as many preparations as possible in advance.
- 2.** Make sure the plan is agile, minimizing the number of people that need to be involved.
- 3.** Communications are essential. They must be efficient, accurate and detailed enough and appropriate to the various audiences: public, government and stakeholders.
- 4.** Any threat or crisis must be carefully analyzed to assess the risk to the College, its interests, Council and Committee members, and employees.
- 5.** Make preparations for the worst case scenario.
- 6.** The College's responses must be consistent with government's expectations.
- 7.** The College's actions during a declared emergency must be properly documented.



# EXECUTIVE SUMMARY

The Royal College of Dental Surgeons of Ontario (the College) is the governing body for dentists in Ontario. Our mission is to protect the public's right to quality dental services by providing leadership to the dental profession in self-regulation.

The College is aware of the importance of planning a response to business disruption as it is the licensing authority for the dental profession in Ontario and has a legislated responsibility to protect the public interest. To ensure that we are able to fulfill our mandate as set out in the *Regulated Health Professions Act*, the Health Professions Procedural Code, the *Dentistry Act*, the regulations passed under these statutes and the requirements of government, we have created a Business Continuity Plan (BCP).

The essential strategy is to attempt to mitigate risks inherent in a business interruption.

The plan consists of the following elements:

1. a risk assessment to determine where the College is most vulnerable;
2. analysis prioritizing the services impacted by interruption;
3. an outline of services deemed to be essential and must be maintained;
4. a governance structure during an emergency;
5. the creation and identification of an Emergency Management Team and its responsibilities;
6. an outline of critical records to protect the College's information which it has acquired as a regulatory body;
7. a communications process to address stakeholders during a business interruption;
8. an outline as to how the College will maintain its essential services when normal processes are not available.

The plan has specific objectives which include the following:

1. protection of employees
2. protection of the physical plant
3. protection of critical hard assets, such as technology infrastructure and information
4. meeting the College legal and regulatory responsibilities to members and the public
5. maintaining its essential services.

# 2

## DEFINITIONS

The following section contains definitions sourced and adapted from the Business Continuity Glossary, an initiative of the DRJ Editorial Advisory Board, and the DRII Certification Commission BC/DR Standards Subcommittee.<sup>1</sup>

**ALTERNATE SITE:** An alternate operating location to be used for business functions when the primary facilities are inaccessible: 1) Another location, computer centre or work area designated for recovery. 2) Location, other than the main facility, that can be used to conduct business functions. 3) A location, other than the normal facility, used to process data and/or conduct critical business functions in the event of a disaster.

**ASSET:** An item of property and/or component of a business activity/process owned by an organization. There are three types of assets: 1) physical assets, 2) financial assets, and 3) non-tangible assets (e.g. goodwill, reputation).

**BUSINESS CONTINUITY:** The ability of an organization to provide service and support for its customers and to maintain its viability before, during, and after the event.

**BUSINESS CONTINUITY PLAN:** A process of developing advance arrangements and procedures that enable an organization to respond to an event in such a manner that critical business function continue with planned levels of interruption or essential change.

**BUSINESS IMPACT ANALYSIS (BIA):** A process designed to prioritize business functions by assessing the potential quantitative (financial) and qualitative (non-financial) impact that might result if an organization was to experience a business continuity event.

**BUSINESS INTERRUPTION:** Any event, whether anticipated (i.e. public service strike) or unanticipated (i.e. a blackout) which disrupts the normal course of business operations at an organization's location.

**COLD SITE:** An alternate facility that already has in place the environmental infrastructure required to recover critical business functions or information systems, but does not have any pre-installed computer hardware, telecommunications equipment, communication lines etc. These must be provisioned at time of disaster.

**COLLECTION:** A group of materials with some unifying characteristics or the holdings of a repository.

**CORPORATE GOVERNANCE:** The system/process by which the directors and officers of an organization are required to carry out and discharge their legal, moral and regulatory accountabilities and responsibilities.

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<sup>1</sup> Source: <http://www.drj.com/glossary/glossleft.htm>

**CRITICAL BUSINESS FUNCTIONS:** The critical operational and/or business support functions that could not be interrupted or unavailable for more than a mandated or predetermined timeframe without significantly jeopardizing the organization. An example of a business function is a logical grouping of processes/activities that produce a product and/or service such as accounting, staffing, customer service, etc.

**DISASTER:** A sudden, unplanned catastrophic event causing unacceptable damage or loss: 1) An event that compromises an organization's ability to provide critical functions, processes, or services for some unacceptable period of time. 2) An event where an organization's management invokes their recovery plans.

**DISASTER RECOVERY PLAN:** The management-approved document that defines the resources, actions, tasks and data required to manage the technology recovery effort. Usually refers to the technology recovery effort.

**EMERGENCY:** An unexpected or impending situation that may cause injury, loss of life, destruction of property, or cause the interference, loss, or disruption of an organization's normal business operations to such an extent that it poses a threat.

**EMERGENCY CONTROL CENTRE (ECC):** The Command Centre used by the Emergency Management Team during the first phase of an event. An organization should have both primary and secondary locations for an ECC in case one of them becomes unavailable or inaccessible. The ECC can also serve as a reporting point for deliveries, services, media and other external contacts.

**EMERGENCY MANAGEMENT:** This is a dynamic process. Planning, though critical, is not the only component. Training, conducting drills, testing equipment and coordinating activities with the community are other important functions.

**EMERGENCY MANAGEMENT TEAM:** A team consisting of key executives, key role players (i.e., legal counsel, facilities manager, disaster recovery coordinator, etc.) and the appropriate business owners of critical functions who are responsible for recovery operations during a crisis.

**EMERGENCY PREPAREDNESS:** The process of preparing for, mitigating, responding to and recovering from an emergency.

**ESSENTIAL SERVICES:** Critical operational and/or business functions that cannot be interrupted or unavailable for more than a mandated or predetermined timeframe without significantly jeopardizing the mandate or legal obligations of the organization.

**HOT SITE:** An alternate facility that already has in place the computer, telecommunications, and environmental infrastructure required to recover critical business functions or information systems.

**IMPACT:** The effect, acceptable or unacceptable, of an event on an organization. The types of business impact are usually described as financial and non-financial and are further divided into specific types of impact.

**LOSS:** Unrecoverable resources that are redirected or removed as a result of a business continuity event. Such losses may be loss of life, revenue, market share, competitive stature, public image, facilities, or operational capability.

**OPERATIONAL RISK:** The risk of loss resulting from inadequate or failed procedures and controls. This includes loss from events related to technology and infrastructure, failure, business interruptions, staff related problems, and from external events such as regulatory changes.

**RISK:** Potential for exposure to loss.

**RISK ASSESSMENT/ANALYSIS:** A process of identifying risks to an organization, assessing critical functions necessary for an organization to continue its business operations, defining the controls in place to reduce the organization's exposure and evaluating the cost for such controls. Risk analysis also involves an evaluation of the probabilities of a particular event.

**SERVICE CONTINUITY:** The process and procedures required to maintain or recover critical services, (e.g. remote access or end-user support) during a business interruption.

**SERVICE LEVEL AGREEMENT (SLA):** A formal agreement between a service provider (internal or external) and their client (internal or external), which covers the nature, quality, availability, scope and response of the service provider. The SLA should cover day-to-day situations and disaster situations, as the need for the service may vary in a disaster.

**VITAL RECORDS:** Records essential to the continued functioning or reconstitution of an organization during and after an emergency and also those records essential to protecting the legal and financial rights of that organization and of the individuals directly affected by its activities.

**VITAL RECORDS PROGRAM:** This is a management regime for vital records which includes preventative and protection measures and procedures, retention requirements and locations, staff and service provider contact details together with documentation.

**WARM SITE:** An alternate processing site which is equipped with some hardware, and communications interfaces, electrical and environmental conditioning which is only capable of providing backup after additional provisioning, software or customization is performed.



# 3

## BROAD-BASED GOALS AND OBJECTIVES

Every organization is at risk from:

1. natural disasters (e.g. hurricanes, blizzards, floods and fire)
2. accidents (e.g. airplane crash, industrial explosions)
3. sabotage (e.g. cyber attacks, terrorism, hacker activity)
4. communications and service failures (e.g. power & energy disruptions)
5. environmental disasters (e.g. pollution and HAZMAT hazardous materials spills)
6. collateral impact (e.g. threat in neighbouring area)
7. infectious diseases (e.g. pandemic influenza)

The objective of any emergency plan is to minimize the impact of the emergency and to outline the organization's response to a crisis created by the emergency by providing specific directions to staff and to Council.

The objectives are also to enable the organization to attempt to function during the event of an emergency/ business disruption and do the following:

1. Provide governance and effective decision making.
2. Meet its legal and regulatory obligations.
3. Deliver its essential services.
4. Communicate with its staff, members, the public and significant stakeholders.
5. Provide support to its members and the public.
6. Protect as best as possible its physical plant, and its critical assets such as information and technology infrastructure.
7. Ensure the safety of its employees.
8. Collaborate with other health organizations and the Ministry of Health and Long-term Care.
9. Enhance its reputation and credibility with its members and the public.

# 4

## STEPS IN DEVELOPMENT OF THE PLAN

The processes for the creation of this business plan included discussions with other colleges, reviewing some of their processes, discussions and involvement with the management team at the College consisting of representing the following areas: Information Technology, Human Resources, Communications, Quality Assurance, Professional Conduct and Regulatory Affairs, Registration, Finance and Property and the Professional Liability Program.

In addition, this College already has emergency plans in place with respect to fire evacuation and a pandemic. There are also already in place data backup procedures, offsite storage procedures and record retention and destruction policies, governance by-laws and a workplace health and safety committee.

### 4.1 RISK ASSESSMENT

As part of the plan, we reviewed destructive events that can impact the normal running of the organization creating a crisis. These can be lumped into several general categories, as follows:

1. Health Emergencies – This includes SARS epidemic which gave rise to our pandemic planning.
2. Human Threats – These would include acts of war, riots and acts of terrorism.
3. Natural Threats – These would include flooding, ice storms and snow storms.

The most likely threats that would cause the most catastrophic impact on the College are the following in no particular order of importance:

1. act of terrorism
2. power outage
3. building fire
4. pandemic

Other events that are possible, but are either not as likely to cause major disruption to the College or are very unlikely to occur include:

1. labour dispute
2. computer viruses, network or internet failure
3. HVAC failure
4. burglary
5. gas leak
6. plumbing leak
7. flooding
8. collateral impact
9. major storm

## 4.2 BUSINESS IMPACT ANALYSIS

A business impact analysis took into account the following factors:

1. What are the essential services that must be delivered by the RCDSO according to our mandate?
2. Who are the core people required to deliver these essential services?
3. Do we have back-ups for people with the necessary skills to fulfill our mandate if there was a high level of absenteeism?
4. Can alternate methods of operation be used temporarily, such as other sites or working at home?
5. Who must manage the emergency plan?
6. What are the processes needed to deliver the essential services?

The essential services identified include:

1. registration and maintenance of the Register
2. management of incoming complaints letters for processing after termination of crisis
3. communications with the public, members, staff, government and Council
4. leadership from the Emergency Management Team
5. management of PLP affairs for processing after termination of crisis

## 4.3 KEY RECORDS PROGRAM

A key records program provides a framework for identifying, protecting and managing the RCDSO's vital records. This enables us to mitigate and reduce the risk of losing critical information required for the continued delivery of essential services.

The key records consist of the following components:

1. identification and documentation of the College's key records;
2. evaluation and implementation of appropriate protection methods for each group of key records;
3. development of procedures for managing the key records including the effective cycling, retention and destruction of these records in compliance with our records retention and destruction policy;
4. development of procedures for the retrieval and effective use of these records in the event of a business disruption;
5. identification of roles and responsibilities for the management in retrieval of key records.

Our current IT policy ensures that all data on servers is backed up each night to hard-disk and a weekly copy is stored on tape in a vault offsite. This enables us to recover our files and databases on replacement hardware to access key records.



# EMERGENCY RESPONSE

## 5.1 BUSINESS CONTINUITY RESPONSE AND RECOVERY STRATEGIES

We have categorized our vulnerability into three disaster situations as follows:

### 1. Pandemic event

The College response to a pandemic event has been documented in our Pandemic Plan and is not covered in this document. It, however, will be reviewed and updated.

### 2. Minor disruption

These might include an internal small power outage, a flood or small fire that would require the building to be evacuated and the College to be closed for a short period of time of less than a week.

In such a situation, the Emergency Management Team will choose a suitable and convenient location from which to meet and direct the College's emergency responses.

### 3. Major disruption

This would result in prolonged loss of access, possibly permanent to facilities and/or to our technology systems for more than a week. This might be caused by a major fire, an explosion, or flood.

In such a situation, the IT infrastructure is damaged and backup tapes are unable to be used for records recovery until the network is recreated. Neither telephone and mail are accessible. The College will choose a site where IT staff can work to recreate the network and e-mail and other communications.

If the server room is lost and an alternate facility is required, the most reasonable option would be an empty computer room equipped with internet access, server racks, air-conditioning, electric power and fire protection that is ready for installation of computer hardware as the proper equipment and furnishings need to be installed and the network and College systems created before operations can begin. This may take considerable time and effort.

## 5.2 CRISIS LEADERSHIP STRUCTURE

### RCDSO Emergency Governance Contingency Plan

In the event of a disaster, other Colleges have provided a by-law as to what is a declared emergency, as declared by the Registrar. For example, the College of Physicians and Surgeons (CPSO) states in its by-law:

**By-law no. 42 – Declared Emergency:**

Under CPSO By-law no. 42, an emergency is declared as follows:

*2. A declared emergency shall occur in any of the following circumstances:*

- (a) the Executive Committee has, by majority resolution, declared there to be an emergency;*
- (b) the Registrar has declared there to be an emergency provided that the Registrar may only do so if there has been a declared emergency under the Emergency Management and Civil Protection Act anywhere in the Province of Ontario and the Executive Committee is unable to meet within twenty-four (24) hours of such declaration.*

The by-law states that all members of Council immediately become members of the Registration Committee for the duration of the emergency:

*3. In the event of a declared emergency the following provisions shall apply to the governance of Council:*

- (a) the Registrar or the Executive Committee, as the case may be, shall give immediate notice to every member of Council that a declared emergency exists;*
- (b) all members of Council shall be ex-officio members of the Registration Committee*

Once an emergency has declared under the by-law the following occurs:

1. The Executive Committee will act in place of Council until the emergency is no longer.
2. The Registration Committee will continue as an essential service.
3. The terms of Committee members and members of Council will automatically be extended.
4. The Registrar, in consultation with the Executive Committee, will determine what other programs or activities of committee operations will be suspended.

In the event of the Executive Committee's inability to make decisions in a timely manner, the President or Registrar would have the ability to act and make such decisions as needed. Should either be unable to act, then a designate appointed by the Executive Committee would. This designate would consist of a team composed of a senior member of staff and a member of the Executive Committee.

**The Role of the Registrar**

In an emergency, the Registrar is responsible to direct the implementation of the College's emergency response. He is responsible for communicating with Council about the ongoing status of the event and any strategic or policy issues arising over the course of the event.

In the event there is a requirement for Council to meet, the College has teleconferencing capability. In the event that the President and Vice President are incapacitated or not available, Council will select an interim Chair, as set out in Council's corporate governance.

In the event that the Registrar is incapacitated or unavailable, another designate will be assigned. The Registrar will serve in a liaison role in dealings with the Ministry of Health and Long-Term Care and other key stakeholders.

The Registrar or delegate will chair the Emergency Management Team (EMT). He is responsible for the emergency response activities, as well as operational continuity of critical activities to support the recovery process. The Registrar is authorized to make executive leadership decisions on behalf of the College and the EMT. In the absence of any member of the EMT, the Registrar will assign designate(s).

### **Emergency Management Team**

The Emergency Management Team (EMT) will be chaired by the Registrar or delegate, and will be responsible for all operational decision-making, including internal and external activities and responses related to the disaster, such as:

- internal and external communications
- essential RCDSO services
- designation of a start and an end date to the emergency situation
- redeployment of staff resources
- building safety and security
- human resource policies

Events that will trigger a discussion about closing the RCDSO include:

- staff safety
- school closures and TTC/GO TRANSIT interruptions
- supply shortages
- power outages
- extent of staff absenteeism
- building security
- weather (In the event of a winter storm, there may not be road crews available to clean roads.)

The Emergency Management Team (EMT) will establish chains of command to control the flow of information and misinformation in the workplace. The team will also formulate cohesive management succession plans to help keep critical infrastructure operations and services in place in the event that absenteeism reaches significant levels.

When there is a state of declared emergency, the Emergency Management Team will be convened and the situation assessed. It will be the responsibility of the Emergency Management Team to decide whether or not to implement the Business Continuity Plan in whole or in part.

### **Make-up of Emergency Management Team**

The Emergency Management Team is comprised of the Registrar as Chair, the Senior Management Group, the President and Vice-President of the College. The Emergency Management Team will be enacted by the Registrar when an emergency is declared according to the College's by-law.

### **Centre of Operation During a Declared Emergency**

In the event none of the facilities are available at the College due to inaccessibility, danger to staff, or the lack of equipment and amenities, the Registrar shall select an alternate site from which to direct the RCDSO's emergency response and to conduct the critical business of the College.

### 5.3 CRISIS COMMUNICATION PLAN

1. The Registrar will chair the meetings and conference calls.
2. The Registrar, Communications Director, President or Vice President will serve as the media spokesperson.
3. Each senior manager and the Registrar will identify at least one other staff person who can serve as a backup in the event of unavailability or illness.
4. The office staff will support the Emergency Management Team.
5. Staff will check the College's website, voicemail and email and emergency messages if possible.
6. Managers will send updates to staff through office voicemail and email or to staff at home.
7. If available, the Emergency Management Team members will have information posted on the website, as well as leaving appropriate voicemail messages.
8. Staff will be directed to change their voicemail messages on their phones to explain the situation and give direction to callers about what to do. Communications will prepare the messaging.
9. The Human Resources Manager shall maintain an up-to-date list of staff contact numbers and non-college email addresses in a secure site other than the College premises and provide it to the Registrar and Director of Communications periodically.



# STRATEGIES BY AREA

Any disruption will require us to make priorities in our business operations and functions. It is contemplated that we will be prepared to suspend what is considered to be non-essential business functions for a period of time. What is non-essential business function at one time may change depending on the circumstances.

## 6.1 REGISTRAR'S OFFICE

Roles include:

1. Managing stakeholders relations and reactions.
2. Lead and support the RCDSO's Emergency Management Team.
3. Oversee staff and Council communications.
4. Manage relations with the Ministry of Health and Long-Term Care.
5. Organize teleconferences and/or meetings from a temporary site if required.
6. Confer with stakeholders as needed.
7. Lead the Emergency Management Team.

## 6.2 COMMUNICATIONS

Communications will play a major role in demonstrating that RCDSO leadership continues requiring the disseminating of sensitive and complex information to various audiences. The messaging will be prepared by the Director of Communications or her designate under the direction of the Registrar with the support of the Emergency Management Team:

1. to ensure an understanding of our response;
2. to identify and manage issues;
3. to dispel any speculation and incorrect facts that might lead to anxiety;
4. to reassure staff, members, public and stakeholders.

The College's communication strategy will include establishing a media spokesperson in the event of a disruption who shall be one of the following: the Registrar, the Director of Communications, the President or the Vice-President.

Internal communications will be important so that employees can be assured of accurate information on issues that may affect operations and their safety.

The College's internal intranet will have a section devoted to the emergency and will include updated staff contact lists and out-of-office contact phone numbers.

The phone system, as well, will be automated and contain information including an emergency hotline.



### 6.3 PRACTICE ADVISORY SERVICE

The main functions of the Practice Advisory Service of the Quality Assurance Department during an emergency or disruption will be to receive communications and provide information and advice to callers regarding the emergency plan and expectations.

With the assistance of the Director of Communications and under the direction of the Registrar, the staff in the Practice Advisory Service will:

1. prepare a fact and question and answer sheet;
2. create a message advising callers to leave a message on voicemail for staff to retrieve;
3. assign staff to manage the messages from remote locations;
4. create a message advising callers that non-emergency issues will not be handled as quickly as we would like.

### 6.4 INVESTIGATIONS AND HEARINGS

If possible and practicable, the functions of the Professional Conduct and Regulatory Affairs (PCRA) Department should continue and include, in order of priority:

1. Screen and conduct incapacity inquiries where necessary for dentists who are alleged to be incapacitated and/or who are believed or deemed to be at risk to cause harm to the public and/or themselves.
2. Screen and investigate complaints and reports involving dentists who are alleged to have serious clinical issues and/or who are believed or deemed to be at risk to cause harm to the public.
3. Hold hearings of the Discipline Committee, with priority based on the severity of the alleged conduct.
4. Investigate alleged illegal practitioners.
5. Arrange and conduct Inquiries Complaints and Reports Committee meetings.
6. Monitor Orders of the Inquiries Complaints and Reports Committee and Discipline Committee and requirements for Undertakings.

In the event the College is temporarily inaccessible for less than a week, but network, telecom, and server infrastructure are still intact and accessible through the internet, critical staff will be given secure access to the network to perform prioritized tasks. Appropriate notifications should also appear on the College's website.

In the event the College is inaccessible for a prolonged period of time, that is to say more than a week and the Registrar has, under the by-law, ordered a declared emergency:

1. Processes need to be in place for accepting complaints and triaging those complaints based on public interest and patient safety, likely off-site.
2. Processes need to be in place for accepting information regarding illegal practitioners and triaging that information based on public interest and patient safety, likely off-site;
3. Parties, public, and stakeholders will be alerted if the Discipline Committee cannot hold hearings involving dentists even if there is an alleged risk of harm because all of the people necessary for a hearing are unable to meet or evidence is unavailable.

4. Parties, public and stakeholders will be alerted if panels of the Inquiries Complaints and Reports Committee are unable to meet to dispose of complaints and reports.
5. In the event discipline hearings or meetings of the Inquiries Complaints and Reports Committee are able to be conducted off-site, processes need to be in place for alerting the parties, public and stakeholders, and for properly constituting panels of each committee.

## **6.5 PROFESSIONAL LIABILITY PROGRAM**

The functions of the Professional Liability Program must continue during a crisis situation where the Registrar has ordered a declared emergency. The priorities are:

1. patient protection
2. protection of the legal interest of PLP and its members
3. instruction of external defence counsel
4. response to time-sensitive enquiries from members and patients or their representatives
5. dealing with the College's insurer

The Professional Liability Program manager will have processes in place to communicate with members, defence counsel, plaintiffs or would-be plaintiffs and their counsel, the PLP Committee and the College's insurer. In the event that a patient requires urgent dental treatment necessitated by a member's alleged negligence, the manager will attempt to review the matter as quickly as is practicable in the circumstances and, where appropriate, work with the Director of Finance to provide an advance payment or settlement funds to the patient on an expedited basis.

## **6.6 REGISTRATION SERVICES**

The Registration functions along with the work of the Registration Committee have been identified as critical functions of the College.

The functions of the Registration Department and Registration Committee are:

1. answering inquiries related to the registration requirements and processes.
2. receiving/reviewing applications and supporting documentation for registration.
3. verifying credentials required for registration.
4. issuing licences to practise /HPC's/Sedation & CT Scanner Permits.
5. reviewing jurisdiction notices from other regulatory bodies and sending of RCDSO jurisdiction notices to other regulatory bodies.

During a minor disruption where the facility is temporarily physically inaccessible for less than a week, but network, telecom, server infrastructure still intact and accessible through internet, critical staff would be given secure access to the network to perform the tasks outlined below:

1. Applications that were on the verge of being completed just prior to the disruption will be processed and these licences will be issued.

2. New applications and those for which all the requirements were not completed will be put on hold until the disruption is terminated.

#### **Maintaining the public register current**

1. During a declared emergency, it will not be possible to maintain the Dentist Search function on the website current.
2. There will be a section of the website listing the dentists who have been registered since the business disruption occurred.
3. An Emergency Registration Information page on College website will be created to provide guidance for expedited registration. It will have FAQs to answer common registration related inquiries. There will be a clear statement assuring the public that during the emergency, the register (via Dentist Search) cannot be accessed, but that a list of dentists registered since the declaration of an emergency began will be available on the website on a specified page.

## **6.7 HUMAN RESOURCES**

The functions of the Human Resources Department which must continue in a crisis situation are:

1. creation of staff policies to be in place during a disruption and the application of those policies;
2. documentation of staff work hours and attendance.

#### **Compensation and Benefit Issues**

1. College staff will continue to be paid during the declared emergency.
2. The College will continue to pay all health related benefits.

## **6.8 FINANCE SERVICES**

Functions of Finance Department that will continue in a crisis situation are:

1. payroll
2. accounts payable
3. accounts receivable
4. investments management
5. contracts and agreements management
6. annual renewal \*(if emergency situation is long term).

During a minor disruption when the facility is temporarily physically inaccessible for less than a week, but network, telecom, server infrastructure still intact and accessible through internet, the Finance Department will:

1. prepare letter to bank stating who the signing officers will be during an emergency.
2. identify method to ensure continued payroll processing during a disruption.
3. postpone printing of accounts payable cheques until disruption is terminated.

During a major disruption when the facility is closed for a prolonged period of time for more than a week and infrastructure is irretrievably damaged:

1. Banking protocol may need to be changed. Currently the cheque producing process requires two signatures on a cheque. This policy would be changed so that during a disaster only one signature would be required. A letter needs to be drafted and signed by the Registrar informing the bank of the change in procedure. This letter should be kept in a secure place.
2. The ability to transfer funds between accounts needs to be confirmed.
3. The process for contacting company administering payroll is in place.
4. Changes in protocol with banking and investment groups must be identified.
5. Changes in protocol with Great West Life must be identified.
6. List of critical suppliers and payment options must be identified.
7. Protocol for online payment options for members must be addressed.



## EXTENDED TERMS FOR COUNCIL AND COMMITTEE MEMBERS

Declaration of an emergency would also immediately extend the term of Council and committee members. Under normal circumstances, the term of office of a Council member elected in a regular election is two years<sup>2</sup> and that of a committee member expires at the regular meeting of Council which next occurs after the member's appointment.<sup>3</sup> Extending Council and committee members' terms during an emergency ensures the positions would remain filled while regular nominations and elections processes were suspended.

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<sup>2</sup> Section 5 of the RCDSO By-Law #6

<sup>3</sup> Section 4(2) of the RCDSO General By-Law

# 8

## SUSPENSION OF SCHEDULED COUNCIL MEETINGS

Council is required to hold at least three regular meetings each year.<sup>4</sup> However, under the plan, Council duties will have been adopted by the Executive Committee. It will therefore rest with the Executive Committee to evaluate whether these meetings are necessary. Council's responsibility for carrying out these meetings on a yearly basis will resume when the emergency period has ended.

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<sup>4</sup> Section 10 of the Code

# 9

## SUSPENSION OF OTHER COMMITTEES (NON-ESSENTIAL)

Under the Code, the College is required to have the following committees:<sup>5</sup>

1. Executive Committee
2. Registration Committee
3. Inquiries, Complaints and Reports Committee
4. Discipline Committee
5. Fitness to Practise Committee
6. Quality Assurance Committee
7. Patient Relations Committee

While plans have been outlined for the Executive and Registration Committees, it is unlikely that other College functions will have the same priority. As a result, committee operations may be suspended and not resumed until there has been a formal end to the period of emergency.

# 10

## INDEMNIFICATION OF COUNCILLORS AND STAFF

Councillors and staff will be indemnified for all College actions and duties carried out in good faith during an emergency. Indemnification is normally provided to all College councillors and this will continue throughout the entirety of any emergency period. Non-councillors will be identified.