



Registrar’s Report for 2019 Q4

November 30, 2019

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What to expect from this report?

The quarterly Registrar’s Report serves as a vehicle for the Registrar to render account for his or her duties under the *Registered Human Resources Professionals Act, 2013* and the HRPB By-laws. The quarterly Registrar’s Report reports on activities of HRPB’s statutory and standing regulatory committees in the last quarter. In addition, the Registrar’s Report also reports on notable events in the field of professional regulation on important regulatory projects at HRPB.

The Registrar’s Report focuses on ‘activities and outputs,’ other reports focus on other aspects. For instance, the annual *Board oversight of statutory and standing regulatory committees report* focuses on those activities and initiatives designed to ensure that HRPB’s statutory and standing regulatory committees are doing their work well (as opposed to simply the number of referrals processed). Other *ad hoc* reports have explored other aspects of performance as a professional regulatory body. For instance, the Regulatory Practices Audit (aka. the *Gold Standard* review) which HRPB conducted in 2013 focused on regulatory practices—whether HRPB is doing the right things. HRPB’s *Regulatory Outcome Scorecard*, developed in 2017, was an exploration of what outcomes-based measurement could look like at HRPB.

Trends and issues in professional regulation

A lot is going on in the field of professional regulation these days. The trends and issues for Q4 2019 were as follows:

- Modernizing the health profession regulatory framework in BC: A paper for consultation
- College Performance Measurement Framework (CPMF)
- CNAR 2019 Annual Conference
- What makes a good regulator?
- PSA updates its Standards of Good Regulation
- A review of complaints processes and outcomes conducted for the College and Association of Registered Nurses of Alberta
- Troubles at the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario (CTCMPAO)
- 2019 Annual statutory and standing regulatory committees development event and reception

Modernizing the health profession regulatory framework in BC: A paper for consultation

On November 27, 2019, the Minister of Health of British Columbia released a consultation paper entitled '*Modernizing the Provincial Health Profession Regulatory Framework.*' The paper proposes sweeping changes to the regulatory framework for health professions in British Columbia. Although the proposals only apply to regulated health professions in British Columbia, the impact of these proposals is likely to be felt throughout the professional regulatory sector in Canada not only because of the scale and scope of the proposed changes but also because the proposed changes challenge the basic assumptions of professional self-regulation.

The Steering Committee on Modernization of Health Professional Regulation took over where the 'Cayton Report' left off. The Cayton Report refers to the December 2018 report of the inquiry into the performance of the College of Dental Surgeons of British Columbia and the Health Professions Act. In this report, Harry Cayton, an international expert in professional regulation, was highly critical of the system of professional self-regulation which presently governs health professions in BC. The Cayton Report called for a complete overhaul of the self-regulation regime in British Columbia, including redrafting their *Health Professions Act* and forming a single centralized regulatory body.

It should be noted that the BC government has not shied from making changes to professional regulation regimes recently. In June 2016, BC took self-regulation away from real estate brokers by placing them under the direct oversight of the Superintendent of Real Estate. Then, in November 2018, the BC government passed the Professional Governance Act which established the Office of the Superintendent of Professional Governance which currently oversees *Applied Science Technologists and Technicians, Foresters, Agrologists, Applied Biologists and Engineers and Geoscientists*, but with a mechanism to add new professions to the list. This Superintendent of Professional Governance has the authority to standardize expectations of governance, to take various actions to protect the public, to appeal registration and discipline decisions, to appoint public administrators, to conduct audits of the

professional regulatory bodies under its oversight, to grant practice rights, and to designate new professions and amalgamate professions.

The present consultation paper identifies four problems with the current model of professional regulation. The current model of regulation:

1. has enabled cultures that can sometimes promote the interests of professions over the interests of the public;
2. is not keeping up with the changing health service delivery environment, particularly in relation to interprofessional team-based care;
3. is not meeting changing patient and family expectations regarding transparency and accountability; and
4. is inefficient.

The first problem is known as ‘regulatory capture’—which is the cardinal sin for professional regulatory bodies. It had always been known that regulatory capture was the Achilles’ Heel of self-regulation. What is notable here is that the Minister is validating, in a very public way, the belief that many critics of self-regulation have expressed—that many professional regulatory bodies are acting as ‘captured’ entities. Another important aspect here is that the Minister has accepted that these problems are severe enough to require strong action and that these problems are ‘deep’ problems requiring substantial structural changes to fix.

The nineteen proposals contained in the discussion paper can be regrouped under five headings:

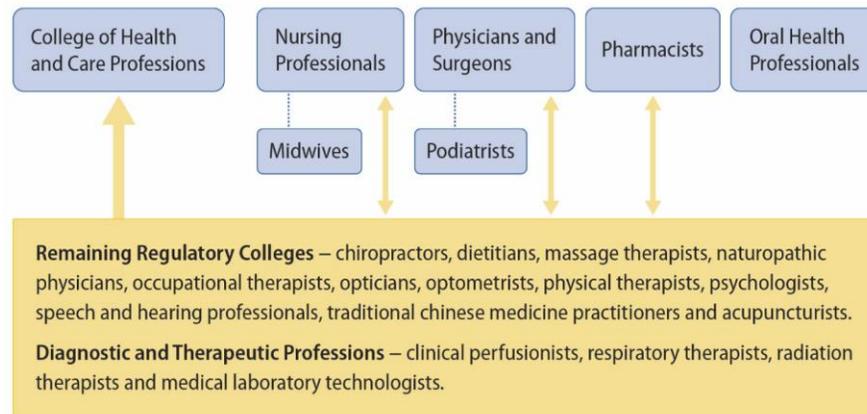
Governance. Professional regulatory bodies would be governed by a Board consisting of 8 - 12 Board members, half of whom should be members of the public. Board members would be compensated such that they would no longer be viewed as volunteers. Board members would be selected through a competency-based process overseen by an independent oversight body and appointed by the government.

Reduction in the Number of Colleges. The number of professional regulatory bodies would go from twenty down to five: Nursing, Medicine, Pharmacy, Oral Health Professions, and a Health and Care Professions College which would oversee all other currently regulated health professions.

Oversight Body. An independent professional regulation oversight body would be established. This oversight body would have a broad mandate that would include auditing, reviewing and investigating the performance of the professional regulatory bodies, creating template standards, approving bylaws put forward by the professional regulatory bodies, recommending changes to the regulation of health professions, and operating a single public register of all health practitioners.

Complaints. Complaints would still be handled by the professional regulatory bodies but through a more streamlined process with timelines for individual stages in the process. Agreements with professionals arising from the resolution of complaints would be posted on the public register. The proposals would also enable greater sharing of information amongst “health system stakeholders”.

Discipline. Discipline proceedings, however, would be conducted not by the professional regulatory body but by independent discipline panels comprised of professionals from various disciplines and managed by the oversight body.



The main reason why this consultation paper is important is that it challenges some core assumptions underlying self-regulation, not directly but in the nature of the solutions proposed.

Specifically, the proposed changes to the regulation of health professions in BC reject four basic assumptions of professional self-regulation:

1. Professionals, because they are professionals, can be counted on to set aside self-interest and govern their professions in the public interest
2. Only members of a profession can govern and regulate their profession
3. Self-regulation is necessary for professionals to support regulation
4. Self-regulation is an integral part of the social contract between professions and society

The first assumption that is challenged by the proposed framework for professional regulation is that professionals are special. It has always been assumed that professionals, precisely because they are professionals, had the maturity and public service mindset that would allow them to set aside the parochial interests of the profession and regulate their profession in the public interest. The proposals are much less trusting of professionals. It is no longer assumed that in the context of professional regulation professionals are able to reliably place the interests of the public above those of the profession.

The second important assumption of self-regulation challenged is that only members of the profession are competent to make judgments about the clinical practice of the profession and therefore that only members of the profession can regulate the profession. The assumption that only members of the profession are competent to make judgments about the clinical practice of the profession remains, but the second part—that only members of the profession can regulate the profession—is rejected. It is recognized that profession-specific knowledge and experience is required in the investigation of complaints, but that this does not generalize to regulating the profession. Regulatory colleges and

their inquiry committees would continue to be responsible for the investigation of complaints. Beyond that, however, profession-specific knowledge and experience is not required.

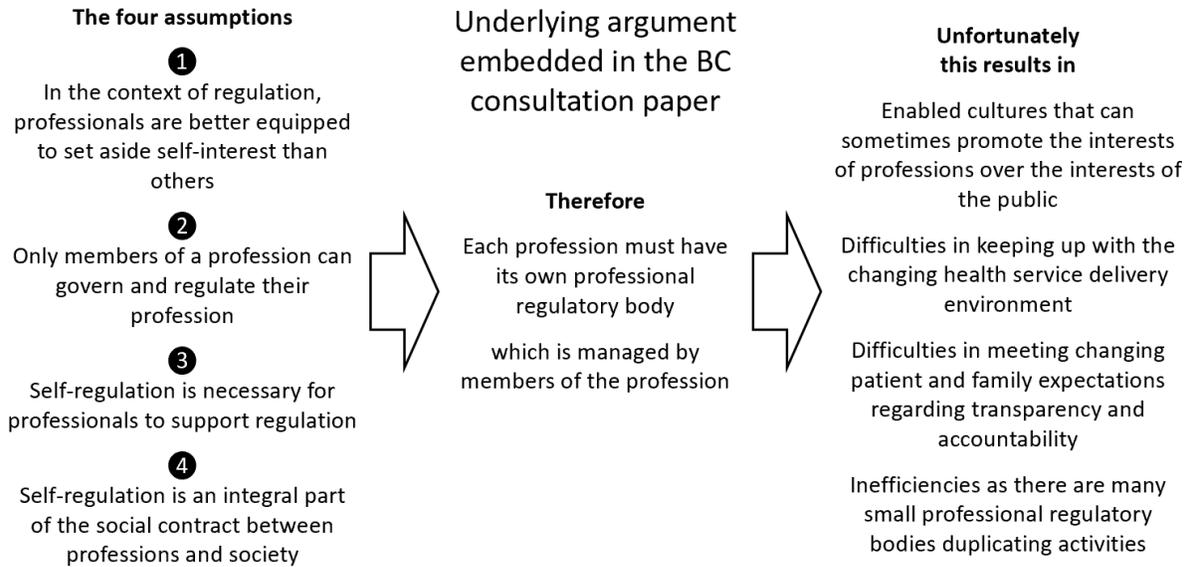
The third assumption challenged is that self-regulation is necessary to ensure the acceptance of regulation on the part of members of the profession. Clearly, the proposals in this consultation paper will change the relationship most professionals have with their professional regulatory body, especially for members of professions which would fall under the jurisdiction of multi-profession regulatory bodies. To the extent that the same arrangements which enhance the acceptance of regulation on the part of members of a profession also create the problems identified with self-regulation—regulatory capture, inability to effectively protect the public when services are delivered in a team-based environment, lack of transparency and accountability, and inefficiencies—then it is the professionals who are going to have to adapt. This is a situation where government seems to have decided that the loss of public confidence in the ability of members of a profession to govern themselves in the public interest is a greater problem than the possibility of lesser acceptance of regulation on the part of members of the profession.

Finally, many understand self-regulation to be an integral part of the social contract between professions and society—any change to self-regulation is tantamount to a renegotiation of the social contract. Sullivan (1995) put it as follows¹:

“In Canada and the United States the social basis of the extraordinary grant of occupational authority and independence to professionalized occupations such as medicine and law has been a social contract between the profession and the public. ... In exchange for a grant of authority to control key aspects of their market and working conditions through licensing and credentialing, professionals are expected to maintain high standards of competence and moral responsibility.”

Clearly, the proposed changes are a renegotiation of the social contract. It does not negate the contract entirely in that the regulation of the professions is still exceptional, but not as open-ended as it used to be.

¹ Sullivan, W.M. (2000). Medicine under threat: Professionalism and professional identity, *Canadian Medical Association Journal*, 162(5), 673-675.



Once those four assumptions are no longer held to be true, all sorts of alternative regulatory arrangements become possible—balanced boards appointed by government based on competencies, multi-profession professional regulatory bodies, an oversight body, and so on. So, it is not the specific proposals contained in this consultation paper, it is the changes in the basic assumptions underlying self-regulation that will have an impact well beyond the health professions in BC.

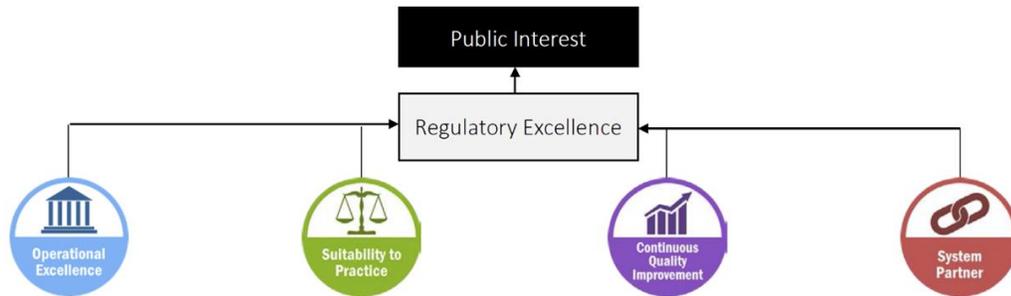
Although these portend dramatic changes to the professional regulation landscape in Canada, some will welcome these changes. The erosion of public confidence in the work of professional regulatory bodies is making life increasingly uncomfortable for many regulators. This would be an opportunity to hit the reset button.

Of course, these are just proposals at this stage. The public consultation will accept feedback from November 27, 2019 to January 10, 2020.

College Performance Measurement Framework (CPMF)

On October 18, 2019, the College Performance Measurement Framework (CPMF) Working Group revealed its proposed performance measurement framework. The CPMF is a practice-based framework that would be used to measure the performance of Ontario’s twenty-three health professional regulatory bodies. Claude Balthazard, Registrar and VP Regulation, is a member of the CPMF Working Group. The College Performance Measurement Framework document references HRPAs in several places in relation to the *Regulatory Practices Audit* (2013), the *Review of Measurement Practices of Professional Regulatory Bodies* (2017) and the *Practice-based measurement for professional regulators* (2019).

The framework comprises eighteen standards organized under four domains.



Operational excellence: *How well does a College ensure that its governance and operations are transparent, effective and efficient in serving and protecting the public interest?*

Suitability to practice: *How well does a College ensure that only qualified individuals who demonstrate that they are competent and safe are practicing?*

Continuous quality improvement: *How well does a College ensure sustained competence and quality of care is delivered by all registrants?*

System partner: *How well does a College help ensure that those in need of care are able to access qualified health professionals when and where they need them? And how responsive is a College in addressing the changing practice environment of its registrants?*

The real achievement here is that the twenty-six health colleges were able to arrive at a common definition of performance. Although the framework will certainly evolve, the twenty-six health colleges agreed to move forward with the Framework.

Why does this matter to HRPAs?

For some time, various Canadian professional regulatory bodies have turned to the Professional Standards Authority in the UK for external reviews of their performance. These reviews used the PSA's *Standards of Good Regulation* framework. The College Performance Measurement Framework (CPMF) brings this approach to *all* health professional regulatory bodies in Ontario. The introduction of the CPMF signals a new emphasis on performance and accountability for health professional regulatory bodies in Ontario. It would not be surprising if this, in turn, increased the pressure on other professional regulatory bodies in Ontario to adopt and implement similar performance measurement frameworks.

The work of the CPMF Working Group is not done, however. Over the next year or so, the Working Group will focus its attention on the operationalization of the Framework.

CNAR 2019 Annual Conference

CNAR stands for Canadian Network of Agencies for Regulation. CNAR's Annual Conference, held in the fall of each year, has become *the* conference for professional regulators in Canada. HRPAs' Registrar and VP Regulation was co-chair of the conference with Heather Cutcliffe, Registrar, PEI College of Occupational Therapists.

This year, registration for the CNAR Annual Conference topped 550 registrants. Although the location—Quebec City—may have helped, the strong attendance at this year’s CNAR conference is also likely because the winds of change are being felt throughout the professional regulatory community in Canada. Governments are getting involved and passing legislation, and several professional regulatory bodies have been the subject of external reviews—some initiated by the professional regulatory body, some by government. For years, the word was that *‘change is coming’*—well, it has for many and it is just the beginning. Not surprisingly professional regulatory bodies are eager to better understand how their environment is changing and how best to adapt to this changing environment.

Two presentations were standing room only:

- *The "New Deal" in Professional Regulation: A View from the Balcony* presented by Greg Cavouras, Legal Counsel, Director of Professional Conduct & Illegal Practice, Architectural Institute of British Columbia, and Thomas M. Lutes, General Counsel, Deputy CEO, Architectural Institute of British Columbia.

The presentation provided a clear, insightful and up-to-the-minute review of the changes in the professional regulation environment. *“Don’t run from change, there’s no place to hide.”*

- *Who’s Looking over Your Shoulder? Risks, Challenges and Opportunities for Regulators Facing Oversight* presented by Ann English, Chief Executive Officer & Registrar, Engineers and Geoscientists British Columbia and Erin Seeley, Executive Officer, Real Estate Council of British Columbia, and moderated by Gregory Sim, Partner, Field Law.

The room was overflowing. What both bodies have in common is that both have recently seen fundamental changes in the oversight of their activities.

Real estate agents and brokers in BC lost the privilege of self regulation in June 2016. The Real Estate Council of BC, which governs real estate agents and brokers in BC, still exists as a body but is now a crown agency with a 100% government appointed board and reports to the Superintendent of Real Estate.

The *Professional Governance Act* (BC) was passed on November 27, 2018. This *Act* created an oversight body initially for five professional regulatory bodies but with the possibility of adding more professions in the future. The Engineers and Geoscientists British Columbia (EGBC) did not lose self-regulation but now falls under the oversight of the Superintendent of Professional Governance. The presentation detailed the context and events that lead to these changes and the challenges ahead for each organization.

What makes a good regulator?

Richard Steinecke, of Steinecke Maciura LeBlanc, assembled a team of presenters/facilitators to deliver a full-day pre-conference workshop at this year’s CNAR conference on the topic of *What Makes a Good Regulator?* A member of the team took the lead in making a brief presentation on one of the topics

which was followed by facilitated table discussions for each topic. According to Steinecke *et al*, good regulators:

1. Implement risk-based regulation
2. Measure their performance as a professional regulatory body
3. Conduct reviews of key processes such as complaints handling
4. Implement governance reform
5. Operate in a truly transparent manner
6. Are aware that enhanced oversight of professional regulatory bodies may well happen

As part of the Steinecke team, HRPAs Registrar presented on using practice-based measures of performance for professional regulatory bodies. The session was very well attended—which is not surprising given that the six topics are very much at the top of the list for many professional regulatory bodies.

More information on *What Makes a Good Regulator?* can be found on the Steinecke Maciura LeBlanc website--<https://www.sml-law.com/wp-content/uploads/2019/11/What-Makes-a-Good-Regulator-Highlights.pdf>.

PSA updates its *Standards of Good Regulation*

In 2020, the Professional Standards Authority (PSA) will begin using their revised *Standards of Good Regulation* which were developed in 2018. Although the *Standards of Good Regulation* were developed by the PSA for use in assessing the performance of professional regulatory bodies that regulate health professionals in the UK and social workers in England, the same standards have been used by the PSA to assess the performance of several Canadian professional regulatory bodies (see Table 1 below). Many in Canada will take note of this latest revision to the *Standards of Good Regulation*.

Table 1: Reports written by the Professional Standards Authority (PSA) on Canadian professional regulatory bodies

Report	Date
A review conducted for the Royal College of Dental Surgeons of Ontario	June 2013
Program Review of the Ontario Personal Support Worker Registry	January 2016
A review conducted for the College of Registered Nurses of British Columbia	April 2016
A legislation and governance review conducted for Engineers and Geoscientists British Columbia	June 2018
An Inquiry into the performance of the College of Dental Surgeons of British Columbia and the Health Professions Act	December 2018

A review of the regulatory performance of Professional Engineers Ontario	April 2019
A review conducted for the Saskatchewan Registered Nurses Association	May 2019
A review of complaints processes and outcomes conducted for the College and Association of Registered Nurses of Alberta	September 2019

The current version of the *Standards* dates to 2010, with very minor revision in 2016. The 2018 Standards will see the number of standards drop from twenty-four to eighteen, but the number of functions increase from four to five.

The four regulatory functions in the 2010 *Standards* were *guidance and standards, education and training, registration, and fitness to practice*. The 2018 Standards add a fifth function called *General Standards*, which addresses some aspects of governance and diversity. The *General Standards* cut across the other functions.

The new PSA *Standards of Good Regulation* will appear familiar. Indeed, HRPAs have been using this 5-function model since 2013. The labels are a bit different, and some aspects are a slightly different, but the two frameworks are very similar.

Incidentally, the PSA has also developed standards for voluntary registers². These standards are used to accredit organisations holding registers for people in health and care occupations not regulated by law. Registration with these organizations is voluntary.

Table 2: Correspondence between HRPAs’ regulatory framework and the Professional Standards Authority’s 2018 Standards of Good Regulation

HRPA	Professional Standards Authority (2018)
Regulatory activity coordination and policy formulation	General standards
Stakeholder education	
Quality assurance	Guidance and standards Education and Training
Registration and certification	Registration Education and Training
Complaints and discipline	Fitness to practice

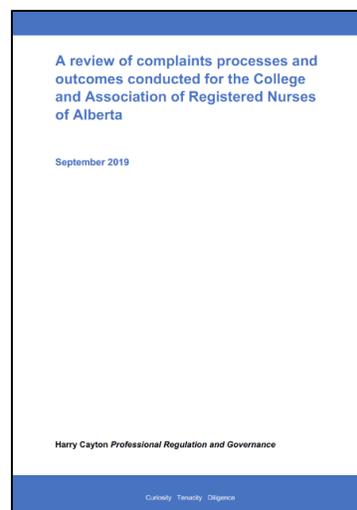
² Professional Standards Authority (2016). *Standards for Accredited Registers*.

A review of complaints processes and outcomes conducted for the College and Association of Registered Nurses of Alberta (CARNA)

This review of CARNA’s complaints and discipline processes and outcomes was commissioned by the College and Association of Registered Nurses of Alberta (CARNA) in June 2019. It was conducted by Harry Cayton and Kate Webb between July and September 2019. This report follows in the footsteps of the review conducted by the Professional Standards Authority for the Saskatchewan Registered Nurses Association published in May 2019. This report is notable because it is the first post-PSA review authored by Harry Cayton.

CARNA’s complaints and discipline processes and outcomes were assessed against the ten *Fitness to Practice* standards from the current *Standards of Good Regulation* developed by the Professional Standards Authority in the UK.

The review concluded that CARNA met six out of ten standards and did not meet four of the standards. In the review conducted for the Saskatchewan Registered Nurses Association, it was found that the SRNA met four out of ten *Standards of Good Regulation* for complaints, investigations and discipline and did not meet six. Previously, in 2016, the Professional Standards Authority had conducted a review of the regulatory practices of the College of Registered Nurses of British Columbia (CRNBC). In the review conducted for the College of Registered Nurses of British Columbia, it was found that the CRNBC did not meet four of the ten *Standards of Good Regulation* for Complaints but that it met the remaining six standards although it performed inconsistently against one of the standards.



These reports continue to be of interest to professional regulatory bodies because it is impossible to read any of these reports without thinking of how ones own professional regulatory body would fare if it undertook a similar review.

Troubles at the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario

On October 16, 2019, the Minister of Health sent a letter to the President of the College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario (CTCMPAO) informing the College that the ministry would be conducting an information gathering exercise at the College. The ministry engaged the services of Ms. Shenda Tanchak of Magnetic North Consulting to conduct this information gathering exercise. Of note was that the information gathering exercise would begin on the day it was announced.

“The ministry is undertaking this work to ensure that the profession of traditional Chinese medicine is being regulated and co-ordinated in the public interest. The work will assist the ministry in determining if recent decision-making and overall governance

practices of the College, its Council and its statutory committees are consistent with best practices commonly found amongst health regulatory colleges.”

There have been no public updates on the information gathering exercise. These will be made public.

Important professional regulation projects at HRP A in Q4 2019

There are two important professional regulation projects currently underway at HRP A:

- a. The Professional Liability Insurance project
- b. The Student registration class project

The Professional Liability Insurance project

At HRP A, all registrants in independent practice are required to obtain professional liability insurance and to notify the Registrar of these arrangements. The Professional Liability Insurance requirement is a practice standard established by by-law. And yet, the proportion of HRP A registrants who comply with the practice standard remains very low. The compliance rate for the Professional Liability Insurance practice standard is calculated to be 38% but could be significantly lower.



The Professional Liability Insurance practice standard applies to all registrants in independent practice: members, students and firms.

Background

The professional liability insurance practice standard was introduced in 2009 as part of the *HRPA Rules of Professional Conduct*. There is also a whole section of the HRP A By-laws devoted to the Professional Liability Insurance requirement. The HRP A By-laws state:

“On an annual basis upon Registration renewal, Members, Students and Firms shall confirm that they have maintained their professional liability insurance coverage. Members, Students and Firms shall also notify HRP A immediately of any change in their insurance coverage, including the cancellation of the insurance coverage, the reduction of the insurance coverage as well as any change of the insurance broker.”

The public register indicates as “authorized for independent practice” those individuals who have notified the Registrar that they have professional liability insurance and, at least at one point in time, provided the Registrar with satisfactory proof of such insurance in the form of a copy of the insurance certificate. The initial registration form and the annual renewal of registration forms both include fields to indicate that one is in independent practice and an attestation that one has obtained professional

liability insurance, as well as a reminder to registrants of the need to provide proof of such to the Registrar.

The compliance rate is simply the number of members, students, or firms that have obtained professional liability insurance and notified the Registrar of such arrangements divided by the number of members, students, or firms in independent practice.

$$PLI \text{ Compliance Rate} = \frac{\text{The number of members, firms and students in independent practice who are in compliance with the Professional Liability Insurance requirement}}{\text{The number of members, firms and students in independent practice}} \times 100\%$$

The number of members, firms and students in independent practice is derived from responses to the HRP A Member and Student Survey. The survey asks respondents to indicate their type of practice which includes two independent practice options:

- for HR professionals offering HR services as an independent practitioner either full-time, part-time or occasionally, and
- for full-time HR employee who do some consulting on the side

In 2018, 120 registrants indicated that they offer HR services as independent practitioners either full-time, part-time or occasionally, and 28 indicated that they were full-time HR employees who do some consulting on the side. This means that 148 out of 2334 survey respondents indicated that they were in independent practice. Under the assumption that the survey sample is representative of the registrant population, it is possible to get an estimate of the number of HRP A registrants who are subject to the professional liability insurance requirement.

$$148 \times \frac{23978}{2334} = 1520$$

Dividing the number of registrants who have submitted their professional liability information to the Registrar by the estimated number of HRP A registrants who are subject to the requirement gives an estimate of the compliance rate. On April 4, 2018, the day the 2018 HRP A Member and Student Survey was launched, the number of registrants who had submitted their professional liability information to the Registrar was 572. This gives a compliance rate of 38%.

$$PLI \text{ Compliance rate} = \frac{572}{1520} \times 100\% = 38\%$$

Why do we believe this compliance rate may be an overestimate?

The number of members, firms and students in independent practice who are in compliance with the Professional Liability Insurance practice standard (the numerator) may be an overestimate because it includes all members, firms and students who submitted the required information at some time but who did not update the information as required by the By-laws.

The number of members, firms and students that are in independent practice (the numerator) may be an underestimate. Our estimate of the number of members, firms and students that are in independent practice is based on self-report. A review of the public register revealed that there were a good number of registrants with business names that include terms such as ‘consulting,’ ‘consultants’ or ‘associates’ that did not submit any Professional Liability Insurance information. The public register entry for these members, firms and students does indicate that they are not authorized for independent practice, but it is quite likely that they are nevertheless practicing independently. Based on this information, the Professional Liability Insurance compliance rate was calculated to be 17%. In addition, based on anecdotal evidence, there appears to be a number of members, firms and students who are in independent practice but who have not identified themselves as being in independent practice.³

Both suggest that the calculated Professional Liability Insurance compliance rate is an overestimate—the degree of overestimation, however, is difficult to estimate.

Sidebar on self-report of compliance

The 2018 HRPAs Member and Student Survey also included the following question “*Do you carry Professional Liability (“Errors & Omissions”) Insurance?*” Of those 148 respondents who indicated that they were in independent practice in the survey, 108 indicated that they carried professional liability insurance.

$$\frac{108}{148} \times 100\% = 73\%$$

It is possible that there is a bias in the sample in that those who respond to the HRPAs Member and Student Survey are also more likely to comply with requirements such as the Professional Liability Insurance requirement. Nonetheless, 27% of registrants completing the HRPAs Member and Student Survey indicated that they were not in compliance with the professional liability insurance requirement. This is similar to the responses for the question as to whether registrants would notify the Registrar if they were to experience a bankruptcy or insolvency event as they are required to do by law, where 22% of respondents indicated that they would not notify the Registrar or were unsure whether they would notify the Registrar were they to experience a bankruptcy or insolvency event.

The Professional Liability Insurance project

The first step will be to remind all those currently “authorized for independent practice,” and all those who indicated that they were in independent practice in the last year of the requirement to submit proof of insurance to the Registrar.

³ There is the question of ‘*when is one practicing Human Resources?*’ The Professional Liability Insurance requirement applies to ‘any Member, Student or Firm, providing Human Resources services to the public either on a full-time, part-time, or occasional basis and whether for remuneration or pro bono.’ ‘Human Resources services’ are defined as any activity that falls within the Human Resources scope of practice as set out in the HRPAs Rules of Professional Conduct.

There will be follow up with the members and students who indicated that they were in independent practice. Those who have not submitted the requisite documentation after 30 days will be sent a reminder email. Applicants who indicate that they are in independent practice will not be allowed to complete the registration process until the requisite information is received. Eventually, HRPAA will want to make the verification process more robust. Also, an audit process akin to the CPD audit will be added.

There will be a renewed effort at educating our registrants as to the requirement for members and students in independent practice to obtain professional liability insurance and to provide the required supporting documentation to the Registrar.

More on the Professional Liability Insurance project will follow in future Registrar's Reports.

The Student registration project

Individuals registered in the Student registration class will (hopefully) complete their studies and will transfer to a member registration class. In the past, individuals registered in the student class would indicate an expected graduation date, and it is this date that was used in transferring individuals from student to one of the membership classes. This transferring of individuals from the Student registration class to a member registration class is a manual process and is done before the renewal invoices are generated in January of each year.

In carrying out this process in January 2019, it was found that there was a very high rate of missing data in the 'expected graduation date' field. In fact, 51% of the data was missing in this field.

A project was begun in Q4 2019 that would see all individuals registered in the Student class with missing data being contacted to complete their record. This information will be used to generate accurate 2020-2021 renewal invoices.

Public register

Table 3: Registration change by class

	Total November 30, 2018	Total December 3, 2019	Net gain (loss)	Percentage gain (loss)
Certified Human Resources Executive (CHRE)	269	270	1	0.4%
Certified Human Resources Leader (CHRL)	9076	9613	537	5.9%
Certified Human Resources Professional (CHRP)	5184	4766	-418	-8.1%
Practitioner	5892	6751	859	14.6%
Allied Professional	252	242	-10	-4.0%
Student	2775	1115	-1660	-59.8%
Total registrants	23444	22757	-691	-2.9%

This table gives the net registration gain (loss) between November 30, 2018, and December 3, 2019, for each registration class. Overall, HRPA lost 691 registrants between November 30, 2018, and December 3, 2019. This represents a loss of 2.9%.

The picture, however, is incomplete. Inter-class movement needs to be considered.

Table 4: Inter-class movement between November 30, 2018 and December 3, 2019

There is a considerable amount of inter-class movement every year at HRP.

		November 30, 2018	December 3, 2019						
			CHRE	CHRL	CHRP	Practitioner	Allied Professional	Student	Non-registrant
November 30, 2018	Certified Human Resources Executive (CHRE)	269	254	0	0	1	0	0	14
	Certified Human Resources Leader (CHRL)	9,076	7	8,678	0	27	0	0	364
	Certified Human Resources Professional (CHRP)	5,184	1	784	4,039	38	0	0	322
	Practitioner	5,892	3	121	348	4,086	2	9	1,323
	Allied Professional	252	0	2	11	1	174	0	64
	Student	2,775	0	6	278	1,036	0	514	941
	Non-registrant	2,337	5	22	90	1,562	66	592	

This table give the inter-class movement between November 30, 2018, and December 3, 2019.

The best way to interpret the table is to read it horizontally. For instance, there were 269 CHREs on November 30, 2018—in what class were these individuals a year later? We find that, of the 269 individuals registered in the CHRE class on November 30, 2018, 254 renewed as CHREs, and 1 moved to the Practitioner class. And so on, for each registration class.

Individuals who were non-registrants on November 30, 2018, but registered in one class or another on December 3, 2019, are new registrants. Individuals who were registered in one class or another on November 30, 2018, but non-registrants on December 3, 2019, are individuals who resigned or were revoked.

We note that there was a substantial movement from the Student registration class to the Practitioner registration class. The Student registration class is, by its very nature, a transitional registration class. Each year, one could expect about a third of registrants in the Student

class to move on—usually to the Practitioner class but sometimes to the CHRP registration class. However, the reclassification of individuals registered in the Student class but who no longer qualify for the Student registration class was not done in 2018—thus, 2019 was something of a catch-up year. The reclassification of individuals who no longer qualify for the Student registration class was not complete as expected graduation date was missing for more than half of the individuals registered in the Student registration class. This catch-up will be completed in 2020.

Some individuals may change classes more than once in a given year. For instance, applications for the CHRE designation require the applicant to be registered with HRP. An individual who is not currently registered with HRP and who intends to pursue the CHRE designation would first register in the Practitioner class. This individual might have gone from non-registrant to Practitioner to CHRE in the space of one year. In this case, the Practitioner class was used as a ‘parking lot’ while the CHRE application was being processed. Thus, some inter-class movement will be missed in this approach. Nonetheless, the numbers here will be small and would not have a significant impact on the data and its interpretation.

One can calculate a *stability index* by considering the percentage of same class renewals.

Table 5: Calculation of stability index for each registration class

	Total November 30, 2018	Renewed in same class	Stability index
Designated members	14529	12971	83%
Certified Human Resources Executive (CHRE)	269	254	94%
Certified Human Resources Leader (CHRL)	9076	8678	96%
Certified Human Resources Professional (CHRP)	5184	4039	78%
Non-designated members	6143	4260	69%
Practitioner	5892	4086	69%
Allied Professional	252	174	69%
Total members	20672	17231	83%
Student	2775	514	19%
Total registrants	23448	17745	76%

Table 6: Detailed account of the ins and outs of each registration class between November 30, 2018, and December 3, 2019

	A	B	C	D	E	F
	Total November 30, 2018	Did not renew	Moved to another class	Came from another class	New registrations	Total December 3, 2019
Certified Human Resources Executive (CHRE)	269	14	1	11	5	270
Certified Human Resources Leader (CHRL)	9,076	364	34	913	22	9,613
Certified Human Resources Professional (CHRP)	5,184	322	823	637	90	4,766
Practitioner	5,892	1323	483	1,103	1,562	6,751
Allied Professional	252	64	14	2	66	242
Student	2,775	941	1320	9	592	1115
Total registrants	23,448	3028	2,675	2,675	2,336	22,757

This table disentangles the impact of inter-class movement on registration numbers.

There are two ways that registration in a given class increases: (1) individuals who enter the class upon initial registration (new registrations), and (2) individuals who enter the class from another class. There are two ways that registration in a given class decreases: (1) individuals who move to another class, and (2) individuals who do not renew their registration (i.e., resignations and revocations).

As expected, the overall number of movements to another class (2675) is equal to the overall number is equal to the number of movements from another class (2675).

As verification, one can also see that $A - B - C + D + E = F$.

Table 7: 2019 retention rates for each registration class

	Total November 30, 2018	Did not renew	Retention rate
Designated members	14529	712	95%
Certified Human Resources Executive (CHRE)	269	14	95%
Certified Human Resources Leader (CHRL)	9076	364	96%
Certified Human Resources Professional (CHRP)	5184	322	94%
Non-designated members	6143	1387	77%
Practitioner	5892	1323	78%
Allied Professional	252	64	75%
Total members	20672	2098	90%
Student	2775	941	66%
Total registrants	23448	3028	87%

Note that retention rate as calculated is not impacted by inter-class movement—it does not matter whether an individual has moved to another registration class as the retention rate is based only on those individuals who did not renew their registration. Retention rate is defined as the percentage of those who started the year in a given registration class who remain registered with HRP A at the end of the year (although at that time they may be registered in a different class).

$$Retention\ rate = \frac{Start - (Resignations + Revocations)}{Start} \times 100\%$$

The overall retention rate has remained the same in the last three years at 86%. This means that of all individual registered with HRP A on December 1 (first day of the fiscal year), 86% will be registered with HRP A the following November 30 (last day of the fiscal year).

As with previous years, the retention rate was highest for designated members at 95% with no significant difference between CHRPs, CHRLs and CHREs. The retention rate for undesignated members was 67%. Although this is down from the 2018 retention rate of 75%, it is in line with previous retention rates for undesignated members. The retention rate for students was 82% which represents a significant increase in comparison to previous years.

Table 8: Retention rates by registration class for last three years

	2017	2018	2019
Total designated members	95%	95%	95%
Highest designation CHRE (including CHRE retired)	94%	95%	95%
Highest designation CHRL (including CHRL retired)	96%	96%	96%
Highest designation CHRP (including CHRP retired)	93%	92%	94%
Total undesignated members	69%	75%	77%
Practitioner	70%	76%	78%
Allied Professional	55%	70%	75%
Total members	88%	89%	90%
Students (registered but not members)	69%	65%	66%
Total registrants	85%	86%	87%

Retention rates are quite stable over time. The retention rate for *Practitioners* and *Allied Professionals* would appear to have increased.

Table 9: Proportion of designated members in relation to total registration

	2015	2016	2017	2018	2019
Designated members	63%	63%	64%	62%	64%
Undesignated members	26%	24%	25%	26%	31%
Students	11%	12%	11%	12%	5%
Total registrants	100%	100%	100%	100%	100%

The proportion of designated members in relation to total registration has remained virtually unchanged since 2015⁴ at about 64%. Consistent with the movement from the Student class to the Practitioner class, the proportion of registrants in the Student class has dropped and the proportion of registrants in Practitioner class (undesignated members) has increased.

⁴ The new designation framework was introduced on October 28, 2014. At that time, all CHRP candidates (those individuals who had passed the knowledge exam) were granted the CHRP designation. Before October 28, 2014, these individuals would not have been in a designated class. Data from before 2015 are just not comparable.

Table 10: Out-of-province registration as of December 3, 2019

	Ontario	Alberta	Quebec	British Columbia	Nova Scotia	New Brunswick	Saskatchewan	Manitoba	Northwest Territories	Newfoundland and Labrador	Prince Edward Island	Nunavut	Yukon	Total Canadian provinces excluding Ontario	Out of Canada	Total outside Ontario	Total
Designated members	14,294	53	56	54	15	7	9	3	2	1	3	4	5	212	143	355	14,649
Highest designation CHRE (incl. CHRE retired)	252	4	4	2	1	1	0	0	0	0	0	0	0	12	6	18	270
Highest designation CHRL (incl. CHRL retired)	9,371	35	35	32	10	3	8	1	2	1	0	4	2	133	109	242	9,613
Highest designation CHRP (incl. CHRP retired)	4,671	14	17	20	4	3	1	2	0	0	3	0	3	67	28	95	4,766
Undesignated Members	6,771	30	43	17	10	3	5	4	2	4	4	2	1	125	97	222	6,993
Practitioner	6,536	28	40	17	10	3	5	4	1	4	4	2	1	119	96	215	6,751
Allied Professional	235	2	3	0	0	0	0	0	0	0	0	0	0	6	1	7	242
Total members	21,065	83	99	71	25	10	14	7	4	5	7	6	6	337	240	577	21,642
Students (registered but not members)	1,108	3	1	0	0	2	0	0	0	0	0	0	0	6	1	7	1,115
Total registrants	22,173	86	100	71	25	12	14	7	4	5	7	6	6	343	241	584	22,757

Table 11: Proportion of out-of-province registrants as of December 3, 2019

	Ontario		Other Canadian provinces		Outside of Canada		Outside Ontario		Total	
	Count	%	Count	%	Count	%	Count	%	Count	%
2019	22,173	97.4%	343	1.5%	241	1.1%	584	2.6%	22,757	100%
2018	22,845	97.4%	359	1.5%	244	1.0%	603	2.6%	23,448	100%
2017	22,513	97.4%	378	1.6%	225	1.0%	603	2.6%	23,116	100%

The proportion of out-of-province registrations has remained constant over the last three years. The implications of out-of-province registrations was discussed in the Q3 2019 Registrar's Report

Snapshot of statutory and standing regulatory committee activity for Q4, 2019

Registration

3

Applications reviewed

Academic Standards

Academic Standards

Diploma

Degree

22

33

Course received

Course received

Experience

CHRP Exam

CHRL Exam

Assessment

Validation

Validation

101

4

4

Applications reviewed

Meetings

Meetings

CHRE Review

9

Applications reviewed

Continuing Professional Development

277

CPD logs processed

Complaints

2

Referral to Complaints Committee

Review

Discipline

Capacity

1

0

0

Referrals to Review Committee

Referrals to Discipline Committee

Referrals to Capacity Committee

Appeals

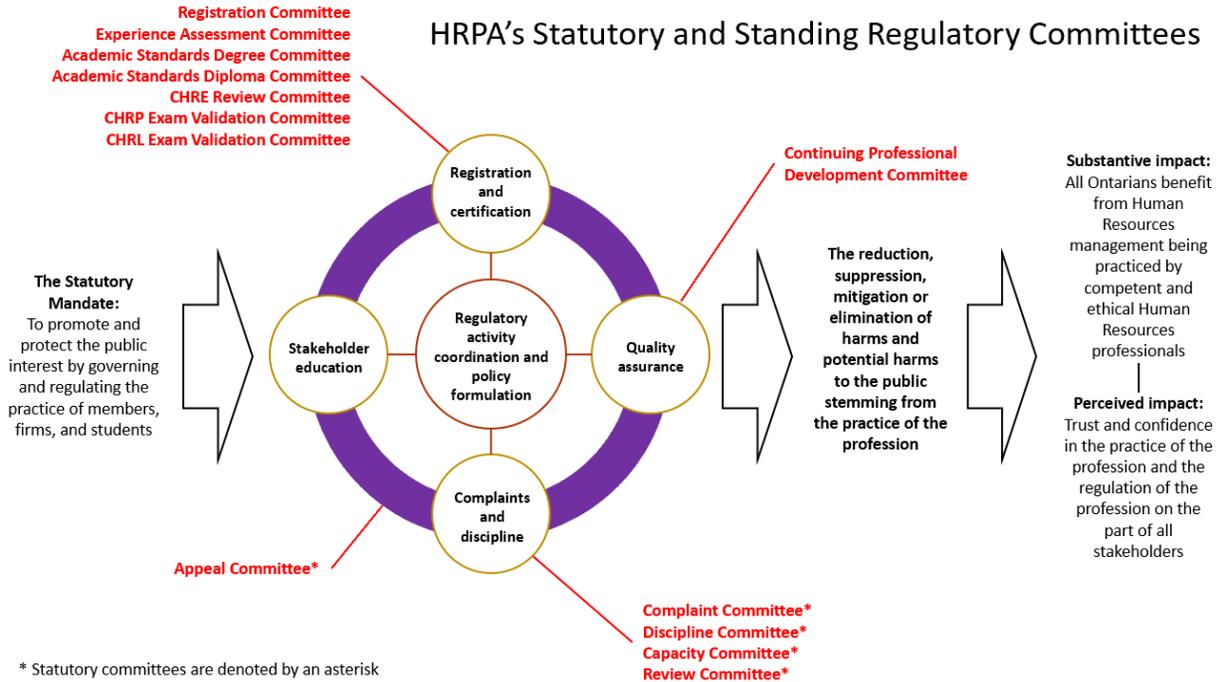
7

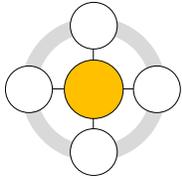
Referrals to Appeal Committee

Function-by-function Review

The six regulatory functions at HRPA are:

- Regulatory activity coordination and policy development
- Registration and certification
- Quality assurance
- Complaints and discipline (including capacity and review)
- Appeals, and
- Stakeholder education





Regulatory response coordination and policy development

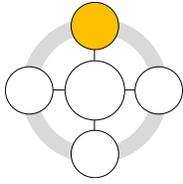
Policy Development

HRPA launched its new policy development function in August. HRPA's new policy function provides leadership, advice and subject matter expertise in the planning, development and evaluation of strategies, policies, planning frameworks, legislation and regulations which support the statutory mission and mandate of HRPA.

Central to the establishment of a strategic policy direction is the introduction of a risk-based approach to professional regulation. In essence, this approach aims to minimize and mitigate the risks posed to the public and users of the HR professional services stemming from the practice of the profession.

The following is a summary of all projects that were completed in Q4:

- Research was conducted and a policy opinion was written on the idea of having a “Canadian experience” requirement for the CHRE assessment process. The research involved collecting information on the policies of all professional regulatory bodies in Ontario regarding their practices in accepting applicants with foreign experience.
- Development of a high-level document explaining the policy process (intended for internal use only).
- A policy framework for the implementation of risk-based regulation was developed and presented to the Executive Leadership Team.
- Terms of Reference for the Public Advisory Forum (PAF), a citizen comprised advisory group were drafted.
- Terms of Reference for the Professional Standards Committee (PSC) were drafted.
- A Stakeholder Engagement Strategy was developed. This strategy encompasses best practices in stakeholder engagement employed by other regulatory bodies, and institutions such as the OECD.
- Second draft of the preliminary Risk Research Report was completed. This report is an analysis of the data that was collected in 2014 but which had never been analyzed. This dataset was a survey of HRPA registrants asking what, in their opinion, were the risks to the public stemming from the practice of the profession.
- A master list of all policy professionals in Ontario's professional regulatory bodies was created for the purpose of setting up a networking group.



Registration and certification

From application to registration

Not all applications for initial registration with HRP A are automatically accepted. HRP A has a *good character* requirement that all applicants for initial registration must meet.

In Q4 2019, HRP A received 634 registration applications. This includes both initial registration as a member and initial registration as a student registrant.

Of these 634 applications for initial registration, four (<1%) had responded positively to one or more of the good character questions on the initial registration application form. Upon review, the Associate Registrar did not have any concerns with one application and therefore this applicant was registered. The three other applications were referred to the Registration Committee in Q4.

Reduced dues and Member Disability Assistance Program (MDAP)

Requests for reduced dues and the Member Disability Assistance Program (MDAP) were up significantly in 2019.

Table 12: Reduced dues and Member Disability Assistance Program utilization for last three years

	2017	2018	2019
Reduced dues	660	464	967
Member Disability Assistance Program (MDAP)	44	34	97
Total	704	498	1064

For 2020, HRP A has updated its approach to reduced dues and the Member Disability Assistance Program (MDAP). The new program, known as the *Renewal Dues Assistance Program*, will replace both the reduced dues and the Member Disability Assistance Program (MDAP) programs and provide more flexibility in dealing with individual circumstances.

Registration Committee

Chair: Frank Tancredi, CHRL

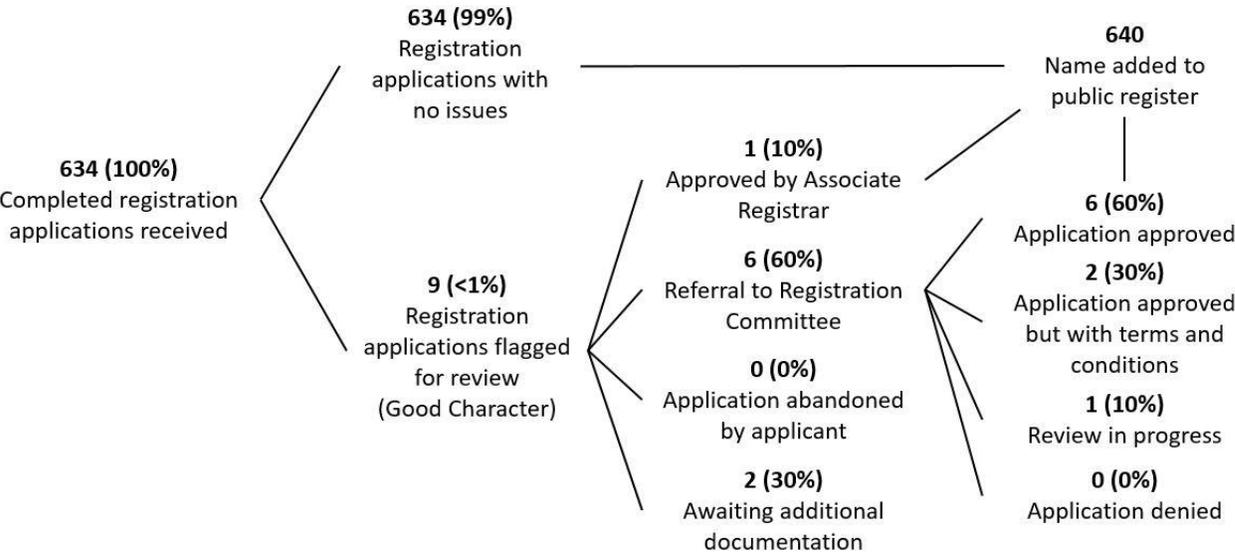
Vice Chair: Agnes Ciesla, CHRL

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

The figure below gives the activity and decisions of the Registration Committee in Q4 2019. It is to be noted that the numbers are a bit different than those related above because they include applications for initial registration which were received before Q4.

Less than 1% of applications indicate some event that would require further review. There is a possibility that this number might be lower than it should be. One of the *good character* questions in the initial application form relates to having experienced a bankruptcy or insolvency event which has not yet been discharged. Only two of the 634 applications for initial registration indicated that the applicant or their firm had experienced a bankruptcy or insolvency event which has not yet been discharged. According to the Superintendent of Bankruptcies, the rate of bankruptcies or insolvency events in Ontario was 3.4% in 2018. At this rate, with 634 applications for initial registration one might expect about twenty-two applications for initial registration be flagged for this issue instead of just two. Of course, there are many possible explanations for this gap, but one cannot discount the possibility of underreporting.

Registration applications Q4, 2019



In total, six cases were disposed of in Q4. The Associate Registrar allowed one registration to move forward, while the Registration Committee approved five applications for registration. For two of those five the Registration Committee did impose conditions.

Initial registrations

Initial registrations refer to registrations which are not renewals, although the individual may have been registered with HRPAs at some time in the past. There were 634 new registrations in Q4, 494 new registrations as a member and 140 new registrations as a student registrant.

Table 13: Initial registration in Q4 2019

	Count	Percent
New registrations as a member	494	78%
New registrations as a student	140	22%
Total new registrations	634	100%

Not surprisingly 95% of initial registrations are from Ontario. Interestingly, if we consider registrations from outside of Ontario, 50% of initial registrations are international, this is equal to the percentage of initial registrations from all other Canadian provinces combined.

Table 14: New registrant jurisdiction Q4 2019

	Count	Percent of Total	Percent of non-Ontario
Ontario	600	95%	---
International	17	3%	50%
Quebec	4	1%	12%
Alberta	4	1%	12%
British Columbia	3	< 1%	9%
Nova Scotia	1	< 1%	3%
Prince Edward Island	3	< 1%	9%
Manitoba	1	< 1%	3%
New Brunswick	1	< 1%	3%
Total	634	100%	100%

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

Table 15: Registration of individuals previously registered with HRPAs

	Count	Percent
Previously registered with HRPAs	27	4%
Not previously registered with HRPAs	607	96%
Total new registrations	634	100%

Registration of firms

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

Certification

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

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

Academic Standards Diploma Committee

Chair: Michelle White, CHRL

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

- Between September 1, 2019, and November 30, 2019, one institutional course approval application was received with 22 courses for review⁵. All applications will be reviewed at the February course review meeting.

Academic Standards Degree Committee

Chair: Carolyn Capretta, CHRL

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

- Between September 1, 2019, and November 30, 2019, there were no institutional course approval applications were received. During the same timeframe, six student course approval applications were received with 33 courses for review. All applications will be reviewed at the February course review meeting.

The CHRL has a three-year experience requirement. In addition, there is an alternate route to the coursework requirement for both the CHRP and CHRL that will also consider experience. The review of

⁵ It is often the case that academic institutions will submit courses for approval in batches.

experience for the experience requirement and the alternate route is conducted by the Experience Assessment Committee.

Experience Assessment Committee

Chair: Mark Seymour, CHRL

Vice Chair: Michelle Rathwell, CHRL

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

Table 16: Year-over-year submissions to the Experience Assessment Committee:

	Q1			Q2			Q3			Q4			Total
	December	January	February	March	April	May	June	July	August	September	October	November	
2017	26	20	46	44	26	31	34	35	32	38	37	70	439
2018	68		38	54	56	66	71	66	164	171	244	832	1830
2019	55		22	29	20	31	32	33	36	32	46	48	384

Between September 1, 2019, and November 30, 2019, 84 Validation of Experience applications were received, and 68 result letters have been released (results from July, August and September 2019).

Table 17: Validation of experience applications

	Q1	Q2	Q3	Q4	Total	Percent
Successful				41		60%
Unsuccessful				27		40%
Total				68		100%

Between September 1, 2019, and November 30, 2019, 42 Alternate Route applications were received, and 33 result letters have been released (results from July, August and September 2019).

Table 18 Alternate route applications

	Q1	Q2	Q3	Q4	Total	Percent
Successful				23		70%
Unsuccessful				10		30%
Total				33		100%

Challenge Exams

In addition to the Alternate Route, HRP A offers still another way of meeting the coursework requirement. For each of the nine required courses, candidates may opt to write a challenge exam. Some use the challenge exam option instead of taking the course, others use the challenge exams to make up for a grade that was too low or for a course that has expired due to being older than 10 years.

Challenge exams are developed and scored by individuals who are, or have been, instructors for the Evening Academic Program. Challenge exams are like final exams in each course. The content domain for the challenge exams is defined by the same standard course outlines that are used by the Academic Standards Committees to approve courses for the CHRP and CHRL designations.

- Challenge exams were held from September 9th to September 11th, 2019.
- There was a total of 77 challenge exam writers in September 2019.

Table 19: Challenge exams breakdown by month

Month	Registrants	Pass	Pass Rate
January 2019	86	53	62%
May 2019	84	55	65%
September 2019	77	47	61%
Total for 2019	247	155	63%

Table 20: Challenge exams breakdown by subject

Subject	Registrants	Pass	Pass Rate
Training and Development	12	5	42%
Compensation	7	5	71%
Organizational Behaviour	15	9	60%
Finance and Accounting	8	4	50%
Recruitment and Selection	8	4	50%
Human Resources Management	8	8	100%
Human Resources Planning	6	5	83%
Occupational Health and Safety	6	6	100%
Labour Relations	7	1	14%
Total	77	47	

Certification exams

The CHRP requires successful performance on the Comprehensive Knowledge Exam 1 (CKE1) and the Employment Law Exam 1 (ELE1). The CHRL requires successful performance on the Comprehensive Knowledge Exam 2 (CKE2) and the Employment Law Exam 2 (ELE2).

The development and validation of certification exams is a complex process for which the input of members of the profession is essential. The CHRP Exam Validation Committee performs this role for the CHRP exams (the CKE1 and ELE1), and the CHRL Exam Validation Committee performs this role for the CHRL exams (the CKE2 and ELE2).

There were four exam windows in Q4:

- CHRP Employment Law Exam was administered from September 9th to September 23, 2019
- CHRL Employment Law Exam was administered from September 16th to September 30th, 2019
- CKE1 was administered from October 14th to October 28th, 2019
- CKE2 was administered from November 4th to November 18th, 2019

CHRP Exam Validation Committee

The Certified Human Resource Professional Exam Validation Committee (CHRP-EVC) is a recently formed standing committee, which has been formally established under by-law. The mandate of the CHRP-EVC is to approve all examination content used to evaluate CHRP candidates and make recommendations to the Registrar as to appropriate cut-scores for the CHRP exams. The CHRP-EVC is also responsible for the approval of examination blueprints for the CKE1 and CHRP Employment Law Exams.

In Q4 the CHRP-EVC was very busy with the following exam related activities:

- CHRP Employment Law Exam Key Validation and Pass Mark Approval in September 2019
- CHRP Employment Law Exam Form Approval in October 2019

- CKE1 Key Validation and Pass Mark Approval in November 2019
- In-person CKE1 Validation session in November of 2019

The purpose of the Form Approval session is to have representatives of the EVC verify that each item on the upcoming Employment Law Examination reflects current practice and legislation and verify that each item is asking something unique of future HR professionals. The purpose of the Key Validation and Pass Mark Approval sessions is to obtain agreement for the appropriateness of the pass mark and pass rate for the CKE1 written in October of 2019. The CHRP-EVC will make a recommendation to HRPAs Registrar to approve the agreed upon pass mark. The purpose of the in-person validation session is to review and validate the items for future sittings of the CKE1 examinations.

CHRL Exam Validation Committee

The Certified Human Resource Leader Exam Validation Committee (CHRL-EVC) is a recently formed standing committee which has been formally established under by-law. The mandate of the CHRL-EVC is to approve all examination content used to evaluate CHRL candidates and make recommendations to the Registrar as to appropriate cut-scores for the CHRL exams. The CHRL-EVC is also responsible for the approval of examination blueprints for the CKE2 and the CHRL Employment Law Exams.

In Q4 the CHRL-EVC was very busy with exam related activities:

- CHRL Employment Law Exam Key Validation and Pass Mark Approval in September 2019
- CHRL Employment Law Exam Form Approval in October 2019
- CKE2 Key Validation in November 2019
- In-person CKE2 Validation session in November 2019

The purpose of the Form Approval session is to have representatives of the EVC verify that each item on the upcoming Employment Law Examination reflects current practice and legislation and verify that each item is asking something unique of future HR professionals. The purpose of the Key Validation and Pass Mark Approval sessions is to obtain agreement for the appropriateness of the pass mark and pass rate for the CKE2 written in November of 2019. The CHRL-EVC will make a recommendation to HRPAs Registrar to approve the agreed upon pass mark. The purpose of the in-person validation session is to review and validate the items for future sittings of the CKE2.

Table 21: 2019 Exam schedule

Exam	Window	
CHRP Employment Law Exam (ELE1)	January 7 – January 21	Q1
CHRL Employment Law Exam (ELE2)	January 14 – January 28	
CKE1	February 11 – February 25	
CKE2	March 4 – March 18	Q2
CHRP Employment Law Exam (ELE1)	May 6 – May 21	
CHRL Employment Law Exam (ELE2)	May 13 – May 27	
CKE1	June 3 – June 17	Q3
CKE2	June 24 – July 9	
CHRP Employment Law Exam (ELE1)	September 9 – September 23	Q4
CHRL Employment Law Exam (ELE2)	September 16 – September 30	
CKE1	October 14 – October 28	
CKE2	November 4 – November 18	

Certification Exams

Table 22: 2019 Comprehensive Knowledge Exam 1 (CKE1) summary

	Candidates	Pass	Pass Rate	Reliability
February 2019	194	120	62%	.92
June 2019	182	103	57%	.90
October 2019	231	153	66%	.90
Total 2019	607	376	62%	.91

Table 23: 2019 Comprehensive Knowledge Exam 2 (CKE2) summary

Comprehensive Knowledge Exam 2 (CKE2)	Candidates	Pass	Pass Rate	Reliability
March 2019	231	152	66%	.92
June-July 2019	258	164	64%	.94
October-November 2019	274	167	61 %	.93
Total 2019	763	483	63%	.93

Table 24: 2019 CHRP Employment Law Exam summary

	Candidates	Pass	Pass Rate	Reliability
January 2019	132	128	97%	.74
May 2019	169	162	96%	.80
September 2019	114	102	89%	.83
Total 2019	415	392	94%	.79

Table 25: 2019 CHRL Employment Law Exam summary

CHRL Employment Law Exam	Candidates	Pass	Pass Rate	Reliability
January 2019	203	174	86%	.82
May 2019	208	172	84%	.78
September 2019	200	175	88%	.84
Total 2019	611	521	85%	.81

Technical reports for exams published

HRPA publishes the technical reports for the CKE1, CKE2, ELE1 and ELE2. Technical reports are published for each administration (viz., exam window) of the exams. Four technical reports were published in Q4 2019.

[Technical Report: October 2019 CKE1](#)

[Technical Report: October-November 2019 CKE2](#)

[Technical Report: September 2019 CHRP Employment Law Exam](#)

[Technical Report: September 2019 CHRL Employment Law Exam](#)

Job Ready Program

Completion of the Job Ready program is required in order to earn the CHRP designation. The Job Ready program is not graded but must be completed. The Job Ready program is available on demand and can be completed at any time.

Between September 1, 2019, and November 30, 2019, 201 registrants completed the Job Ready Program and were granted the CHRP designation.

CHRE Review Committee

Chair: Bob Canuel, CHRE

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

- The number of CHREs was 270 at the end of Q4.

- Between September 1, 2019, and November 30, 2019, nine Phase II CHRE applications were reviewed by the CHRE Review Committee. Out of the nine applicants, four were granted the CHRE designation. There are currently five applications submitted in Q4 that have yet to be reviewed.

Table 26: CHRE Review activity in 2019

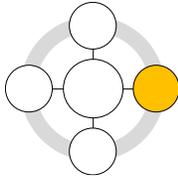
	2017	2018	2019				2019
	Total	Total	Q1	Q2	Q3	Q4	Total
CHRE applications received	25	63	49	23	7	8	87
CHRE applications approved	5	8	4	3	3	4	14

Issuance of certificates

Certificates are issued for all three levels of designation: CHRP, CHRL, and CHRE. A certificate issuance commenced in November, and members were scheduled to receive their certificates by late-November. An email went out to 263 members in mid-November notifying them that they could expect to receive their certificates during this issuance.

Table 27: Certificates issued in 2009

	CHRP	CHRL	CHRE	Total
February 2019 (Q1)	40	236	3	279
May 2019 (Q2)	243	499	5	747
August 2019 (Q3)	259	148	0	407
November 2019 (Q4)	185	71	7	263
Total	727	954	15	1696



Quality assurance

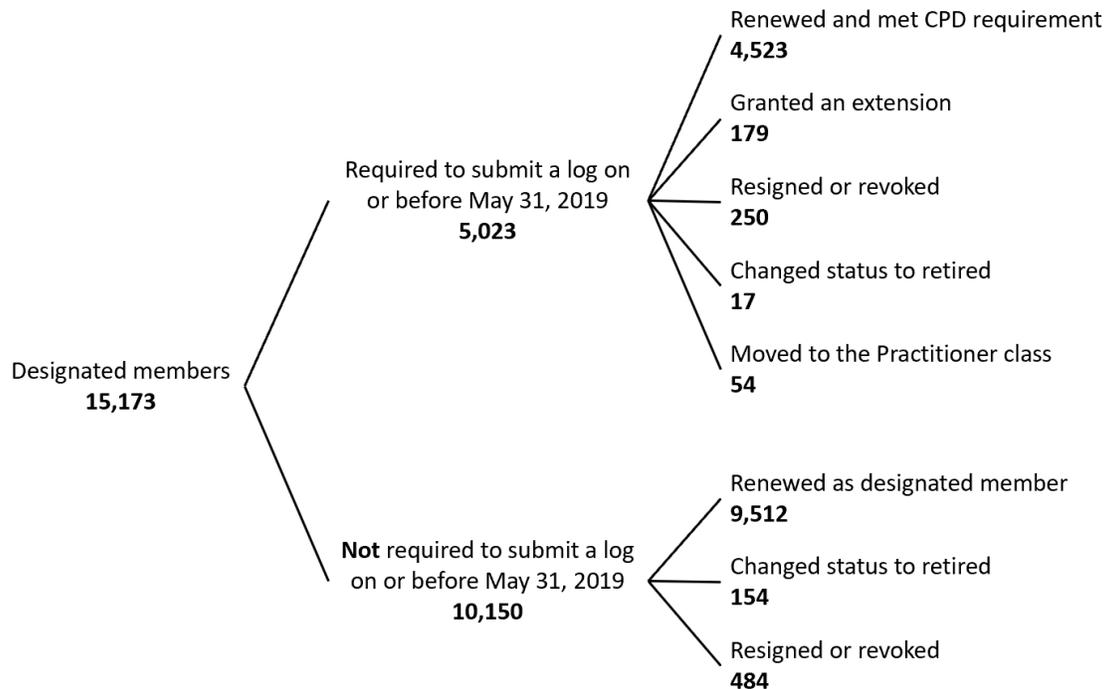
Continuing Professional Development Committee

Chair: Vito Montesano, CHRL

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

Calculation of CPD compliance rates

Designated members must submit a completed CPD log every three years. The CPD log is due on May 31 of each year for those who are due to submit. The diagram below gives an account of the different outcomes for the CPD requirement.⁶



⁶ Whether one is due to submit a CPD log on a given year can be established on the first day of renewal, some of the outcomes cannot be established until the end of the renewal window which is on or about September 30 of each year.

One simple measure of CPD compliance would be to divide the number of CPD logs submitted by the number of logs due. A certain number of designated members will apply for and be granted extensions. 179 registrants who were due to submit their CPD log on May 31, 2019, have applied for and were granted an extension. The simplest way to deal with extensions is to remove these individuals those due to submit a CPD log.

$$CPD \text{ Compliance rate} = \frac{4,523}{5,023 - 179} = 93\%$$

CPD 2019 Audit

This year a total of 121 designated registrants were randomly selected for the CPD audit and were notified via email on March 28th. Of the 121 selected for the audit,

- 96 registrants complied and passed the audit review
- 12 registrants were granted an extension and will be added to the 2020 CPD audit
- 7 registrants resigned
- 1 registrant retired
- 5 registrants did not comply with the audit request and were subsequently revoked on September 30th due to non-compliance with the audit request.

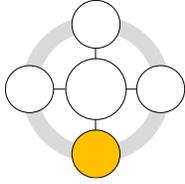
The audit was finalized on October 8, 2019 and achieved a 79% pass rate.

$$CPD \text{ Audit Compliance Rate} = \frac{CPD \text{ logs successfully passing the audit}}{CPD \text{ logs selected for audit}} = \frac{96}{121} = 79\%$$

CPD Pre-approval

For Q4, a total of 411 events were pre-approved for CPD. The events can be broken down into four categories:

- 207 events were from Third Party Providers
- 91 events were from HRPAs Chapters
- 39 events were from HRPAs Professional Development Department
- 74 events were for the 2020 HRPAs Annual Conference



Complaints and discipline (including capacity and review)

Complaints Committee

Chair: Rahim Shamji, CHRL

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

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

Following the investigation of a complaint, the Complaints Committee may:

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

There were three open complaints prior to the start of Q4 (September 1, 2019, and November 30, 2019) and two were disposed of in Q4 (see details in the *complaints disposed of* chart below). The third is currently with a panel for their review and a decision should be made shortly.

- In Q4, two new complaints were registered. One is currently in the information gathering stage, and one was reviewed and dismissed by the committee.

Details for each case can be found below:

Table 28: Summary of complaints activity in 2019

	2017	2018	2019				2019
	Total	Total	Q1	Q2	Q3	Q4	Total
Number of complaints filed	6	14	4	5	1	2	12
Number of complaints closed	8	12	4	2	3	3	12
Average time to dispose of complaint(s) (days)	145	146	154	130	122	222	157

The average time to dispose of complaints is by all accounts very much in line with those of other professional regulatory bodies in Ontario

Table 29: HRPA complaint rate for last three years

Year	Registration at end of period	Number of complaints	Complaint Rate per 1000 registrants
2019	22,757	12	.53
2018	23,448	14	.60
2017	23,116	6	.26

Of course, with such small numbers, the rate of complaints could fluctuate significantly. A few more complaints or a few less would make a big difference in the complaint rate. The differences between the complaint rates for 2015, 2016, 2017, and 2018 are not statistically significant ($\chi^2=1.19$, $p=.946$).

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

Two comparator groups were identified: (1) all professions regulated by public act in Ontario, and (2) non-health professions regulated by public act in Ontario. 2018 is the most recent year for which complete data is available.

Table 30: Comparing HRPA’s complaint rate with that of other regulated professions in Ontario

Comparator group	2018		
	n	Mean	Median
All professions regulated by public act in Ontario (excluding HRPA)	37	21.27	12.59
Non-health professions (excluding HRPA)	11	20.78	3.09
Non-health voluntary professions (excluding HRPA) ⁷	2	2.77	2.77
Human Resources Professionals Association	1	.53	.53

Of the thirty-nine regulated professions in Ontario, two had a complaint rate lower than HRPA. The College of Medical Laboratory Technologists of Ontario (CMLTO) had a complaint rate of .42 per 1000 registrants and Professional Geoscientists Ontario had a complaint rate of .56.

The professional regulatory body with the highest complaint rate in Ontario in 2018 was the College of Physicians and Surgeons of Ontario with a complaint rate of 99.87 per 1000 registrants. The professional regulatory body with the next highest complaint rate in Ontario in 2018 was the Law Society of Ontario with a complaint rate of 90.51 per 1000 registrants. In 2018, the Chartered Professional Accountants of Ontario had a complaint rate of 2.55 complaints per 1000 registrants and the Ontario College of Social Workers and Social Service Workers had a complaint rate of 2.99 complaints per 1000 registrants.

- At a rate of 12.59 complaints per 1000 registrants (the median number of complaints per 1000 registrants across all professional regulatory bodies in Ontario), HRPA would have received 294 complaints in 2019.

⁷ The two non-health voluntary professions are Social Workers and Social Service Workers and Chartered Professional Accountants.

- At a rate of 3.09 complaints per 1000 registrants (the median number of complaints per 1000 registrants across all non-health professional regulatory bodies in Ontario), HRPAs would have received 70 complaints in 2019.
- At a rate of 3.09 complaints per 1000 registrants (the median number of complaints per 1000 registrants across all non-health professional regulatory bodies in Ontario), HRPAs would have received 70 complaints in 2019.
- At a rate of 2.77 complaints per 1000 registrants (the complaint rate for non-health voluntary professions), HRPAs would have received 65 complaints in 2019.

A report titled ‘*Analysis and discussion of the low number of complaints at HRPAs*’ was tabled at the June 2017 meeting of the HRPAs Board. This report concluded that while there are many reasons why the rate of complaints would be low for Human Resources professionals, a complaint rate of .60 per 1000 registrants is very likely too low.

Table 31: Complaints disposed of in Q4 2019

Case	Date complaint filed	Nature of allegations	Date of disposition of complaint and decision of Complaints Committee
C5-2019-	March 15, 2019	There are a number of allegations outlined in this complaint: It is alleged that the member engaged in several violations of the rules of professional conduct when dealing with the complainant’s return to work after a leave of absence i.e. member colluded with the complainant’s supervisors to push the complainant out of the organization, failure to provide dignity in the workplace, failure to accommodate the complainant based on her needs (denying employee benefits), falsified facts relating to the complainant's insurance, slander and libel tactics, bullying and harassment, threats, and failing to adhere to legal requirements as an HR professional, etc.	Panel decided to stay the case due to a parallel proceeding. The parallel proceeding took place at the end of September 2019 and the complainant subsequently requested to withdraw the complaint. The panel accepted the withdrawal request on October 18, 2019.
C7-2019-	April 10, 2019	1). It is alleged that the member lied to several employees on many occasions and engaged in orchestrating wrongful dismissals based on fabricated facts. 2.) It is alleged that the member knew some important information pertaining to colleagues but ignored it under the direction and	November 15, 2019: No referral to discipline; however, the member was issued a caution by the Complaints Committee regarding employee relation best practices and the disclosure of confidential

		influence of the company owners. 3.) It is alleged that the member failed to follow company policy regarding the dismissal of employees and made no effort to remove themselves from a position where collusion and retaliation was taking place. 4.) It is alleged that the member misleads regulatory agencies and opposing counsel by providing them with false information or ignoring their demand for information. 5.) It is alleged that the member engaged in acts of harassment, intimidation, and discrimination on the grounds of gender. 6.) It is alleged that the member failed to investigate death threats which were taking place within the company. 6.) It is alleged that the member refused employees access to their records and personal information (failed to produce complete and accurate documents for a legal matter, failed to provide employees with information pertaining to their RRSP plans).	information. ⁸
C11-2019-*	September 12, 2019	It is alleged that the member conducted themselves in an unprofessional manner by misleading a candidate regarding the possibility of an employment opportunity at their workplace.	November 27, 2019: Committee dismissed the complaint due to lack of grounds.

*C11-2019 was both registered and disposed off in Q4, and as such appears in both tables.

Table 32: New Complaints registered in Q4 2019

Case	Date complaint filed	Nature of allegations	Date of disposition of complaint and decision of Complaints Committee
C11-2019*	September 12, 2019	It is alleged that the member conducted themselves in an unprofessional manner by misleading a candidate regarding the possibility of an employment	November 27, 2019: Committee dismissed the complaint due to lack of grounds.

⁸ The Complaints Committee may issue cautions when it deems that the matter does not warrant a referral to the Discipline Committee but that there is a deficiency in practice that should be addressed. These cautions are not deemed disciplinary and do not appear on the public register.

		opportunity at their workplace.	
C12-2019	November 30, 2019	It is alleged that the member purposely misfiled the complainant's Record of Employment as a dismissal with cause, and that the member issued a termination letter but failed to provide a period of notice and no termination pay. It is also alleged that the member implemented an HR policy allowing for 'conflict of interest' to be defined in an inappropriate way, misleading employees of that company.	TBD

*C11-2019 was both registered and disposed off in Q4, and as such appears in both tables.

Discipline Committee

Chair: Stephanie Izzard

Vice Chair: Lynne Latulippe (public member)

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

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

No Discipline hearings were conducted in Q4. A business meeting that included training on the conducting of a hearing was held in Q4.

There were no new referrals to the Discipline Committee in Q4.

Table 33: Summary of Discipline Committee activity in 2019

	2017	2018	2019				2019
	Total	Total	Q1	Q2	Q3	Q4	Total
Referrals to Discipline Committee	1	0	0	1	0	0	1

Capacity Committee

Chair: Stephanie Izzard

Vice Chair: Lynne Latulippe (public member)

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

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

No capacity hearings were conducted in Q4. A business meeting that included training on the conducting of a hearing was held in Q4.

There were no new referrals to the Capacity Committee in Q4.

Table 34: Summary of Capacity Committee activity in 2019

	2017	2018	2019				2019
	Total	Total	Q1	Q2	Q3	Q4	Total
Referrals to Capacity Committee	0	0	0	0	0	0	0

Review Committee

Chair: Susan Bryson

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

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

There was one new notice of bankruptcy or insolvency events received by the Registrar in Q4 2019. There are four cases that are ready to be referred to the Committee. One is a reconvening of a past case where more information was requested. Five cases were reviewed in Q4. One was a reconvening of a case reviewed earlier in 2019 where more information was requested.

Table 35: Annual summary of Review Committee activity in 2019

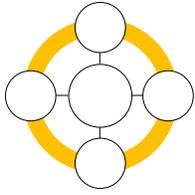
	2017	2018	2019				2019
	Total	Total	Q1	Q2	Q3	Q4	Total
Bankruptcies or insolvency events notifications	13	5	-	1	1	1	3
Referrals to Review Committee	2	16	-	1*	1*	6**	8

Although eight reports of bankruptcies and insolvency events is better than three, based on the number of members and students indicating that they had experienced a bankruptcy or insolvency in the last twelve months on the Member and Student Survey, this number is still nowhere close to what it should be. Based on self-reports in the 2018 HRPAs Member and Student survey, we would expect 164 bankruptcies and insolvency events to have occurred amongst HRPAs members in the last year.

$$\text{Compliance rate} = \frac{9}{164} = 5.5\%$$

Obviously, a compliance rate of 5.5% is well below what could or should be expected. Likely, there are many reasons for the lack of compliance with this statutory requirement—some registrants may not be aware of the requirement, some may simply judge that the probability of being caught is low enough that non-compliance is safe, still others simply do not agree with the requirement.

One can think of compliance with this requirement as an indicator of professionalism. As the professionalism of registered Human Resources professionals increases, the level of compliance should increase.



Appeal

Appeal Committee

Chair: Melanie Kerr, CHRL

Vice Chair: Maureen Quinlan (public member)

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

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

A total of seven appeals have been filed in Q4, five in regard to a decision of the Experience Assessment Committee and two in regard to a decision of the CHRE Review Committee. The number of appeals being filed have shown a downward trend since its peak in Q2.

A record number of twenty-four decisions were issued by the Appeal Committee in Q4:

- two appeals pertained to a decision of the CHRE Committee
- two appeals pertained to a decision of the Complaints and Investigations Committee
- twenty appeals pertained to a decision of the Experience Assessment Committee

Of the twenty-four decisions, three of them overturned the original decision of the Experience Assessment Committee in regard to an assessment of a Validation of Experience application. In all three decisions, a new panel of the Experience Assessment Committee was ordered to reassess the application.

Overturning a decision upon appeal does not mean that the original decision was incorrect, it means that there were deficiencies in the process by means of which the decision was arrived at or a denial of natural justice. An appeal is not a request for a ‘second opinion.’ The Appeal Committee will not overturn a decision by a committee or the Registrar unless it is of the opinion that there were deficiencies in the process by means of which the decision was arrived at or if there was a denial of natural justice. Although the Appeal Committee has the authority to make any decision that could have been made by the original committee or the Registrar, the Appeal Committee will usually prefer to refer the matter back to the original committee for review.

An appeal that was filed in 2014 on a decision of the Complaints and Investigations Committee moved forward with a hearing in September 2019. A decision was issued by a panel of the Appeal Committee in November 2019 upholding the original decision.

Table 36: Summary of Appeal activity in 2019

	2017	2018	2019				2019
	Total	Total	Q1	Q2	Q3	Q4	Total
Number of appeals filed	15	16	16	43	9	7	75

Alternate Resolution Process

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

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

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

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

Two Validation of Experience appeals that were filed in Q3 were settled in October 2019 via this alternate resolution process.

Table 37: Q4 2019 Appeal activity

	Date Appeal Filed	The nature of the appeal	The outcome of the appeal
A-2014-4	April 3, 2014	The complaints process was biased and unfair.	Decision issued November 2019 upholding the Complaints and Investigations Committee's decision.
A-2019-12	February 15, 2019	The Registrar's decision for the November 30, 2018 Validation of Experience (VOE) grandfathering deadline for those pursuing the CHRL was unfair.	Decision issued September 2019 upholding the Experience Assessment Committee's decision.
A-2019-20	March 19, 2019	Experience Assessment Committee failed to properly assess Validation of Experience application.	Decision issued September 2019 upholding the Experience Assessment Committee's decision.
A-2019-36	April 9, 2019	Experience Assessment Committee's decision didn't align with the documentation submitted for Validation of Experience application. The panel of the Experience Assessment Committee panel was biased.	Decision issued November 2019 overturning the Experience Assessment Committee's (EAC) decision. A new panel of the EAC has been ordered to reassess one of the job positions.
A-2019-37	April 8, 2019	Experience Assessment Committee made an error in Validation of Experience assessment.	Decision issued September 2019 upholding the Experience Assessment Committee's decision.
A-2019-40	April 11, 2019	Experience Assessment Committee failed to consider Validation of Experience application as a whole.	Decision issued September 2019 upholding the Experience Assessment Committee's decision.
A-2019-41	April 11, 2019	Experience Assessment Committee failed to consider all relevant facts in the Validation of Experience application.	Decision issued October 2019 upholding the Experience Assessment Committee's decision.
A-2019-42	April 12, 2019	Experience Assessment Committee failed to consider all relevant facts in the Validation of Experience application.	Decision issued September 2019 upholding the Experience Assessment Committee's decision.
A-2019-44	April 18, 2019	Experience Assessment Committee failed to consider the correct facts in the Validation of Experience application.	Decision issued October 2019 upholding the Experience Assessment Committee's decision.
A-2019-45	April 18, 2019	Experience Assessment Committee made an error in Validation of Experience assessment.	Decision issued September 2019 overturning the Experience Assessment Committee's (EAC) decision. A new panel of the EAC

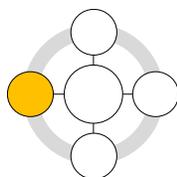
			has been ordered to reassess the application.
A-2019-46	April 20, 2019	Experience Assessment Committee made an error in Validation of Experience assessment.	Decision issued October 2019 upholding the Experience Assessment Committee's decision.
A-2019-50	April 26, 2019	Validation of Experience application was lost, and it wasn't found until January 2019 (even though it was submitted November 2018). Does not believe the Experience Assessment Committee fairly assessed application because of this mistake in the beginning.	Decision issued October 2019 upholding the Experience Assessment Committee's decision.
A-2019-51	April 30, 2019	Experience Assessment Committee made an error in Validation of Experience assessment.	Decision issued September 2019 upholding the Experience Assessment Committee's decision.
A-2019-52	May 2, 2019	Experience Assessment Committee made an error in Validation of Experience assessment.	Decision issued November 2019 overturning the Experience Assessment Committee's (EAC) decision. A new panel of the EAC has been ordered to reassess the application with the provision that the appellant be allowed to submit additional material prior, if they choose so.
A-2019-53	May 7, 2019	Experience Assessment Committee made an error in Validation of Experience assessment.	Decision issued October 2019 upholding the Experience Assessment Committee's decision.
A-2019-55	May 8, 2019	Experience Assessment Committee didn't fully assess Validation of Experience application.	Decision issued October 2019 upholding the Experience Assessment Committee's decision.
A-2019-56	May 9, 2019	Experience Assessment Committee didn't fully assess Validation of Experience application.	Decision issued November 2019 upholding the Experience Assessment Committee's decision.
A-2019-57	May 10, 2019	Experience Assessment Committee made an error in Validation of Experience assessment.	Decision issued October 2019 upholding the Experience Assessment Committee's decision.
A-2019-59	May 15, 2019	Experience Assessment Committee made an error in Validation of Experience assessment.	Decision issued November 2019 upholding the Experience Assessment Committee's decision.

A-2019-61	June 19, 2019	Complaints & Investigations Committee made an error in their decision by favouring the member.	Decision issued November 2019 upholding the Complaints & Investigations Committee's decision.
A-2019-63	June 28, 2019	Experience Assessment Committee made an error in Validation of Experience assessment.	Decision issued October 2019 upholding the Experience Assessment Committee's decision.
A-2019-64	June 30, 2019	CHRE Review Committee didn't fully assess CHRE application and is discriminatory to Ontario HR practitioners.	Decision issued November 2019 upholding the CHRE Review Committee's decision.
A-2019-66	August 2, 2019	Experience Assessment Committee made an error in Validation of Experience assessment.	Decision issued November 2019 upholding the Experience Assessment Committee's decision.
A-2019-67	August 12, 2019	Experience Assessment Committee made an error in assessment of Alternate Route application.	An agreement was made between HRP A and the appellant via the alternate resolution process. The appeal was withdrawn by the appellant in October 2019.
A-2019-68	August 28, 2019	Experience Assessment Committee made an error in assessment of Alternate Route application.	An agreement was made between HRP A and the appellant via the alternate resolution process. The appeal was withdrawn by the appellant in October 2019.
A-2019-69	September 9, 2019	CHRE Review Committee did not fairly review CHRE application and failed to consider the correct facts of the application.	Panel originally scheduled for November 2019. It was rescheduled to December 2019 as a panel member was no longer available because of a conflict of interest. The panel member was replaced.
A-2019-70	September 23, 2019	CHRE Review Committee made an error in assessment and the first stage of the CHRE application process is misleading.	Decision issued November 2019 upholding the CHRE Review Committee's decision.
A-2019-71	October 22, 2019	Experience Assessment Committee made an error in assessment of Validation of Experience application.	Appeal is currently with HRP A for response.
A-2019-72	November 5, 2019	Experience Assessment Committee made an error in assessment of Validation of Experience application by not fully reviewing scope of responsibility.	Appeal is currently with HRP A for response.

A-2019-73	November 6, 2019	Experience Assessment Committee made an error in calculation of months of experience and an error in assessment for a Validation of Experience application.	Appeal is currently with HRP A for response.
A-2019-74	November 21, 2019	Experience Assessment Committee’s assessment of Validation of Experience application diminishes the area of Talent Acquisition and People and Culture.	Appeal is currently with HRP A for response.
A-2019-75	November 22, 2019	Experience Assessment Committee made an error in calculation of months of experience for a Validation of Experience application.	Appeal is currently with HRP A for response.

Table 38: Analysis of appeal decisions

Appeal outcomes	Count
Total number of requests for appeal received between September 1, 2019, and November 30, 2019	7
Total number of appeals settled via the Alternate Resolution Process	2
Total number of final appeal decisions released between September 1, 2019, and November 30, 2019	24
Decisions upholding the original decision	21
Decisions overturning the original decision	3



Stakeholder education

Regulatory Affairs newsletter

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

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

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

In Q4, two *Regulatory Affairs* Newsletters were issued--Volume 4, Issue 4 and 5 of the Regulatory Affairs newsletter were published on September 23, 2019 and November 18, 2019.

HRPA staff development

One of the challenges of professional regulation is that it is such a small and specialized enterprise that there are no comprehensive programs in professional regulation. To fill the void, the Office of the Registrar has taken the lead in bringing development to HRPAs. A number of organizations offer webinars on various aspects of professional regulation. The OOTR makes the arrangements but the webinars are open to all HRPAs staff. After each webinar, there is a discussion of the implications for HRPAs. In addition, each quarter, the OOTR will conduct a lunch-and-learn for HRPAs staff.

Table 39: Staff development events in matters of professional regulation (open to all HRPAs staff)

Date	Event Title	Format	Event Provider
September 10, 2019	Pursuing Proportionality	Webinar	Steinecke Maciura Leblanc (SML Law)
October 23, 2019	What is Risk-Based Regulation?	Lunch and Learn	OOTR

2019 Annual statutory and standing regulatory committees development event and reception

For a few years now, HRPAs has hosted an annual development event and reception for members of HRPAs's statutory and standing regulatory committees. This year the event and reception were scheduled to coincide with the HRPAs Board of Directors September meeting and included a joint session with HRPAs Board members.

This year the presenter was Rebecca Durcan, HRPAs regulatory counsel. Rebecca’s presentation was on the topic *Trends in Professional Regulation*. The presentation identified six trends in professional regulation of relevance to HRPAs:

- Governance
- Regulatory oversight
- Board oversight of Committees
- Transparency
- Costs and Fines
- Policy Development

The event was appreciated by all those who attended—both in-person and online. Topics are already being considered for next year’s event.

Lunch-and-learn on risk-based regulation

On October 23, 2019, a lunch-and-learn session was conducted for HRPAs staff titled ‘*Implementing Risk-Based Regulation at HRPAs*.’ The session reviewed the basics of risk-based regulation and what it means to be a ‘risk-based regulator.’

Presentations and paper delivered at CNAR conference

On October 28, 2019, HRPAs Registrar participated in a session on ‘*What Makes a Good Regulator?*’ at a pre-conference CNAR workshop organized by Richard Steinecke. More details on this workshop can be found in the *Trends and Issues* section of this Report.

Also at the 2019 CNAR Conference, HRPAs Registrar conducted a lunch-and-learn on the topic of ‘*Human Resources and Employment Law for Regulators*’ with Natasha Danson of Steinecke Maciura LeBlanc.

A paper, entitled ‘*Practice-based Measurement for Professional Regulatory Bodies*’ was distributed at the Conference. The paper was favorably received.

Staff development event for HRPAs staff who support statutory and standing regulatory committees

On November 22, 2019, HRPAs staff who support statutory and standing regulatory committees participated in a training session lead by Lonny Rosen, of Rosen Sunshine LLC. The purpose of this session was to highlight and further explore those ‘grey areas’ that staff inevitably face when supporting committees, and to reiterate the roles of all involved.