



AGENDA ITEM 6.3

TOPIC: **Composition and Quorum of Statutory Committees and Panels**

Overview

The composition and quorum for statutory committees and associated panels outlined in the *Veterinarians Act* is currently highly prescriptive. Section 7 of *Veterinary Professionals Act, 2024* removes the requirement for this level of specificity within the Act in favour of an increased use of Regulation and the College's By-laws.

Relevant Sections

An overview of the relevant sections of legislation, regulation, by-law, and policy related to committee and panel composition and quorum (both current and future) has been attached to this cover sheet as Appendix "A".

Why Does the College Require Composition and Quorum Rules for Committees and Panels?

Statutory committees and panels are tasked with carrying out the core program-based functions of the College's mandate. Ensuring the right number of individuals possessing the necessary types of backgrounds and skillsets in carrying out this work is essential to fulfilling the College's various roles related to the public interest.

History of College Work Related to Composition and Quorum of Committees and Panels

Current Framework

The *Veterinarians Act* contains both minimum and maximum ranges related to composition of the Executive Committee, Registration Committee, Accreditation Committee, Complaints Committee, and Discipline Committee. All committee members are either veterinarians (Council members or members-at-large) or public members of the Council as appointed by the government. Quorum and other requirements (such as vacancies and ratios) are outlined in College By-law.



The *Act* also contains minimum numbers related to the composition and quorum of panels formed under the Complaints Committee and the Discipline Committee. Panels formed under other committees are currently permitted by the College's By-Laws.

The Quality Assurance Committee currently operates as a non-statutory committee with its composition, quorum, and ability to form panels all established through College By-Laws. Members of the Quality Assurance Committee are either veterinarians (Council members or members-at-large) or public members of the Council as appointed by the government.

Positions on all committees are determined by College Council. Positions on panels are determined by the Committee Chair.

The current framework for committee and panel composition has proven to be detrimental to the College's ability to adapt to increases in workload. This is especially evident for the Complaints Committee, where delays in processing member-related complaints have been exacerbated by the College's inability to appoint more committee members to assist with review and processing. The current framework for panel composition has also impacted the work of the Discipline Committee, where the need for a public Council member appointed by the government to appear on all panels has limited the number of cases that can be reviewed at one time.

Inclusion in Legislative Reform

In its February 2018 Concept Paper to the Ministry of Agriculture, Food, and Rural Affairs entitled "Achieving a Modern Approach to the Regulation of Veterinary Medicine in Ontario", the College made several recommendations related to statutory committees and panel composition, including increasing ranges for panel composition and moving committee composition from the Act to By-law to allow for enhanced agility. These requests were made after several rounds of consideration and conversation amongst both the College's Working Groups and College Council, including extensive background research and two rounds of consultation.

The *Veterinary Professionals Act, 2024* reflects these requests and now permits the College to develop both Regulation and By-law related to composition and quorum for both committees and panels.

Note on Approach

Since the introduction of the *Veterinary Professionals Act, 2024*, the College has received legal advice from its regulatory lawyers that it would be beneficial, and highly advisable, to outline minimum requirements for committee and panel composition and quorums in Regulation to ensure clarity and consistency for both the public and profession. Legal counsel has advised that other items (such as maximums, ratios, and vacancies) could be outlined in College By-law, but that regulatory minimums remain consistent both with the principles of good governance and with the approach taken by other regulators in the province.



What Will Change?

Statutory Committees and their associated panels will continue to be named in the *Veterinary Professionals Act, 2024* with some specific committee name changes. A large portion of the information related to these committees and panels will transition from the level of the *Act* to either Regulation or College By-law. College Council will still be responsible for appointing members to committees and committee chairs will continue to appoint panels.

The Quality Assurance Committee will transition from a non-statutory to a statutory committee and will be subject to the same framework and approach designed for the College's other statutory committees.

Committees will continue to report to College Council who will continue to oversee and direct their work.

Concept

A draft concept has been developed to support the College's work in committee and panel composition and quorum (attached to this cover sheet as Appendix "B").

This concept aims to outline specific supplementary components that are required in Regulation to create a clear framework for the College's committees and panels. These components allow for committees and panels to efficiently and effectively carry out their mandates. In particular, the concept speaks to the proposed inclusion of minimum composition and quorum requirements in regulation designed to ensure equitable representation amongst veterinarian, veterinary technician, and public voices.

The concept also speaks to the College's keen interest in pursuing the ability to enhance the amount of diverse voices within its committees and panels by permitting membership to be drawn from a variety of different areas, including College Council members, public members appointed by government, general members of the College, and general members of the public.

Discussion

The draft concept on committee and panel composition and quorum is now being presented to Transition Council for its review and discussion related to next steps.

Options

Following discussion, Transition Council may elect to:

1. Direct that the draft concept be approved for public consultation as presented or amended;

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2. Direct that the draft concept be returned to College Staff for further review and development; or
3. Other.

Attachments

1. Appendix A – Relevant Sections of Legislation, Regulation, By-Law and Policy – Composition and Quorum of Committees and Panels
2. Appendix B – Draft Concept – Composition and Quorum of Statutory Committees and Panels

Committee and Panel Composition

Relevant Sections of Legislation, Regulation, By-Law, and Policy

Current Framework Under the *Veterinarians Act*

Establishment of committees

10 (1) The following committees are hereby established:

1. Executive Committee.
2. Accreditation Committee.
3. Registration Committee.
4. Complaints Committee.
5. Discipline Committee. R.S.O. 1990, c. V.3, s. 10 (1).

Idem

(2) The Council shall appoint the committees referred to in subsection (1) and may establish and appoint such other committees as it considers necessary. R.S.O. 1990, c. V.3, s. 10 (2); 1998, c. 18, Sched. G, s. 73 (4).

Vacancies

(3) Where one or more vacancies occur in the membership of a committee, the members remaining in office constitute the committee so long as their number is not fewer than the prescribed quorum.

Person to chair

(4) The Council shall name one member of each committee to chair the committee.

Term

(5) No person shall be appointed and reappointed to the same committee for more than six consecutive years. R.S.O. 1990, c. V.3, s. 10 (3-5).

Executive Committee

12 (1) The Executive Committee shall be composed of five members of the Council, including,

- (a) the president and one or two vice-presidents of the College; and
- (b) not more than three other members of the Council of whom one shall be a member of the Council appointed to the Council by the Lieutenant Governor in Council.

Quorum

(2) Three members of the Executive Committee constitute a quorum.

Registration Committee

13 (1) The Registration Committee shall be composed of five persons of whom,

- (a) not fewer than three shall be members of the Council elected to the Council by the members of the College;
- (b) one shall be a member of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) one may be a member of the College who is not a member of the Council.

Quorum

(2) Three members of the Registration Committee constitute a quorum. R.S.O. 1990, c. V.3, s. 13.

Accreditation Committee

16 (1) The Accreditation Committee shall be composed of five persons of whom,

- (a) not fewer than three shall be members of the Council elected to the Council by the members of the College;
- (b) one shall be a member of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (c) one may be a member of the College who is not a member of the Council.

Quorum

(2) Three members of the Accreditation Committee constitute a quorum. R.S.O. 1990, c. V.3, s. 16.

Complaints Committee

23 (1) The Complaints Committee shall be composed of not fewer than three and not more than ten persons of whom,

- (a) at least one is a member of the Council appointed to the Council by the Lieutenant Governor in Council; and
- (b) the others are members of the College, of whom at least one, but not the majority, is a member of the Council. R.S.O. 1990, c. V.3, s. 23 (1).

Eligibility

(2) A member of the Complaints Committee who takes part in the consideration or investigation of a complaint regarding the conduct of a member or former member of the College is not eligible to take part as a member of the Discipline Committee in proceedings before the

Discipline Committee in respect of the same conduct of the member or former member of the College. R.S.O. 1990, c. V.3, s. 23 (2).

Panels

(2.1) The chair of the Complaints Committee may appoint panels composed of at least three members of the Complaints Committee, at least one of whom is a person whom the Lieutenant Governor in Council has appointed to the Council, to consider and investigate a complaint. 2006, c. 19, Sched. A, s. 17 (15).

Simultaneous panels

(2.2) The Complaints Committee may sit in two or more panels simultaneously so long as a quorum of the Committee is present in each panel. 2006, c. 19, Sched. A, s. 17 (15).

Quorum

(3) Three members of a panel, one of whom is a person appointed to the Council by the Lieutenant Governor in Council, constitute a quorum. 2006, c. 19, Sched. A, s. 17 (16).

Discipline Committee

28 (1) The Discipline Committee shall be composed of not fewer than 10 persons of whom,

(a) at least two are persons whom the Lieutenant Governor in Council has appointed as members of the Council; and

(b) the others are members of the College, of whom at least three are members of the Council. 2006, c. 19, Sched. A, s. 17 (17).

Quorum

(2) A majority of the members of the Discipline Committee, at least one of whom is a person whom the Lieutenant Governor in Council has appointed as a member of the Council, constitutes a quorum. 2006, c. 19, Sched. A, s. 17 (17).

Panels

(3) The chair of the Discipline Committee may appoint panels composed of at least three members of the Committee, at least one of whom is a person whom the Lieutenant Governor in Council has appointed as a member of the Council and at least one of whom is person who is both a member of the College and a member of the Council, to hear,

(a) allegations of a member's professional misconduct or serious neglect for which the Executive Committee or the Complaints Committee has directed the Discipline Committee to hold a hearing under subsection 30 (1); or

(b) an application that the Registrar has referred to the Committee under subsection 37 (5). 2006, c. 19, Sched. A, s. 17 (17).

Simultaneous panels

(3.1) The Discipline Committee may sit in two or more panels simultaneously if a quorum is present in each panel. 2006, c. 19, Sched. A, s. 17 (17).

Quorum of panel

(3.2) Three members of a panel of the Discipline Committee, at least one of whom is a person whom the Lieutenant Governor in Council has appointed as a member of the Council and at least one of whom is a person who is both a member of the College and a member of the Council, constitute a quorum of the panel. 2006, c. 19, Sched. A, s. 17 (17).

Current Framework in College By-Law

12. COMMITTEES

12.04 – Composition of Committees Unless stated otherwise in the Act or these By-Laws, every Committee of the College shall be composed of at least three persons and shall include at least one Elected Member and at least one Public Member. In appointing persons to a Non-Statutory Committee, Council may appoint persons who are neither Council Members nor Licensed Members unless the Act or these By-Laws provide otherwise.

12.05 – Ratios Unless stated otherwise in the Act or these By-Laws, the number of Committee members who are also Licensed Members shall, wherever possible, exceed the number of Committee members who are Public Members.

12.06 – Filling Vacancies Subject to sections 6.03 and 6.04, where a vacancy occurs in respect of the membership of a Committee, the Executive Committee shall, if necessary for a Committee to achieve its quorum or if necessary to give effect to the provisions of the Act, appoint individuals to fill any vacancies. Every member of a Committee so appointed shall continue to be a member of such Committee until confirmed or replaced, provided that any such appointment shall not extend beyond the then remaining term of Committee member being replaced.

12.07 – Vacancies Despite anything in these By-Laws, a Committee is properly constituted despite any vacancy so long as there are sufficient members to form a quorum of the Committee or a Panel of the Committee.

12.08 – Quorum The quorum of any Committee is three members unless otherwise provided in the Act or these By-Laws or unless the Committee is composed of only three members, in which case, the quorum for such a Committee shall be two members.

12.09 – Panels A Committee may meet in Panels selected by the Chair of the Committee.

12.10 – Honoraria and Expenses The amount payable to members of committees who are Licensed Members for attendance at, travel to and preparation for the transaction of College business, shall be the amounts set out in a remuneration and expense policy approved by the Council from time to time. The College shall publish the amounts on the College's website.

Future Framework under the *Veterinary Professionals Act, 2024*

Committees

7 (1) The College shall have the following committees:

1. The Executive Committee.
2. The Accreditation Committee.
3. The Licensing Committee.
4. The Investigations and Resolutions Committee.
5. The Quality Assurance Committee.
6. The Discipline and Fitness to Practise Committee.

Appointments

(2) The Council shall appoint the members of the committees.

Composition

(3) The composition of the committees and the determination of what constitutes a quorum of a committee shall be in accordance with the by-laws and any regulations.

Vacancies

(4) If one or more vacancies occur in the membership of a committee, the remaining members shall constitute the committee unless the committee has fewer members than is necessary to constitute a quorum.

Chairs

(5) The Council shall name one member of each committee to chair the committee.

Term

(6) No person shall be a member of the same committee for more than six consecutive years.

Other committees

(7) The Council may establish and appoint members to such other committees as it considers necessary.

Panels of committees

8 (1) Unless provided otherwise under this Act, the chair of a committee, other than the Executive Committee, may, in accordance with the regulations and subject to any quorum and composition rules in the regulations and by-laws,

(a) establish panels to carry out any of the work of the committee; and

(b) appoint the members of such panels.

Appointments

(2) Appointments to panels shall be at the discretion of the Chair but shall comply with any requirements under this Act.

Multiple panels

(3) A member of a committee may sit on more than one panel of the committee during the same period.

Simultaneous panels

(4) A committee may sit in two or more panels simultaneously so long as a quorum is present in each panel.

Authority of panels

(5) Unless provided otherwise under this Act, a panel of a committee can exercise all of the authorities of the committee.

Regulations, Council

93 (1) Subject to the approval of the Lieutenant Governor in Council, the Council may make regulations,

1. prescribing and governing anything in this Act that is described as being prescribed, done in accordance with the regulations, provided for in the regulations or authorized or required by the regulations, other than a matter that this Act describes as being prescribed by the Minister or Lieutenant Governor in Council or provided for in regulations made by the Minister or Lieutenant Governor in Council;
2. delegating powers, duties and functions to the committees of the College;
3. prescribing and governing the composition and quorum of committees of the College and panels of committees;
4. prescribing and governing the qualification, selection, appointment and terms of office of members of committees of the College and panels of committees;
5. prescribing and governing conditions that disqualify committee members from sitting on committees of the College and panels of committees and governing the removal of disqualified committee members;

By-laws

98 (1) The Council may make by-laws relating to the administrative and internal affairs of the College not inconsistent with this Act and the regulations, including by-laws respecting the following matters:

10. With respect to committees and their panels,

- i. respecting the filling of vacancies on committees or panels,
 - ii. providing for the composition of committees or panels and quorum for committees or panels,
 - iii. respecting the qualifications, selection, appointment and terms of office of members of committees, and
 - iv. prescribing conditions that disqualify committee members from sitting on committees and governing the removal of disqualified committee members.
11. Providing for the establishment, appointment, composition, powers, duties and quorums of additional or special committees.

Composition and Quorum of Committees and Panels Concept Chart

Section	Main Objectives	Primary Concepts	Additional Information	Transition Comments	Intended Outcomes
<p>This column outlines the specific section of regulation.</p>	<p>This column provides an overview of the College’s main objectives for the section of regulation.</p>	<p>This column provides a more in-depth description of the objectives sought and the associated reasoning.</p>	<p>This column provides any additional specific information required to ensure clarity.</p>	<p>This column highlights any relevant transition matters requiring consideration.</p>	<p>This column outlines the College’s intended outcomes for the specific section.</p>
<p>Committee and Panel Composition</p>	<ul style="list-style-type: none"> • Based on the structure outlined in the <i>Veterinary Professionals Act, 2024</i>. • Outline membership and quorum requirements for statutory committees and panels. • Embrace diverse voices. 	<p>General</p> <p>The College is proposing the development of a regulation section related to membership and quorum requirements for the statutory committees and associated panels established under Section 7 of the <i>Veterinary Professionals Act, 2024</i>.</p> <p>Purpose</p> <p>The College conducts a majority of its work through its statutory committees and associated panels. Providing clear outlines of the composition of these essential entities signals to both the public and the profession the structure and general expectations related to the different committees and panels and their varied composition.</p>	<p>The College is thoughtful of the need to ensure that both veterinarian and veterinary technician members serve on committees and panels. In particular, the College is seeking to ensure that all panels that deal with member matters are required to have at least one member of the same professional category on the panel as the individual under review.</p> <p>The College is also seeking the ability to appoint at-large public members to its different committees and panels to increase both the number of public voices at the table as well as the</p>	<p>The <i>Veterinarians Act</i> currently contains both minimum and maximum membership numbers related to committees and panels. The inclusion of maximums has proven to hinder the College’s ability to efficiently address member-matters, especially related to the review of complaints.</p>	<p>Creation of a regulatory framework that is clearly outlined and ensures that the College’s committees and panels can efficiently and effectively carry out their mandates while ensuring agility and responsiveness to the ebbs and flows of the work.</p>

Section	Main Objectives	Primary Concepts	Additional Information	Transition Comments	Intended Outcomes
		<p>Outline Membership and Quorum Requirements</p> <p>The College is proposing that the minimum membership and quorum requirements for statutory committees and their associated panels be outlined in Regulation. The proposed membership has been designed to ensure representation amongst veterinarian, veterinary technician, and public voices.</p> <p>Embrace Diverse Voices</p> <p>The College is proposing that committee and panel membership be chosen from a variety of different areas, including Council members, government-appointed public members, general members of the College, and general members of the public.</p>	<p>different backgrounds and insights that they bring.</p> <p>The College is not seeking the inclusion of maximum numbers for its committees and panels within Regulation. Instead, the College is proposing that maximums, if required, could be outlined through the College’s By-Laws.</p> <p>College Council would still be responsible for selecting committee membership regardless of the type of member. The selection process, including any associated competencies or backgrounds, would be outlined in College By-Law.</p>		