

ELECTION HANDBOOK



Introduction

This Election Handbook is provided to inform registrants of the College of Naturopaths of Ontario (the College) about the upcoming election to the Council of the College. Registrants are being advised about the election, its timing and the process to stand for election to the Council in the affected districts.

About the Council and the College of Naturopaths of Ontario

The College regulates naturopathic doctors to protect and serve the public interest. The College protects Ontarian's rights to safe, competent and ethical care by supporting naturopathic doctors to maintain the standards of practice of the profession, and by holding them accountable for their conduct and practice.

The College of Naturopaths of Ontario is one of 26 health regulatory colleges in Ontario that are established as self-regulating professions. This means first, that naturopathic doctors are involved in determining the rules that govern the profession, i.e., they are members of Council. Second, self-regulation means that naturopathic doctors are accountable for their own conduct, i.e., they are accountable to self-regulate, with the College providing assistance and oversight.

A Council, like a board of directors, directs the work of the College. The role of Council¹ is to:

- ensure the College complies with its mandate and the law,
- set strategy and monitor performance, and
- hold the Chief Executive Officer (CEO) to account for delivery.

The work of the Council is undertaken solely in the interest of the public.

The Council is made up of naturopathic doctors (who have been elected by their peers) and members of the public (who have been appointed by the Lieutenant Governor of Ontario). The College is given its mandate to regulate naturopathic practice in Ontario and give health-care consumers a strong voice in the regulatory process through the *Regulated Health Professions Act*, 1991 (RHPA).

When registrants of the profession elect a peer to sit on the Council, they do so because they believe that **the individual for whom they vote for is best able to represent the public interest**. Elected Councillors are not beholden to the registrants who elect them, but rather to the public of Ontario.

When an individual seeks to be elected to the Council, they do so because they believe that they can make sound and reasoned decisions that serve the public interest.

¹ An Inquiry into the performance of the College of Dental Surgeons of British Columbia and the Health Professions Act. Harry Cayton, CBE, FFHP. December 2019, page 20 (paragraph 3.47).

Election Schedule

The following Schedule will govern the 2024 Council Election:

Step	Date/Deadline
A formal Call for Nominations will be issued by the College.	January 17, 2024
Any registrant who may be interested in seeking nomination must attend a mandatory orientation session.	February 2024
The College must receive a completed Candidate Election Package. The Package forms are all online and include: • Nomination and Consent Form • Confirmation of Eligibility Form • Election Undertaking • Conflict of Interest Questionnaire • Fiduciary Duties Acknowledgement and Undertaking • Agreement and Undertaking regarding Duties of Council members • Candidate biography and personal statement	February 20, 2024, 5:00 p.m.
Registrants who are ineligible to vote will be informed and given an opportunity to appeal.	March 5, 2024
Candidates will receive a written confirmation of their eligibility and be informed of any changes to their biography and personal statement.	On or about March 12, 2024
Balloting of registrants opens.	March 20, 2024, 12:01 a.m.
Close of balloting.	April 5, 2024, 5:00 p.m.
Candidates advised of the outcome of election.	April 8, 2024

Deadline for request for recount.	April 18, 2024, 5:00 p.m.
Deadline for recount.	April 22, 2024
Profession advised of election outcome.	April 26, 2024
Council initial training.	To be determined
First meeting of Council.	May 29, 2024

Additional information about the various aspects of this schedule is provided below. Registrants and candidates will be advised throughout this process of the dates for each step of the elections.

Districts

Each registrant of the College is assigned to a district according to the first three characters of the postal code of their primary practice location or, if the registrant is in the Inactive class of registration, their residence address. The seven² districts are as follows:

District 1	The West is composed of communities served by the postal codes beginning with "N", excluding the following postal codes: N0A, N0C, N0E, N0G, N0H, N1A, N2Z, N3L, N3P, N3R, N3S, N3T, N3V, N3W, N3Y, N4B, N4K, N4L, N4N, N4W.
District 2	The South is composed of communities served by the postal codes: L0J, L0P, L0R, L0S, L2A, L2E, L2G, L2H, L2J, L2M, L2N, L2P, L2R, L2S, L2T, L2V, L2W, L3B, L3C, L3K, L3M, L4T, L4V, L4W, L4X, L4Y, L4Z, L5A, L5B, L5C, L5E, L5G, L5H, L5J, L5K, L5L, L5M, L5N, L5P, L5R, L5S, L5T, L5V, L5W, L6H, L6J, L6K, L6L, L6M, L6P, L6R, L6S, L6T, L6V, L6W, L6X, L6Y, L6Z, L7A, L7C, L7G, L7J, L7K, L7L, L7M, L7N, L7P, L7R, L7S, L7T, L8E, L8G, L8H, L8J, L8K, L8L, L8M, L8N, L8P, L8R, L8S, L8T, L8V, L8W, L9A, L9B, L9C, L9G, L9H, L9K, L9T, M7R, N0A, N0E, N1A, N3L, N3P, N3R, N3S, N3T, N3V, N3W, N3Y, N4B.
District 3	The Toronto West is composed of communities served by the postal codes: M2R, M3H, M3J, M3K, M3L, M3M, M3N, M3R, M4R, M4V, M5G, M5H, M5J, M5K, M5L, M5M, M5N, M5P, M5R, M5S, M5T, M5V, M5X, M6A, M6B, M6C, M6E, M6G, M6H, M6J, M6K, M6L, M6M, M6N, M6P, M6R, M6S, M7A, M8V, M8W, M8X, M8Y, M8Z, M9A, M9B, M9C, M9L, M9M, M9N, M9P, M9R, M9V, M9W.

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² In 2020, the Council agreed as part of its Governance Review to reduce the number of districts from eight to seven. District 5 was eliminated, and the postal codes originally included in that District were reassigned to districts 2 and 6.

District 4	The Toronto East is composed of communities served by the postal codes: M1B, M1C, M1E, M1G, M1H, M1J, M1K, M1L, M1M, M1N, M1P, M1R, M1S, M1T, M1V, M1W, M1X, M2H, M2J, M2K, M2L, M2M, M2N, M2P, M3A, M3B, M3C, M4A, M4B, M4C, M4E, M4G, M4H, M4J, M4K, M4L, M4M, M4N, M4P, M4S, M4T, M4W, M4X, M4Y, M5A, M5B, M5C, M5E, M5W, M7Y.
District 6	The North Central is composed of communities served by the postal codes: L0A, L0B, L0C, L0E, L0G, L0H, L0K, L0L, L0M, L0N, L1A, L1B, L1C, L1E, L1G, L1H, L1J, L1K, L1L, L1M, L1N, L1P, L1R, L1S, L1T, L1V, L1W, L1X, L1Y, L1Z, L3P, L3S, L3R, L3T, L3V, L3X, L3Y, L3Z, L4A, L4B, L4C, L4E, L4G, L4H, L4J, L4K, L4L, L4S, L6A, L4M, L4N, L4P, L4R, L6B, L6C, L6E, L6G, L7B, L7E, L9J, L9L, L9M, L9N, L9P, L9R, L9S, L9V, L9W, L9Y, L9Z, N0C, N0G, N0H, N2Z, N4K, N4L, N4N, N4W.
District 7	The East is composed of communities served by the postal codes beginning with "K".
District 8	The North is composed of communities served by the postal codes beginning with "P".

Although every effort has been made to ensure all postal codes are included, in the event that your postal code is not listed, please contact the College (general@collegeofnaturopaths.on.ca). Your postal code will be analysed and added to the appropriate district in accordance with Section 10.01 of the by-laws.

Terms

To establish a staggered election schedule for the future, the initial election held in 2015 covered all eight districts and elected registrants for varied terms pursuant to the by-laws. The 2024 election covers only those districts where the registrant was elected in 2021 for a three-year period. Therefore, the 2024 election includes Districts 2, 4 and 6.

Each of these Districts will elect one registrant to the Council for a three-year term (May 29, 2024 to May 26, 2027).

Eligibility to Vote

A registrant is eligible to vote in an election for members of Council if, on the day of the election, the registrant,

- i. holds a certificate of registration, i.e., they have not been suspended;
- ii. has their principal place of practice or, if they hold a certificate of registration in the Inactive Class of Registration, their principal place of residence, in the electoral district for which an election is being held;
- iii. is not in default of any fees or other amounts owed to the College; and
- iv. is not in default of returning any required form or information to the College.

All registrants will be advised by e-mail as to whether they are eligible to vote and if they are eligible, how to submit a ballot, and if they are not eligible, why they have been deemed to be ineligible by the CEO.

Any registrant who is deemed ineligible may ask the Governance Committee to review their status. The process for seeking an appeal will be outlined in the e-mail advising a registrant that they are ineligible. The Governance Committee's decision on the matter will be final.

Eligibility to Stand for Election

A registrant is eligible for election to Council if the registrant has been nominated in accordance with these by-laws, the registrant has completed and returned the Election Package and if, on the deadline for the receipt of nominations and up to and including the date of the election, the registrant:

- (i) holds a certificate of registration in the General Class or Inactive Class;
- (ii) is principally engaged in the practise of the profession in the electoral district for which they are nominated or, if they hold a certificate of registration in the Inactive Class of Registration, they principally reside in the electoral district for which they are nominated;
- (iii) is not in default of payment of any fees to the College;
- (iv) is not the subject of any disciplinary or incapacity proceeding;
- (v) has not been the subject of any professional misconduct, incompetence or incapacity finding in the preceding three years;
- (vi) has not had their certificate of registration revoked or suspended in the preceding six years for any reason other than non-payment of fees or failure to return information to the College;
- (vii) holds a certificate of registration that is not subject to a term, condition, or limitation imposed by either the Discipline Committee or the Fitness to Practise Committee;
- (viii) has not held any position such as director, owner, board member, officer or employee that the registrant held with a professional association relating to naturopathy for a minimum of two years prior to seeking election;
- (ix) has not held any position such as director, owner, board member, or officer that the registrant holds with an educational institution relating to naturopathy for a minimum of two years prior to seeking election;
- (x) has not been disqualified from Council within the preceding three years;
- (xi) is not a member of a council of any other college regulated under the RHPA;
- (xii) is not an employee of the College;
- (xiii) does not have any real or perceived conflict of interest as defined in these by-laws and as determined by the CEO or has agreed to remove any such conflict of interest before taking office;
- (xiv) has substantially complied with the Election Guidelines of the College;
- (xv) is not in any default of returning any required form or information to the College;
- (xvi) has no concerning social media posts relating to any regulated profession;

- (xvii) has not initiated, joined, materially contributed or continued a legal proceeding against the College or any Committee or representative of the College; and
- (xviii) meets the competencies required and has successfully completed any qualifying process established by the Council.

All nominations received by the College will be verified by the Governance Committee of the Council for the eligibility of the nominated individual to stand for election. If you have any questions about whether you are eligible to stand for election to the Council, please contact the CEO of the College. Contact information is provided below.

Nomination Procedures

Registrants who wish to be nominated for election to the Council in their district must complete the on-line Nomination and Consent Form as an expression of interest in standing for election no later than 5:00 p.m. on February 20, 2024.

Registrants may request the Nomination and Consent Form in an accessible printed format or ask for the assistance of the College to complete the form on-line.

Nominations received by e-mail or on any other document other than the on-line Nominations and Consent Form will not be considered valid unless the form used is an approved accessible format.

The on-line Nomination and Consent Form submitted as an expression of interest will be used by the College to obtain the agreement of two registrants (Nominators) in good standing **from your district** to support your nomination, as well as the nominee's final consent to be nominated.

When preparing to complete this form, registrants should have the following information available:

- Your registration number and district assignment to be provided along with your full name and e-mail address.
- The full name, e-mail address and registration number of the first person who you have contacted and who has agreed to support your nomination.
- The full name, e-mail address and registration number of the second person from your district who have you contacted and who has agreed to support your nomination.

When submitting this form, be sure to check off the box at the bottom of the form to request a copy of the form as you have submitted it be sent to you.

To ensure you successfully complete the nomination process, it is recommended that registrants follow these steps:

- 1. **Ensure you are within one of districts 2, 4 or 6**. To do so, check the postal code of your primary practice location³ on file with the College in the <u>Public Register</u> against the list of postal codes provided above. Only these three districts are open for election in 2024.
- 2. **Register** to attend and participate in the Orientation Session that will be held in February. Check the College's website for date and time and how to register. This session is mandatory for individuals to be eligible to stand for election. Please see the Qualifying Program section below for more information.
- 3. **Find two nominators**. Identify two colleagues who are prepared to support your nomination. Using the Public Register and the postal codes provided above, ensure that if they are practising, their primary practice location is in your district or, if they are Inactive, that they live in your district. Obtain their full name, e-mail address and registration numbers.
- Complete the Nomination and Consent Form on-line. With this information in hand, you
 are ready to submit your expression of interest for nomination using the on-line Nomination
 and Consent form.
- 5. **Complete the six additional forms required**. The Election Package as defined in the bylaws includes six items in addition to the Nomination and Consent form. These are the forms that must be completed online. They include:
 - a. Confirmation of Eligibility Form,
 - b. Election Undertaking,
 - c. Conflict of Interest Questionnaire,
 - d. Fiduciary Duties Acknowledgement and Undertaking,
 - e. Agreement and Undertaking regarding Duties of Council members, and
 - f. Nominee Statement and Biography.
- 6. **Complete the Qualifying Program**. The Council requires that individuals seeking nomination to be elected to the Council or appointed to a Committee of the Council successfully complete the Competency and Qualifying Program. This includes:
 - a. Attending an Orientation Session presented by the CEO of the College,
 - b. Completing a **Skills Self-Assessment**, and
 - c. Meeting with a Panel of the Governance Committee.

Competency and Qualifying Program

In September 2021, the Council of the College approved a new policy that instituted a Qualifying Program in accordance with paragraph (xvi) of Section 10.05 of the by-laws. Under this policy, for a registrant to be eligible for election to the Council or appointment to Council Committees, an individual must have the competencies necessary to perform the duties assigned to them and must have successfully completed a qualifying program.

³ This assumes you hold a General Class Certificate of Registration and primary practice location is in the district in which you are seeking election. If you hold an Inactive Class Certificate of Registration, you must live in the district in which you are seeking election. Please log in to the registrant Portal to determine the address on file for you with the College.

Competency Framework

The competency framework established by the Council establishes two sets of related competencies. The first set of competencies are those for election of a candidate and what they must have to be eligible. The second set of competencies are those that a candidate must be willing to learn while on the job.

The competencies that a candidate must have include the following.

- An understanding of and ability to provide **leadership**, including:
 - The importance of dialogue and the ability to interact with others to draw out thought and information.
 - The importance of working in collaboration with management.
 - o The importance of board and committee evaluation processes.
 - o The importance of competency-based selection processes.
 - The importance of succession planning.
- An <u>understanding of the **public sector and health systems**, including:</u>
 - o A broad commitment to the public and people of Ontario.
 - Knowledge of the public interest and can place the public's interest above the profession's interests.
 - o Knowledge of the health care system broadly.
 - Knowledge of health regulation.

The competencies a candidate must be willing to learn include the following.

- An understanding of or willingness to learn about **Governance responsibilities**, including:
 - o The role of the board and committees.
 - The role of the Chair of the board and management.
 - o The role of individual Board and committee members.
 - o The legal and ethical responsibilities when holding a position of trust.
 - o The importance of being independent in thought.
- An <u>understanding of or willingness to learn</u> about financial and organizational oversight, including:
 - The concept of risk management and risk mitigation.
 - o The process for managing people, including recruiting and retaining people.
 - Assessing financial information and can read, interpret and question financial statements.
- An understanding of or willingness to learn about governing effectively, including:
 - o The meaning and importance of conflict of interest.
 - o The importance of ethical decision-making.
 - How unconscious bias can negatively impact decision-making and ways to identify these biases.
 - o How the above noted issues can impact the reputation of the organization.

Competencies are assessed through a self-assessment questionnaire and reviewed by the Governance Committee of the Council. The questionnaire is a 30-question multiple choice assessment.

Qualifying Program

The Qualifying Program includes two elements. The first is a presentation and discussion conducted by the CEO on key components of the Council and its responsibilities, including but not limited to the qualifications to seek election or appointment, the mandate of the College, the role of Council and staff, duties and responsibilities for Council and committee members, time commitments, compensation provided, training and evaluation requirements, on-going support from Council, Committees and staff and the processes for election/appointment. **The next session will be held in February 2024** and must be attended to stand for election.

The second element is a meeting with a panel of the Governance Committee where the Committee and potential nominee will review the orientation session, the competency assessment results, their education and experience.

The intent of the Qualifying Program is to ensure that the nominee is aware of the work involved in being on Council, the people that they will serve and how the Council conducts its business. The desired outcome is to approve as many qualified candidates as possible.

Balloting

The by-laws of the College enable registrants to vote electronically. As a means of managing the resources of the College effectively, electronic balloting will be instituted for this election of the Council.

All registrants who are eligible to vote will be provided with a unique username and password (herein referred to as "log on information") for the College website, which enables them to review candidate information and complete one ballot. This log on information is different than the log on information registrants use to complete renewals or update their own records.

The database will track whether a registrant has voted, and the candidate selected (although this latter information is not available for general review by the registrants or staff of the College and is only required for recount purposes). Once a registrant has voted, they will not be able to vote again or change their vote.

Online balloting will open on March 20, 2024 at 12:01 a.m. and will close on April 5, 2024 at 5:00 p.m. EST.

Biography and Personal Statement

Registrants who are seeking to be nominated as a candidate in the election are required to provide a biography and personal statement at the time they are submitting their nomination. This is earlier in the process than previously done and is part of the efforts to streamline the process.

The biography should be a brief (300 words or less) outline of their professional history. It must be in a paragraph form (bullet points are not permitted). The biography is not a curriculum vitae or resume but a summary of the highlights of one's career.

The personal statement should also be brief (300 words or less) and should outline why the individual wishes to sit on the Council. The personal statement must also be in a paragraph format and not include bulleted lists.

Both the biography and personal statement submitted must:

- not be (or potentially be) libelous, offensive or in bad taste;
- not be in violation of any law or the College's Rules of Conduct;
- reflect the College's mandate of protecting the public interest;
- not make promises to change or commit to making changes to the College's by-laws, regulations, standards of practice, policies or position statements;
- not promote or advocate on behalf of the profession or indicate an intent to do so if elected;
- be submitted in either English or French (note: the College will not translate the summary or the statement into English or French should it be provided in any other language);
- be limited to the 300 words or less for each section as noted above; and
- be provided in Word format via e-mail to volunteers@collegeofnaturopaths.on.ca.

The Governance Committee will review and approve all materials submitted. If in the sole discretion of the Governance Committee the candidate's biography and/or personal statement do not meet the stated specifications, the Committee reserves the right to truncate the documents unilaterally, without further input from, or consultation with, the respective candidate.

Any candidate who is not able to provide an approved biography and/or statement by the required deadline will be listed on the information sent to registrants with their name only.

Campaigning Principles

As noted above, the College will circulate information about candidates standing for election to registrants. The College will not release the mailing address or any other information of registrants to any candidates. Candidates who wish to engage in additional campaign activities do so at their own cost.

Any campaign activities must reflect the College's mandate of protecting the public interest. Candidates must not make promises to change or commit to making changes to the College's by-laws, regulations, standards of practice, policies or position statements. Candidates must not promote or advocate for the profession or any advocacy group.

All activities and statements must comply with the regulations, by-laws and <u>Ontario Human</u> Rights Code.

Candidates for election to the Council must neither seek nor allow an endorsement from a current (sitting) member of the Council nor imply that the College has endorsed their candidacy.

Candidates may not use the logo, colours or any symbols or watermarks of the College of Naturopaths of Ontario.

Conflict of Interest

A conflict of interest exists where a reasonable person would conclude that a Council or Committee member's personal or financial interest may affect their judgment or the discharge of their duties to the College. A conflict of interest may be, real or perceived, actual or potential, or direct or indirect.

All Council and Committee members have a duty to carry out their responsibilities in a manner that serves and protects the interest of the public. As such, they must not engage in any activities or in decision-making concerning any matters where they have a direct or indirect personal or financial interest. All Council and Committee members have a duty to uphold and further the intent of the *Naturopathy Act, 2007*, to regulate the practice and profession of naturopathy in Ontario in the public interest, and not to represent the views of advocacy or special interest groups.

A conflict of interest or an appearance of a conflict of interest by a member of Council or its Committees could:

- · bring discredit to the College,
- amount to a breach of the fiduciary obligation of the person to the College, and
- create liability for either the College and/or the person involved.

As a result, the Council has very clear rules outlined in the by-laws surrounding conflict of interest and very clear governing policies that establish how a member of the Council or its Committees must behave if they are in a conflict of interest about a matter upon which they are expected to make a decision.

Many conflicts of interest are situational in nature, that is, they arise because of a specific issue or matter before the Council and can therefore be addressed through procedure. Other conflicts are inherent in a position an individual might hold in a separate organization. In these instances, the conflict of interest goes beyond specific issues or matters before the Council or its Committees and is pervasive among all matters. In such cases, the individual who might be seeking to be a candidate for election would be disqualified.

The by-laws of the College of Naturopaths of Ontario detail two situations where the conflict of interest is pervasive and unresolvable. These are as follows:

- an individual holds a responsible position in any professional association relating to naturopathy, including but not necessarily limited to a position as director, owner, board member or officer or is an employee; or
- an individual holds a responsible position in any educational institution relating to naturopathy, including but not necessarily limited to a position as director, owner, board member or officer.

A "responsible person" within an organization is an individual who directly or indirectly makes or influences decision-making within the organization. A person who is solely responsible for implementing decisions made by others would not likely be seen as a responsible person. The by-laws provide some examples of typical titles of individuals in an organization who would be considered a responsible person. These include an owner, board member, officer or director of an organization. However, this list is not exhaustive and positions carrying other titles might also be deemed a responsible person and individuals holding these titles might be deemed not to be a responsible person depending on the role that they play within that organization.

The College has developed a Conflict-of-Interest Questionnaire, which all nominees must complete and return as part of the election process. The Questionnaire serves two purposes. First, it allows the College to identify candidates that may potentially be "responsible persons" for further evaluation. Second, for candidates who are elected to the Council, it allows the Council to identify in advance potential instances where a conflict of interest might arise. For example, a member of Council who is also active in a charity would declare a conflict of interest if the Council were determining whether to undertake charitable activities and if so, which charity or charities to support.

Members of councils and boards often have the belief that in declaring a conflict of interest that they may be suggesting some wrongdoing. In fact, the opposite is true. Declaring or even exploring when a member has a potential conflict of interest indicates that the member is aware of the importance of the decision-making body, and the issues in which they might participate, and that they have placed the interests of that body above their own. This is how one might act in the public interest.

Candidates for election must complete and return the College's Conflict of Interest Questionnaire at the time they are submitting their Election Package. At that time, the Governance Committee will address any concerns about unresolvable conflicts of interest. Individuals who have such a conflict of interest are given the opportunity under the by-laws to resign the other position that places them in conflict or withdraw their nomination for election.

Role of the CEO and Governance Committee in Elections

The CEO or the CEO with the assistance of the Governance Committee, supervises and administers the election. The CEO may, subject to the by-laws:

- appoint returning officers and scrutineers;
- establish procedures and any necessary deadlines including procedures relating to the receipt of nominations, biographies, personal statements and ballots (or equivalent if voting is done electronically);
- establish procedures for the opening and counting of ballots (or equivalent if voting is done electronically);
- provide for the notification of the results of the election to all candidates and registrants;
- provide for the destruction of ballots (or equivalent if voting is done electronically) following an election: and

• do anything else that the CEO deems necessary and appropriate to ensure that the election is fair and effective.

The Governance Committee is responsible for:

- reviewing and making a final ruling on any disputes regarding a registrant's eligibility to vote in an election;
- reviewing and making a determination on the acceptability of the biography and personal statement submitted by a candidate for election;
- upon the request of the CEO, assisting the CEO in the supervision and election of candidates for Council; and
- upon a referral from the Council, holding an inquiry into the validity of the election of the Council member and making a report and recommendations to the Council.

Training & First Council Meeting

All candidates elected must ensure that they block the full day of May 29, 2024 to attend the first Council meeting of the new cycle. Materials for this meeting will be provided on or before May 22, 2024.

All newly elected Council members must attend training as set out in the policies of the Council. This training is mandatory and is completed over two, half-day sessions. The dates of this training have not yet been set but are expected to take place in May or June 2024.

Contact Information for Questions

Any registrant who has questions about the Election Handbook or related matters is invited to contact the College as follows:

Andrew Parr, CAE Chief Executive Officer

Telephone: 416-583-6010 **Toll Free**: 1-877-316-1925

E-mail: ceo@collegeofnaturopaths.on.ca