



College of Naturopaths of Ontario

2019/20 Governance Review

Consultation Summary

December 23, 2019

Introduction

The College initiated consultations with naturopathic stakeholder organizations, College Members and the public from November 18 to December 6, 2019 to obtain input on a number of global regulatory governance trends and topics. The questions asked in the consultations are the same ones that the College Council will deliberate at a facilitated governance review workshop on January 28 and 29, 2020.

This report gives an overview of the audiences consulted and summarizes feedback and core themes captured during an in-person consultation with stakeholder organizations and from the online survey that was available on our website and promoted to College Members, the public, stakeholder organizations, and members of the Citizen Advisory Group.

Consultation audiences

Audiences	Consultation activity	Date
• Canadian Association of Naturopathic Doctors (CAND) • Canadian College of Naturopathic Medicine (CCNM) • Ontario Association of Naturopathic Doctors (OAND)	• Facilitated in-person meeting • Participating organizations were also provided with the link to the online consultation should they wish to submit additional feedback from their organization and/or Board members who were unable to attend the in-person meeting.	November 18, 2019
Citizen Advisory Group	Recruitment of 15 CAG members to take the online survey.	November 20 – December 6, 2019
College Members and public	Online via College Governance Review webpage, promoted in College News Bulletin and online NEWS.	November 20 – December 6, 2019
CANRA members	Email from College President Kim Bretz with link to online participation options via Governance Review webpage.	November 20 – December 6, 2019
FHRCO members	Email from Kim Bretz with link to online participation options via Governance Review webpage.	November 20 – December 6, 2019



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Engagement Numbers

Following are the number of participants in each consultation modality:

- In-person stakeholder organizations' meeting: 4 senior leaders representing CAND, CCNM and OAND
- Online survey – Citizen Advisory Group members: 15
- Online survey – other – 3

Total participants: 22

Feedback by Topic Area

Participants in the in-person and online consultations were asked to read the foundational document [*Regulatory Governance – Key Concepts & Questions*](#) ahead of time because it provides a frame of reference for discussion and answering questions.

Risk-based Regulation

High vs low risks

Online survey respondents identified or ranked a variety of activities from low to high risk. Sexual abuse and incompetent or unauthorized practitioners were consistently cited as the two highest risk activities. Failure to obtain proper patient intake and failure to obtain proper consent before treatment were rated as the next highest.

Other potentially high-risk activities identified were:

- Drug and supplement interactions
- Inappropriate/demeaning comments, communication style, misdiagnosis, harmful treatment plan
- Recommending procedures for conditions like autism which are not evidence-based or that exaggerate claims for outcomes
- Prolonged treatments which lack measurement outcomes
- Prescribing and/or administering a drug not on the approved list and that is not part of the ND scope in any jurisdiction

Lower risk activities included things like inappropriate advertising and website content, and new graduates seeing patients before being registered with the College (though the assumption by respondents seemed to be that these individuals were being “overseen” by a practising ND).

Ways to identify risks

Numerous suggestions were offered by all respondents/participants to identify and weight risks. They included:

- Using high quality aggregate data in conjunction with current and resolved complaints information.



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- Data collected about claims from insurers can be a helpful source of information in terms of risks and issues.
- Using existing data and research from other provinces, states, or countries (particularly because there is limited data available in Ontario alone as to high risk procedures/treatments). Consulting other regulators could be helpful as well.
- Consulting the profession to provide input, including newly graduated students, because they have expertise, knowledge, and personal experience to share.
- Consulting patients.
- Ensuring open sharing of data between the key naturopathic stakeholders, e.g., schools, associations, regulators.
- Ensuring the process used to determine which treatments and procedures are high risk are evidence-informed and evidence-based.
- There should be an agreed upon intensity of risk among NDs, the College, and citizen/patient groups.
- It was also suggested that the public be informed about what activities and treatments are considered high risk by the College.

Role of Council and Committees

There was general agreement among online survey respondents that Council's primary role should be governance-focused, including establishing policy and setting standards. Its core responsibilities should be to ensure compliance, set strategy/direction, and appoint and hold the Registrar accountable. Respondents also stressed the importance of protecting the public interest and regulating the profession from that point of view. They also see it as Council's responsibility to maintain accountability, transparency, integrity, and the enforcement of key principles.

"Board" vs "Council"

Among online survey respondents, a clear majority favour using "Board" to describe the governing body rather than "Council". They view the term "Board" to be clearer, more definitive, better understood by lay people, and more authoritative. One respondent believes "Council" is better suited because "Board" is too corporate. Stakeholders commented that "Board" is more applicable for a role that is purely policy focused. However, there was some concern that changing the name from Council to Board may be overly confusing for the profession and therefore not needed.

Size of Council

There is overall support for a Council size of 8 – 12 members. Reasons given include that smaller boards make better decisions, can work more effectively, are less bureaucratic, are more inclusive in terms of giving everyone a chance to contribute, are less costly to operate than larger boards, allow for the addition of advisory groups as needed, and that members tend to take more accountability for their



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decisions. One person selected 13-17 members as the ideal size to ensure quorum and commented this size is concise enough to function effectively without being overly costly to run.

There was recognition that while having more board members potentially allows for greater diversity of opinion, it comes with trade-offs including reduced board effectiveness, efficiency, and the ability to ensure that all members have a voice. Individual board members should represent a variety of stakeholders, which can be achieved with a smaller board, particularly if the board uses advisory groups for input on specific topics/issues.

Importance of a range of perspectives

While respondents think it very important to have diverse views on Council because they generate more ideas, provide more insight and encourage better decision-making, they believe it to be even more important that Council members have the necessary skills to work in a governance environment. Public consultation is important and professional input is also respected, particularly where specific knowledge is required. It was also noted that Council members should have a range of wide experience and perspectives and reflect the diverse makeup of the province.

Composition of Council

All respondents agree that the appointment process and criteria are very important, as is the need to ensure competence of all Council members.

Fifty nine percent of participants in the online survey believe there should be parity between public and professional members. Eighteen percent believe there should be more public than professional members, and 12 percent were in favor of more professional than public members. The remaining respondents are in favour of an equal split or +1 public members, or +1 in favour of a public member who was chair.

Stakeholder organizations commented that parity between the public and profession is important, but one participant was in favour of 49% public and 51% professional members, with the recognition that it must be clear that all board members are acting in the public interest.

Selection of Council/Board Members

There is general support for the regulator to select/appoint Council or Board members. There is also very strong support for a competency and skills-based approach. A screening process makes sense but must be realistic enough to implement, particularly because there may not always be an adequate-sized pool to fill the number of vacant positions. It was also suggested the College proactively market the benefits of serving on Council to potentially attract more members to run for election.



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Succession planning and self-regeneration of the Board are important considerations in the recruitment of potential members. Committee membership can also be a good source to identify and groom people for Council positions, though the election process may make this difficult to follow through on.

Whatever method(s) are used, they must be transparent and use an established process that undergoes regular scrutiny to ensure all the steps were followed. Ensuring candidates and appointees have the required competencies is essential, along with clear job/role descriptions, and the provision of training and education for all Council members.

Elections, government appointment of Council/Board members

Sixty percent of online respondents do not support the practice of election.

Those who do support elections believe that Council members are clear on their duties. Other comments included using elections until a better process can be formulated and that it would be helpful for candidates to have served in some other capacity with the College before being eligible to run. Others suggested that elections serve the best interest of both the public and College. Another suggested a process that gives constituents more influence and power, though it was unclear if they meant public or ND or other constituents.

Three-quarters of online respondents are not in favour of government appointing Council members. They cite potential concerns (real or perceived) about appointments based on bias, nepotism, cronyism and political motivation rather than on the competencies or knowledge required by the College. They are not confident government would necessarily have the background, knowledge, or skills to make appointments that align with the College's specific needs and competencies. Others, however, would trust government as a protector of the public and putting the public's interest first. It was suggested that in this model, the College could make suggested recommendations to government for appointment.

Role of the President/Chair, Need for VP

Participants agree the role of President can be confusing and can imply or involve more responsibility and greater hands-on involvement. In general, the term chair makes sense for a governance-focussed Board/Council and is easier for people to understand the person's role. The role itself must be clear and clarified for all stakeholders.

Training in how to be a successful chair is essential and the Council/Board should have a way to ensure the person who is selected for this role has the competencies and skills to fulfill what the role requires. Competency is essential, along with a mechanism to replace the person in the role if it is not working. Succession planning can be helpful to grow someone into the role of Chair/President.

Having a VP is a good way to ensure knowledge transfer to new, incoming Presidents. It allows the organization to set terms of advancement and enables a progressive rise to the role of Chair. Among



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respondents to the online survey, 40 percent were in favour of keeping a VP if the role of the Chair/President is on chairing meetings, and 60 percent felt a VP was not necessary in the context of having a Chair.

It is very important to have conversations with potential Chairs/Presidents about what to expect, what training the person will have to undertake, and what the role requires. This needs to happen in advance of any election/appointment.

Role of Chair

There is general agreement that the chair should focus on governance, including leading the board, the overall management and functioning of the board, and chairing meetings.

Skills of the Chair

An extensive list of skills was identified in the online survey, with leadership being the most frequently cited requirement for those in this role. The chair must be able to lead the board through open dialogue and keep the group on-track while steering them toward making the best policy decisions. Knowledge of governance, sound judgement, fairness/impartiality, diplomacy, decisiveness, efficiency, interpersonal skills and previous experience were also among the qualities cited.

Need for Executive Committee

This topic drew a mixed response from stakeholder organizations and online participants. Those in favour of keeping an Executive Committee believe it to be useful in helping handle business between Council meetings and add that it must have very clear terms of reference. They also cited it as a valuable “training ground” for succession planning. However, if there is a smaller board/council, it could meet six times/year instead of four, which would further reduce the need for an Executive. A few of these meetings could be held remotely.

Most online survey respondents do not see the need for an Executive Committee because it is redundant, adds another layer of bureaucracy, defeats the point of having a smaller board, slows down efficiency, they have no real power on financial decisions, it makes no sense and is an additional expense.

Composition of Committees

Selection of committee members

Ninety-three percent of online respondents agree that committee members must be selected based on having specific, defined competencies and experience needed by each committee. Sixty seven percent also agree that there should be more professional than public members on committees which are focused on topic areas that are more relevant to the profession, e.g. Inspections. The same sentiment applies to having more public members on committees where the topic/work is public-focused, such as



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Patient Relations. Nearly 70 percent believe there should be separate competencies for each committee.

Council members on adjudicative committees

A strong majority of respondents and stakeholders agree that Council members should not serve on adjudicative committees, e.g., Discipline, Fitness to Practise. Bias, perceived leniency, and conflicts of interest (real or perceived) were cited as the most common reasons why there should be a division. Several participants recommended that the College create a formal way for Council and adjudicative committees to communicate and/or that the Registrar be a liaison between the two.

Council members on other College committees

Most survey respondents think that Council members should not serve on any College committees (including those that are not adjudicative). They believe Council needs to focus on its role as a governance body and that separating committees and Council eliminates blurred responsibilities and perceived or real conflicts of interest and bias. It also helps to keep people focused on their primary role and avoids spreading resources too thinly.

On the other hand, stakeholder organizations were of two minds on whether Council members should serve on other College committees. Some felt the connectivity and continuity were important for sharing information between committees and Council. As a whole, however, this group noted that reducing the number of Council members on committees helps to lessen the overall workload on Council members – especially if a smaller sized Council is contemplated. Others added that competency should be the most important criteria for serving on committees.

Those who are in favour of Council members serving on other (non-adjudicative) committees, believe it also helps bring clarity to Council when a committee member can give a first-hand account of specific topics or issues. Council members should be allowed to have multiples roles without conflict of interest or harm. The roles of Council and committee members should be crystal clear for all.

Evaluating Council Performance

There is very strong support for the evaluation of Council to be conducted by an external group/person. Evaluation should consider both how the College performed against set measures as well as how well it acted to protect the public.

What is evaluated is equally as important as how it is done. The areas for evaluation should be meaningful and relevant. The process must be clear at the outset, as should information about how the College will deal with areas identified as needing improvement. Results should be made publicly available along with a plan for how Council will improve in these areas. Forty-seven percent of online respondents believe the evaluation should be applied to operations of the College as well.



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Name of the College

The majority of online participants support changing the name of the College to something else. They agree that the few people understand what “College” means and confuse it with an educational institution. Others added that most people understand “licensing board” and that changing the name would better reflect the role of the organization.

Members vs. Registrants

Sixty-five percent of online participants either strongly agree or agree that the college should refer to naturopaths as “registrants” instead of “members”. Another 18 percent either somewhat disagree or disagree. Twelve percent are neutral.