

Council Minutes

September 27 and 28, 2023

Present

P. Sullivan, Chair
H. Anyia
A. Arkell
J. Armitage
T. Crowder
R. Dunn
D. Edwards
J. Farag
G. Fox

T. Fukushima
T. Hands
J. Hess
M. Hogard
C. Hourigan
A. Jahangir
R. Kaur
M. Krauter
S. Larmour
R. Lastimoso Jr.

S. Leduc
D. May
E. Mutia
G. Oltmann
F. Osime
L. Poonasamy
M. E. Renwick
M. Sheculski
K. Wagg

Regrets

P. Ankamah
S. Douglas
Z. Hamza

M. MacDougall
I. McKinnon

F. Osime
D. Thompson

Guests

R. Durcan, SML Law

J. Maciura, SML Law

N. Thick, Chair
Nominating Committee

Staff

V. Adetoye
F. Garvey
S. Crawford
J. Hofbauer, Recorder

C. Gora
E. Horlock
B. Knowles
S. Mills

S. Porteous
A. M. Shin
C. Timmings

Land Acknowledgement

P. Sullivan shared a Land Acknowledgement.

Agenda

The agenda had been circulated and no amendments were identified.

Motion 1

Moved by R. Dunn, seconded by M. Sheculski,

That the agenda for the Council meeting of September 27 and 28, 2023 be approved as circulated.

CARRIED

Call for conflicts of interest

The President requested conflicts of interest related to the agenda. R. Dunn stated that she had a conflict of interest with respect to the program approval included in the consent agenda.

CEO Remarks

S. Crawford, Executive Director and CEO informed Council that she will be taking a new approach to her remarks, collaborating with the President in opening and closing the meeting. She highlighted the issues that Council will be addressing in the meeting and their links to the Strategic Plan.

She informed Council that a monthly environmental scan supports staff in identifying themes and emerging issues and supports CNO having a broad understanding of the external environment. This informs operational decision-making, engagement with stakeholders and provides information and evidence that informs Council briefings.

The ongoing importance of health human resource planning was highlighted. Council was informed of the number of applicants from other Canadian jurisdictions registered through an expedited registration process. Council was also informed that CNO's report to the Office of the Fairness Commissioner has been submitted. It highlighted the changes made to continue to support fair access to registration.

Council was updated on the work to launch Nursys Canada. CNO is providing infrastructure management and support for Nursys Canada. Nursys Canada data currently includes data from CNO and British Columbia. In 2024, other Canadian regulators will have the opportunity to add their data. Council was informed that, in recognition of the importance of this project to national nursing health human resource planning, a grant has been received from the Federal government to support this work.

S. Crawford noted the work being done related to expanding scopes of practice. Regulations expanding RPN scope have come into effect. Council approved the Scope of Practice standard to support all nurses in understanding and acting within their scope of practice.

The regulation amendments approved by Council in 2019 related to RN prescribing are under active review by government. CNO is working on development of an RN Prescribing standard and is collaborating with educators on the education program required for RN prescribing. CNO is also working with the Ministry to address scope changes for NPs.

S. Crawford noted the importance of strategic communications to increasing CNO's transparency, accountability, accessibility and maintaining CNO's place as a trusted source of information. She highlighted the work done with key stakeholders, including government and media, to support understanding of CNO's role in providing accurate nursing human resource data.

Council was updated on the record number of new nurses registered in Ontario.

Consent Agenda

P. Sullivan introduce the consent agenda. She noted that Program Approval has been removed from the consent agenda. She confirmed that Council had received briefing materials on all of the items included in the consent agenda.

No concerns were expressed about other items on the consent agenda.

Motion 2

Moved by A. Arkell, seconded by S. Larmour,

That, through approval of the consent agenda, the following were approved:

Minutes of the Council meeting of June 8, 2023

Minutes of the special Council meeting of August 10, 2023 and

The following dates for Council meetings in 2024:

- Wednesday and Thursday, March 20 and 21, 2024
- Wednesday and Thursday, June 5 and 6, 2024
- Wednesday and Thursday, September 25 and 26, 2024
- Wednesday and Thursday, December 4 and 5, 2024.

CARRIED

Council received the minutes of the Executive Committee meeting of August 24, 2023 for information.

Council was updated on the record number of new nurses registered in Ontario.

Council and committee Code of Conduct

P. Sullivan noted that it is best practice to regularly review the Code of Conduct for Council and committee members (Code). It was noted that Council's Code has not been reviewed for over five years. She reflected the public safety role of Council needs to be the foundation of its Code.

S. Maciura, Legal Counsel and A. Tong, Strategy Consultant, joined the meeting. Council had received a discussion note flagging areas for discussion and input to support drafting of a revised Code. J. Maciura noted that in order to fulfil its public protection role, Council needs to have the trust of stakeholders. Its Code of Conduct should support Council and committee members in understanding and following expectations for how to conduct their duties in good faith and to maintain public trust. She noted that a clear and well-written Code of Conduct will help prevent regulatory failures by setting clear expectations.

Council supported that the Code be prepared using a goal orientated framework

The need to clearly differentiate Council's Code of Conduct from the Code of Conduct for nurses was flagged. P. Sullivan noted that the Executive supported the title *Council and committee Code of Conduct*. Through show of hands, Council supported that title.

Council supported a mix of principled, and prescriptive language, with prescriptive language used in areas of high risk to be sure that expectations are clear and understood by all members. Definitions will be included to support understanding.

Council confirmed that a revised Code of Conduct needs to clearly address expectations regarding diversity, equity and inclusion and integrate those concepts throughout the Code.

Council supported the proposed outline of a new Code set out in the briefing note.

It was noted that the plan is to set out the expectations for behaviour in the Code in 2023 and to address compliance mechanisms and a process for considering possible breaches of the Code in 2024.

It was noted that a professional development session on the new Code of Conduct is planned for Council in March 2024. It was suggested that scenarios be integrated into the PD session and other possible tools to support understanding of the Code.

P. Sullivan thanked Council for their engagement and input. She noted that in December, Council will receive the draft revised *Council and committee Code of Conduct*.

J. Maciura and A. Tong left the meeting.

Competency-based statutory committee member appointments

P. Sullivan noted that CNO has been using a competency-based approach to appointing the non-Council nurse members of statutory committees since it was piloted in 2019. She noted that the competencies that are assessed in this process, have not been updated since first developed, and a review has been conducted. She welcomed N. Thick, Chair of Council's Nominating Committee to highlight the Nominating Committee recommendations for changes to the competencies set out in its report in the Council package.

N. Thick highlighted the current process used to assess candidates, including recent improvements. She noted that the competencies are assessed using different mechanisms – core competencies and diversity attributes are included in the application, other competencies and attributes are assessed through analysis of resumes submitted by candidates and reference checks and interviews of finalists.

N. Thick identified that the Nominating Committee supports the current process but agreed that the competencies and attributes required updating, with a particular emphasis on addressing diversity, equity and inclusion and removing any language or competencies that create unnecessary barriers. She noted that a plan for regularly

reviewing and updating the competencies will support maintaining alignment of the competencies with changing societal expectations.

Council was informed that the Nominating Committee met twice to review the competencies and attributes. N. Thick highlighted the key changes that are being proposed. She noted the care with which the Nominating Committee reviewed the competencies and selected particular wording.

In discussion, Council supported the integration of diversity, equity and inclusion and stressed the value of removing the competencies that might pose as barriers. It was confirmed that candidates are not expected to meet all competencies and that all nurses are encouraged to apply.

Motion 3

Moved by M. Hogard, seconded by R. Dunn,

That Council approve the statutory committee member competencies and attributes, as they appear in attachment 1 to the Nominating Committee report, to be used by the Nominating Committee in assessing candidates for its recommendations regarding the appointment of non-Council nurse members to statutory committees.

CARRIED

It was confirmed that in applying the competency assessment, there will not be barriers for participation of candidates from all roles and sectors. P. Sullivan expressed Council's appreciation to the Nominating Committee for its thoughtful updating of the competencies.

Competency based screening for Council members

P. Sullivan noted that a competency-based board of directors is one of the core recommendations of Council's governance vision. While legislative change is needed to implement the full vision, CNO is beginning work to improve governance by implementing a competency-based screen to be eligible to run for Council.

Council members had received a discussion note, including a report on an extensive jurisdictional scan and proposed foundational principles to support an approach for a competency-based screen. I. Tirana, Strategy Consultant, joined the meeting.

In discussing the principles, the need to ensure that the process does not result in barriers to participation from a diverse range of nurses was emphasized. It was suggested that implementation of a new process be used as an opportunity to educate and reach out about the role of Council also support voters in understanding the role and importance of Council.

It was noted that based on the current legislative framework, the final selection of eligible candidates will be made through an election process. While this ensures regional diversity, it can favour candidates from large facilities.

P. Sullivan noted that staff will take into consideration the principles and Council's feedback and will return in December with a recommended approach. I. Tirana left the meeting.

Program approval

P. Sullivan noted that this item had been removed from the consent agenda and that Council had received background.

R. Dunn had declared a conflict of interest and left the meeting. No other conflicts of interest were declared.

Motion 4

Moved by E. Mutia, seconded by D. May,

That the preliminary review recommendations of new nursing programs be approved as listed in Attachment 1 to the decision note.

CARRIED

R. Dunn returned to the meeting.

Finance Committee report

Council had received the report of the Finance Committee meeting of August 24, 2023. R. Lastimoso Jr. highlighted the report. He reported that Finance Committee is recommending approval of the unaudited financial statements for the six months ended June 30, 2023.

Motion 5

Moved by R. Lastimoso Jr., seconded by A. Arkell,

That Council approve the unaudited financial statements for the six-months ended June 30, 2023.

CARRIED

Orientation Policy

Council had received a draft orientation policy. P. Sullivan noted that the proposed policy is an outcome of the Council evaluation. She highlighted that its purpose is to provide clarity about the process, accountabilities and expected outcomes of the orientation process for all Council members in their governance role. Council was informed that the Executive had reviewed and provided input into the policy.

Motion 6

Moved by H. Anyia, seconded by A. Jahangir,

That Council approve the Orientation Policy as it appears as Attachment 1 to the decision note.

CARRIED

Recess

At 4:00 p.m., Council recessed until 9:00 a.m. on Thursday, September 28, 2023

Thursday, September 28, 2023

Land Acknowledgement

P. Sullivan shared a Land Acknowledgement.

Strategic Plan update

Council members had received a written update on the Strategic Plan, including outcome and project dashboards.

S. Crawford reviewed CNO's strategic plan progress. She noted that some measures in the outcome dashboard do not have data to report based on the status of the strategic outcome. She informed Council that staff are collecting and compiling the data from various sources and systems.

Council was informed that the dashboards will be provided for each meeting, to support Council's monitoring the progress towards achieving the Strategic Plan.

Council discussed the monitoring of the strategic plan. There was discussion about how the outcome measures relate to the pillars. It was identified that the pillars are enablers, building the foundation needed to achieve the Strategic Plan.

In discussing staff monitoring of the measures, it was identified that some are monitored monthly, others quarterly and others dependent on specific mechanisms to gather the data. The project dashboard is operational but is provided to Council to support confidence that staff are rigorous in monitoring the implementation of the plan.

Council was reminded that the current plan will end in 2026, and it is anticipated that work on a new plan will begin in 2025.

In discussion about information Council would find helpful in monitoring the implementation of the plan, an interest was expressed in information on stakeholder engagement.

Nursing Data Dashboard

P. Sullivan reminded Council that in June, Judy Linton from Ontario Health confirmed the importance of CNO's data to health human resource planning. At that time Council

was informed of CNO's plans to launch a new tool to empower stakeholders to access accurate and meaningful data about Ontario nursing human resources.

B. Knowles, Director of Analytics and Planning highlighted the development of the tool and N. Thakkar, Analytics Team Lead provided a demonstration of the tool, showing how stakeholders can instantly access information about the nursing workforce.

It was confirmed that the data in the tool is based on the annual renewal information submitted by nurses. The registration data is also shared with key partners including the Ministry of Health and the Canadian Institute for Health Information. Council was informed that there is also applicant data on line.

Amendments to the Registration Regulation regarding Education

P. Sullivan reminded Council that in June, following review of the evidence, it supported in principle that:

- the education requirement for registration in the General Class be amended from education equivalent to Ontario education to relevant nursing education recognized or approved in any jurisdiction and
- there be a requirement for General Class applicants to successfully complete a course to support the successful integration of applicants to the healthcare system in Ontario.

She noted that Council made that decision because, after reviewing the evidence and discussion, it believed that the decision was in the public interest and would support the registration of qualified international applicants.

Council received a briefing note, including proposed revisions to the regulations regarding registration (Ontario Regulation 275/94 General under the Nursing Act, 1991). J. Maciura, legal counsel, joined the meeting to address questions regarding legal drafting. AM. Shin, Director, Professional Practice highlighted the alignment of the proposed changes with Council's previous decisions to support the registration of international applicants. E. Tilley, Manager of Regulatory Policy and Research highlighted the draft regulation.

In discussion, it was confirmed that the proposed regulatory change is not country specific – the education requirement and added course will apply to all international applicants.

Motion 7

Moved by E. Mutia, seconded by M. Hogard,

That Council approve amendments to Ontario Regulation [275/94](#) (General) under the *Nursing Act, 1991*, as shown in attachment 1 to this decision note, for circulation to members and other stakeholders for 60 days.

CARRIED

P. Sullivan noted that the proposed regulation amendment will be circulated for 60 days. In December, Council will review the feedback and assess if there is anything in the feedback that changes Council's perspective that this proposed regulation is in the public interest.

Communications

P. Sullivan noted that over the past few meetings, Council members have expressed an interest in knowing more about strategic communications at CNO. She noted that Council members received a discussion note, including the Guidelines that were developed to guide Council and committee members' in supporting CNO messaging appropriately on social media.

Bradley Hammond, Manager of Communications, provided Council with insights into CNO's strategic communications. He highlighted:

- the factors that shape CNO's strategic communication approach
- CNO's issues management approach, especially ensuring that CNO's data is a source of correct information and
- how CNO communicates its messages.

The Council member role in sharing information on social media was also discussed.

In discussion, it was clarified that the core of CNO's messaging is related to CNO's purpose. It was noted that the communications work is integrated with CNO's strategic approach to stakeholder engagement. CNO's role in sharing accurate information, including CNO data, was confirmed. It was identified that in December Council will have an opportunity to discuss stakeholder engagement.

In Camera Policy

R. Durcan, legal counsel and L. Mathias, Strategy Consultant, joined the meeting. Council members had received a briefing note including the draft In Camera policy and Factors for Council's consideration to decide to meet in camera. R. Durcan noted that the policy was drafted considering the expectations for transparency for health regulatory colleges.

P. Sullivan noted that the Executive reviews the Council agenda in advance of each meeting, and, where appropriate, will recommend whether an in camera session is required and aligns with the legislation.

Motion 8

Moved by M. Sheculski, seconded by D. Edwards,

That Council approve the in camera policy as it appears in Attachment 1 to the briefing note.

CARRIED

R. Durcan and L. Mathias left the meeting.

CEO Closing Remarks

S. Crawford expressed appreciation to Council for their engagement. She noted that staff are working to strengthen and streamline how Council is supported, between and at Council meetings. She noted that staff are preparing a new approach for briefing notes, which will be used starting in December. It was noted that the December Council meeting will include a final decision on the amendments to the regulations regarding registration, review of the 2024 budget and an update on stakeholder engagement.

In discussion, Council members identified that they felt prepared to participate in decision making. It was noted that fewer presentations allowed more time for discussion.

Next Meeting

P. Sullivan noted that the next Council meeting will be December 6 and 7, 2023. She noted that a Council professional development session on finance and enterprise risk management is planned for December 1.

Conclusion

P. Sullivan expressed appreciation to Council for their engagement.

At noon, on completion of the agenda and consent, Council concluded.