



Minutes

The 252ND Meeting of the EXECUTIVE COMMITTEE of PROFESSIONAL ENGINEERS ONTARIO was held on Tuesday, July 19, 2018 at 6:00 p.m.

Present: D. Brown, P.Eng., President and Chair
B. Dony, P.Eng., Past President [via teleconference 15-20 to 15-22, in person for 15-23 to 15-28]
N. Hill, P.Eng., President-elect
M. Sterling, P.Eng., Vice-President (elected) [minutes 15-22 to 15-28 only]
I. Bhatia, P.Eng., Eastern Regional Councillor
M. Chan, P.Eng., Lieutenant Governor-in-Council Appointee

Staff: J. Zuccon, P.Eng., Interim Registrar
S. Clark, LL.B., Chief Administrative Officer and Corporate Secretary
B. Ennis, P.Eng., Director, Policy and Professional Affairs
M. Farag, P.Eng., Acting Deputy Registrar, Licensing and Registration
L. Latham, P.Eng., Deputy Registrar, Regulatory Compliance
C. Mehta, Director, Finance
D. Smith, Director, Communications
M. Wehrle, Director, Information Technology
J. Max, Manager, Policy
R. Martin, Manager, Secretariat
D. Power, Administrator, Secretariat

Regrets: K. Reid, P.Eng., Vice-President (appointed)

Guests: M. Spink, P.Eng., Chair, Public Information Campaign Task Force [minutes 15-20 to 15-22 only]

CALL TO ORDER

Notice having been given and a quorum being present, President Brown, acting as Chair called the meeting to order.

15-20

APPROVAL OF AGENDA

Moved by Councillor Chan, seconded by Councillor Bhatia:

That:

- a) the agenda, as presented to the meeting at E-252-1.1, Appendix A, be approved as amended, and
- b) the Chair be authorized to suspend the regular order of business.

CARRIED

15-21

MINUTES – 251ST EXECUTIVE COMMITTEE MEETING – JANUARY 16, 2018

The Executive Committee reviewed the minutes of the 251ST EXE Committee meeting held January 16, 2018.

Moved by President-elect Hill, seconded by Past President Dony:

That the minutes of the 251ST open session meeting of the Executive

Committee, held on January 16, 2018, as presented to the meeting at E-252-2.1, Appendix A, accurately reflect the business transacted at that meeting.

CARRIED

**15-22
PEER REVIEW – FINAL REPORT OF THE
PUBLIC INFORMATION CAMPAIGN TASK
FORCE (PIC)**

D. Smith provided highlights of the draft final report of the Public Information Campaign Task Force for peer review by the Executive Committee prior to submission to Council. The PIC Task Force is seeking \$1,060,000 to implement an awareness campaign in 2019; however, in order for the campaign to be effective it should be continuous. Three years is recommended.

Councillor Spink noted that while the PIC Task Force was directed to do a broad public information campaign, Premise (the Consultant) suggested the audience be narrowed down to maximize results. She noted that the task force discussed media packages for Chapters so that messages are unified.

Action: Communications will make it clear in the briefing note to Council that the \$460,000 budget amount is for the design (branding initiatives) and that the \$600,000 budget amount is for media related items.

Action: Communications will send the link to the PIC presentation to Council at the February 2018 meeting to V.P. Sterling and the 2018-2019 Councillors.

**15-23
EXTERNAL REGULATORY PERFORMANCE
REVIEW**

President Brown noted that at the Council Workshop on June 1, 2018, Council members agreed that PEO should be subjected to an external review. He referred to the constant number of programs that continue to be added and the associated costs. He would like to see PEO focus on its core mandate as a regulator and being measured externally from a regulatory performance point of view.

B. Ennis provided the Executive Committee with information on options available to PEO for review by an external assessor. He advised that after the workshop an investigation was started of all the regulators who have had reviews done.

Recently many professional regulatory bodies in Canada have commissioned reviews of various aspects of their organizations, some voluntarily, others on a mandatory basis by government. The majority of these have been conducted by external reviewers. A list of reviews that have been done were included in the meeting package and included reasons for the review and who conducted the review. Some reviews were done internally while others were conducted by law firms, consultants, etc. Many recent reviews have been carried out by Professional Standards Authority (PSA). This organization was established in the United Kingdom to “oversee the work of nine regulators who regulate health professionals in the UK and social

workers in England. They have developed a methodology for conducting reviews as well as standards of what a regulator should be. Due to their experience and capabilities, a PSA review is considered the “gold standard” for assessment of regulatory excellence.

B. Ennis advised that PEO has been in contact with PSA who will be providing a package outlining a scope of work and pricing. They already have experience with EGBC so they are familiar with the model and the things that engineering regulators have to deal with. This information will be presented to Council at its September meeting. When asked if Council would be provided with other organizations to consider, B. Ennis replied that PSA is the only organization focussed on regulatory reviews and this is the organization that everyone uses when doing a regulatory review. J. Zucco added that PSA would probably be the most financially efficient. They are very structured and will advise if their resources can meet PEO’s timelines. He noted that PEO would be looking at being measured on best practices in regulatory components such as licensing, discipline, enforcement and practice standards. They also understand PEO’s self-regulatory model. Part of their review will include on-site visits to learn about the committees.

Councillor Sterling suggested that Council be provided with a range of costs that other organizations paid for comparison. Councillor Bhatia suggested that this include initial costs and final costs.

Action: Provide costs of reviews that other organizations paid (initial and final costs), i.e. Engineers Geoscientists British Columbia (EGBC) and Royall College of Dental Surgeons of Ontario (RCDSO) as examples.

President Brown advised that he has spoken to Ann English, Chief Executive Officer and Registrar, EGBC regarding the services of PSA who indicated they were very professional.

President-elect Hill referred to item 3. Proposed Action/Recommendation in the briefing note, particularly the third bullet which reads “PEO does not need a compliance review to determine whether existing processes and procedures are in conformance with the Professional Engineers Act and regulation”. It was her opinion that some of the bullets were overstated.

Action: B. Ennis will soften the language in the briefing note, reference E-252-3.1.

Councillor Bhatia suggested Council be provided with some examples of how the PSA recommendations impacted the organization following the review.

Action: B. Ennis will provide some PSA recommendations that were included in some of the reviews, i.e. EGBC, Dental Surgeons, etc.

Vice-President Sterling noted that it may be helpful to talk about desired outcomes, i.e. streamlining issues of non-compliance, government relations, etc. She suggested rationale be provided for an external review and a PSA review and why PSA would be the best choice.

Action: B. Ennis will provide rationale to demonstrate the benefits of an external review and a PSA review and why PSA would be the best choice.

President Brown noted that PEO is on a fixed income and beyond capacity.

President Brown thanked B. Ennis and J. Max for their work on this item.

President Brown discussed his proposal for a new protocol for submission of briefing notes to Council. Flowcharts outlining the current protocol and proposed protocol were included in the meeting package.

Action: Replace “inaccurate” with “unconfirmed” in the current protocol flowchart.

Action: Change timeline regarding white paper to 26 days from 21 days on the proposed protocol flowchart.

President Brown explained that Councillors would be asked to submit a white paper prior to the Council meeting. This will be filtered by asking a number of questions, i.e. is the matter regulatory?, does it support a strategic objective?, is the matter operational? If Council determines (via a straw vote) that the issue has merit, the item will be added to the Action Log and referred to the Registrar and/or appropriate committee, otherwise the issue is closed. The vetting process will include research, analysis and peer review. If the issue can be resolved operationally the Registrar will do so and report to Council. If the issue still requires a Council decision, a properly formulated briefing note shall be prepared by the Registrar not less than 21 calendar days prior to the meeting date.

Action: R. Martin will list some things that should be addressed when preparing a white paper.

Action: R. Martin will amend the white paper template to include a recommendation related to who should own the issue.

Action: President Brown will prepare an email to Council reminding

**15-24
PROTOCOL FOR SUBMISSION OF
BRIEFING NOTES TO COUNCIL**

them of the current briefing note protocol ahead of the September 2018 Council meeting.

It was the consensus of the Executive Committee that the proposed briefing note protocol, as amended, be presented at the September Council meeting.

**15-25
RISK REGISTER**

A risk register is a record of identified risks that an organization may face and encompasses not only the identified risk and its description but also includes an assessment of the likelihood and impact of such a risk occurring, when action may be required to address the risk, who or what aspects of the organization are accountable as well as the response and/or mitigation strategy to address the risk.

The purpose of a risk register is to provide Council with a structured approach to managing risks. It provides an approach to addressing risks rather than an ad hoc or reactionary response framework. A risk register strengthens organizational governance through the identification and assignment of risk management accountability. Finally, it enhances the communication of risk across an organization and thus broadens the understanding throughout the organization of current and emerging risks.

President Brown indicated that there are two components of a risk register – regulatory (Council) and operational (staff) and that this was important for Council to look at and spend time on this, particularly those items in the highest risk category.

President-elect Hill stated that some recent briefing notes have identified risks (perceived or actual) around volunteer management and suggested this be reviewed by Council at some point since this category does not fall under regulatory or operational.

**15-26
REGISTRAR'S UPDATE**

Interim Registrar Zuccon advised that 93 strategy proposals submitted by committees were handed in on time (June 30th) and that 61 of those proposals pertain to one strategic directive. He thanked J. Max, who was the lead on this, as well as the management team for their work on this. The senior management team will go through and score the 61 objectives. Projected costs and resources will be applied to the top ranked objectives. This will be brought before the Finance Committee to get a sense of the money that is needed and then presented to Council in September as part of the budget for final approval in November.

Interim Registrar Zuccon then discussed the 8% increase year over year on licensing applications. He stated that there has been a 37% increase in the Admissions unit workload from 2002 to 2017. This is being managed by considerable staff overtime and the hiring of an agency temp.

Moved by President Brown, seconded by Past President Dony:

To authorize the Interim Registrar to hire up to two Admission Representatives at the Registrar's discretion.

**CARRIED
1 Abstained**

J. Zuccon advised that there has been a delay in upgrading Aptify to a web-based version which has resulted in a financial overrun. He noted that this has not impacted PEO's business processes; however, it has been necessary to postpone some work around PEAK statistics, etc. This situation is putting a strain on the IT staff complement since it has been necessary to reassign IT maintenance staff to the Aptify upgrade project.

M. Wehrle provided an Aptify update, explaining what has changed in the seven weeks since she last reported to Council in June. Aptify conducted a third and final test after the June Council meeting which failed. Aptify has hit a series of roadblocks related to the conversion. She advised that Aptify underestimated the complexity and resources needed for the next upgrade which is a web based version. The original timeline was 6 to 8 months which will not be met. The revised Go Live date is now November. In the meantime there was major IT staff turnover with the key person working on the Aptify project leaving and with the Toronto market for developers being tight this has created a hiring challenge. It has been necessary to put other operational projects on hold. M. Wehrle has spoken to the head of customer service at Aptify expressing her displeasure, that she was not happy with the progress to date, especially after they did a web assessment to prevent these kinds of problems. The original contract was time and materials but due to the delays Aptify will be submitting a fixed cost price contract to complete the project. As of August, it is estimated that PEO will have spent the \$150K time and material funds for the original Statement of Work (SOW). In addition, Aptify is changing the staffing model to support the project to include a dedicated developer to learn PEO's business processes to lighten the load on IT staff and to increase the number of hours provided by their senior people who worked on the initial installation. Aptify has sent the first draft of the revised statement of work which she reviewed along with C. Mehta and J. Zuccon and which was returned with revisions. Additional funds will be required. Further details are pending. J. Zuccon added that this will be presented to Council in September.

Moved by Vice President Sterling, seconded by President-elect Hill:

That the Executive Committee move in-camera.

CARRIED

15-27

While in-camera, the Executive Committee:

IN-CAMERA SESSION

- a) Verified the in-camera minutes of the 251st Executive Committee meeting held January 16, 2018.
- b) Received a legal update

15-28

EXECUTIVE COMMITTEE ITEMS

Executive Committee Items

- a. **PEO Participation at the Fall Forum presented by OSPE’s Women in Engineering Advocacy Champions Task Force (WE ACT)**

President-elect Hill referred to the above event taking place on October 10, 2018 in Ottawa noting that there is no PEO presence at this event, nor is there any reporting on the 30 by 30 initiative. Furthermore there is a panel(s) that PEO may want to participate in.

Action: President-elect Hill will provide President Brown with speaking notes for his follow up with OSPE regarding the Ontario Society of Professional Engineer’s Women in Engineering event.

- b. **Role of Executive Committee and How to Be Effective**

A general discussion took place regarding the role of the Executive Committee and its terms of reference.

There being no further business, the meeting concluded.

These minutes consist of minutes 15-20 to 15-28 inclusive and seven pages.

D. Brown, P.Eng., President and Chair

S. Clark, LL.B., Chief Administrative Officer and Corporate Secretary