MEETING OF THE COUNCIL OF THE COLLEGE OF PHYSIOTHERAPISTS OF ONTARIO

MINUTES

## *September 24 and 25, 2018* At

***The College Board Room***

## *375 University Avenue, Suite 800, Toronto*

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| **Attendees:** |  | **Staff:** |
| Mr. Gary Rehan (President) | Ms. Janet Law | Ms. Shenda Tanchak |
| Mr. Darryn Mandel | Mr. James Lee | Mr. Rod Hamilton |
| Mr. Ron Bourret | Ms. Nicole Graham | Ms. Anita Ashton |
| Ms. Jane Darville | Ms. Sharee Mandel | Ms. Lisa Pretty |
| Ms. Zita Devan | Mr. Tyrone Skanes | Ms. Fiona Campbell |
| Ms. Theresa Stevens | Ms. Lisa Tichband | Ms. Robyn MacArthur |
| Mr. Mark Ruggiero | Ms. Jennifer Dolling | Ms. Joyce Huang |
| Mr. Martin Bilodeau | Ms. Kathleen Norman | Ms. Olivia Kisil |

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| **Recorder:** | Ms. Elicia Persaud |
| **Regrets:** | Mr. Ken Moreau (September 24 and 25, 2018) |

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| **9:03 AM** | **Welcome**Mr. Gary Rehan, President, welcomed guests and reminded Councillors to declare any conflict of interest. Mr. Rehan proceeded with the Annual Fire training outlining the protocol and emergency exits. |  |
| **1.0****Motion** | **Approval of the Agenda 1.0**It was moved by Mr. Tyrone Skanes and seconded by Ms. Jennifer Dolling that:the agenda be accepted with the possibility for changes to the order of items to address time constraints.Following the approval of the agenda, two motions to amend the agenda were made.Mr. Tyrone Skanes declared a breach of code of conduct and requested that the agenda be amended to include an *in camera* session to discuss the personnel related matter following theapproval of the agenda. |  |
|  | **CARRIED.** |

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| **Motion****Motion** | **1.1**It was moved by Mr. Tyrone Skanes and seconded by Ms. Jennifer Dolling that:Council add an *in-camera* session following the approval of the agenda.**1.2**It was moved by Ms. Jane Darville and seconded by Ms. Sharee Mandel that:The pre-circulated Code of Conduct item be added to the agenda following the *in camera* session.The agenda was amended with the above motions. | **CARRIED.****CARRIED.** |
| **2.0****Motion** | **Motion to go *in camera* pursuant to 7(2) of the Health Professions Procedural Code****2.0**It was moved by Mr. Tyrone Skanes and seconded by Ms. Sharee Mandel that:Council move *in camera* to discuss matters in keeping with Section 7(2) of the Health Professions Procedural Code.Council entered *in camera* at 9:30 a.m. returned to open session at 11:40 a.m. | **CARRIED.** |
| **3.0****Motion** | **Approval of the Council Meeting Minutes of June 25 and 26, 2018****3.0**It was moved by Ms. Zita Devan and seconded by Ms. Theresa Stevens that:the Council meeting minutes of June 25-26, 2018, including the *in camera* minutes, be approved. | **CARRIED.** |
| **4.0****Motion** | **Consideration of Code of Conduct Breach by Ms. Kathleen Norman****4.0**It was moved by Mr. James Lee and seconded by Ms. Jennifer Dolling:that Council acknowledged the concerns, but no further action is required in the matter of Ms. Kathleen Norman’s code of conductbreach. | **CARRIED.** |

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| **5.0****Motion****Motion** | **Consideration of Code of Conduct Breach by Mr. Darryn Mandel**Ms. Cathi Mietkiewicz, legal counsel, facilitated this discussion.**5.0**It was moved by Mr. Tyrone Skanes and seconded by Ms. Zita Devan that:Council move *in camera* to discuss matters in keeping with Section 7(2) of the Health Professions Procedural Code.Ms. Mietkiewicz was permitted to stay for the *in camera* session.Council entered *in camera* at 11:52a.m. returned to open session at 1:19p.m.**5.1**It was moved by Mr. Tyrone Skanes and seconded by Mr. Ron Bourret that:Council, after reviewing the report provided by Cathi Mietkiewicz, setting out code of conduct concerns related to Mr. Darryn Mandel, reviewing materials provided by Mr. Mandel, having heard a presentation from Mr. Mandel, and after engaging in an extensive discussion has :1. accepted Mr. Mandel’s apology for concerns identified in

the report as items 2, 3 and 41. found that Mr. Mandel provided an adequate explanation for all other concerns.

Accordingly, Council has decided to close this matter and take no further action. | **CARRIED.****CARRIED.** |
| **6.0****Motion** | **Consideration of Executive Committee’s Authority**Ms. Mietkiewicz facilitated this discussion.**6.0**It was moved by Mr. James Lee and seconded by Mr. Ron Bourret that:Council , after reviewing the independent report provided by legal counsel, setting out the concerns raised that the Executive Committee may exceeded or acted outside its authority, and after engaging in an extensive discussion that included input from the Executive Committee, College staff and legal counsel, has determined that the Executive Committee has not exceeded oracted outside its authority. |  |

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|  | **Motion** | Accordingly, Council has decided to close this matter and take nofurther action with respect to the Executive Committee.After further discussion Council decided additional learning and clarity in the Governance Policy would assist with the resolution of the concerns.**6.1**It was moved by Ms. Jennifer Dolling and seconded by Mr. Tyrone Skanes that:Council, after reviewing the independent report provided by legal counsel, setting out the concerns raised that the Executive Committee may exceeded or acted outside its authority, and after engaging in an extensive discussion that included input from the Executive Committee, College staff and legal counsel, has determined that the Executive Committee has not exceeded or acted outside its authority.Accordingly, Council has decided to authorize additional training for Council and Executive members about the role of Executive and develop and approve clearer expectations or duties within the Governance Policies. | **DEFEATED.****CARRIED.** |
|  | **7.0** | **Registrar’s Report**Received with one question about the complaints and investigations process at the College.Day one of Council was adjourned at 4:01 p.m. |  |
|  |  | **September 25, 2018** |  |
|  |  | Council received notice via email that the meeting will be starting at 11:00 a.m. |  |
| **11:08 AM** | **8.0****Motion** | **Motion to go *in camera* pursuant to 7(2) of the Health Professions Procedural Code****8.0**It was moved by Mr. James Lee and seconded by Mr. Tyrone Skanes that:Council move *in camera* to discuss matters in keeping with Section 7(2) of the Health Professions Procedural Code.Staff were excluded from the *in camera* session.Council moved into the public portion of the meeting at 1:11 p.m. |  |
|  |  | **CARRIED.** |

Mr. Rehan noted all remaining decision items on the agenda will be deferred to a Special Council meeting in October.

Mr. Rod Hamilton, Interim Registrar, requested to address Council about the recent personnel changes.

**Motion**

**8.1**

It was moved by Ms. Jennifer Dolling and Ms. Zita Devan that:

Council move *in camera* to discuss matters in keeping with

Section 7(2) of the Health Professions Procedural Code. **CARRIED.**

Council moved back to the public portion of the meeting at 1:22 p.m.

**Adjournment**

**Motion** It was moved by Ms. Zita Devan that the Council meeting be adjourned.

The meeting was adjourned at 1:24 p.m.

# CARRIED.



Gary Rehan, President