

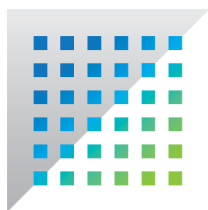
OSPG Standards of Good Regulation

VERSION 1.1

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Issued by: 

Paul Craven, Superintendent



OSPG

Office of the Superintendent
of Professional Governance



Version Control History

Version #	Date (YYY-MM-DD)	Modification	Approved by
1.0	2021-02-05	Initial version	Paul Craven, Superintendent
1.1	2021-05-04	Formatting fixes made	Paul Craven, Superintendent



OSPG Standards of Good Regulation

Background

OSPG has developed a set of Standards of Good Regulation to be used for the following purposes:

- To inform OSPG policy work: all policy is developed in alignment with the standards and so it will support good performance related to the regulatory body's statutory functions.
- To guide the work of regulatory bodies and to inform voluntary self-assessments by regulatory bodies: may assist regulatory bodies with their reporting and with decision making for continuous improvement.
- As criteria for reviews or audits of regulatory body performance by OSPG: provides a check on how well regulatory bodies are carrying out their statutory functions to protect the public interest, and a framework for the development of key performance indicators to measure their performance.

OSPG developed the Standards of Good Regulation considering the experience and best practices of the Professional Standards Authority in the United Kingdom.

The Standards of Good Regulation describe expected outcomes for:

- Transparency and Accountability (5 standards)
- Setting Standards of Competence and Conduct (2)
- Education and Continuing Competence (2 standards)
- Registration (4 standards)
- Audit and Practice Reviews (1 standard)
- Complaints and Discipline (5 standards)

Draft performance indicators for each standard are suggested and will be refined through consultation and experience as OSPG begins to carry out performance reviews.

Please refer to OSPG Guidance: Overview of OSPG Audits, Investigations and Performance Reviews for more information about this process.



OSPG STANDARDS	PERFORMANCE INDICATORS (DRAFT)
TRANSPARENCY AND ACCOUNTABILITY	
<p>1. Regulatory body provides accurate, accessible information about requirements for registration, standards, guidance, processes and decisions</p>	<p>Regulatory body demonstrates the standard by:</p> <ul style="list-style-type: none"> • Having information on the website about requirements for: <ul style="list-style-type: none"> ○ Registration ○ Meeting standards ○ Following guidance ○ Processes and factors considered in decision making ○ What information is shared and how • Having a website that is up to date, easy to navigate, and understandable to the public and registrants. • Responding to queries about registration, standards, guidance processes, and decisions in a timely way, that addresses the unique circumstances of the question. • Reviewing the website and seeking feedback from various parties to inform continuous improvement. • Implementing continuous improvements to website based on feedback. • Having a plan to inform registrants and interested parties about updates and following that plan (channels may include email, Facebook, twitter, etc.).
<p>2. Regulatory body is clear about its duty and responsibilities, applies policies appropriately across all functions and avoids inappropriate advocacy</p>	<p>Regulatory body demonstrates the standard by:</p> <ul style="list-style-type: none"> • Aligning strategic and annual planning, policy and program documents with the PGA. • Explaining the regulatory body’s duty and responsibilities on their public website. • Having a policy about advocacy which clearly articulates its adherence to the PGA. • Regularly reviewing strategic planning, policy and program documents, activities, publications, and website for consistency with advocacy policy.
<p>3. Regulatory body applies a diversity and equity lens to processes and policies that impact its registrants and the people they serve.</p>	<p>Regulatory body demonstrates the standard by:</p> <ul style="list-style-type: none"> • Having a diversity, equity and inclusion policy. • Having an action plan for building and evaluating both internal and external policies and programs to align with the diversity, equity and inclusion policy. • Identifying and requiring diversity, inclusion and equity training for staff and council and committee members to take.
<p>4. Regulatory body takes action within its operations to support reconciliation with</p>	<p>Regulatory body demonstrates the standard by:</p> <ul style="list-style-type: none"> • Having a documented approach to Indigenous reconciliation which ensures its operation/administration supports reconciliation



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<p>Indigenous peoples, including supporting the implementation of the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration)</p>	<ul style="list-style-type: none"> • Identifying and requiring training for staff, Council and committee members on Indigenous reconciliation • Identifying Indigenous behavioural competencies required for each role within the organization • Requiring development of Indigenous behavioural competencies in existing roles and recruiting for these competencies in vacant roles • Conducting regular and scheduled regular reviews of best practices for organizations in meeting the UN Declaration and updating their Indigenous reconciliation approach and policies/activities to reflect best practice.
<p>5. Regulatory body examines and reports on its own performance, incorporates feedback, lessons learned and best practices across all functions</p>	<p>Regulatory body demonstrates the standard by:</p> <ul style="list-style-type: none"> • Completing an annual self-evaluation against the Performance Indicators and transparently report on results. • Reviewing any feedback on their performance and considering lessons learned internally, from OSPG, or from other regulators and applying these to improve their performance.
<p>6. Regulatory body assesses and mitigates risks to the environment or to the health and safety of the public in respect of its registrants</p>	<p>Regulatory body demonstrates the standard by:</p> <ul style="list-style-type: none"> • Attending and actively participating in advisory committee meetings and its activities. • Managing overlap of the assessment and mitigation role with other agencies or bodies through MOUs or other agreements. • Having clear policies and guidance in place regarding the registrant's duty to report, and the process for receiving and responding to reports. • Having a documented process for communication (referrals) and action (investigation coordination or deference) with provincial counterparts as required. • Having guidance and policies in place to mitigate risks associated with the practice of the profession.
SETTING STANDARDS OF COMPETENCE AND CONDUCT	
<p>7. Regulatory body maintains up-to-date standards of professional and ethical conduct, standards of competence, and standards of practice</p>	<p>Regulatory body demonstrates the standard by:</p> <ul style="list-style-type: none"> • Having standards of competence, conduct, practice and Code of Ethics easily accessible to registrants and the public. • Outlining and following targeted review dates for standards and initiating reviews when issues are brought to the regulatory body's attention. • Evaluating and updating standards as needed to reflect best practices and indicating the version date.
<p>8. Regulatory body provides up-to-date guidance to</p>	<p>Regulatory body demonstrates the standard by:</p>



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<p>help registrants apply the standards; the guidance addresses emerging areas of risk and appropriately prioritizes</p>	<ul style="list-style-type: none"> • Providing guidance for all standards that is easily accessible for registrants and the public. • Providing a program to assist with questions on the application of the standards, risks, or prioritization. • Outlining and following targeted review dates for guidance and initiating reviews when issues are brought to the regulatory body's attention. • Evaluating guidance and prioritizing updates to guidance to address emerging areas of risk. <p>Applying version control to guidance to show when last revised.</p>
EDUCATION and CONTINUING COMPETENCE	
<p>9. Regulatory body maintains up-to-date standards for academic requirements, trainee programs and continuing education programs (CEP) that prioritize public interest protection within the profession and Indigenous reconciliation</p>	<p>Regulatory body demonstrates the standard by:</p> <ul style="list-style-type: none"> • Having clear and accessible guidance on academic requirements. • Linking competency standards to academic and continuing education learning objectives. • Having a scheduled process for evaluating effectiveness of and updating continuing education program requirements. • Incorporating learnings from the audit and practice review programs when updating continuing education programs. • Maintaining relationships with Indigenous knowledge keepers who may guide continuing education requirements for Indigenous reconciliation. • Seeking registrant and Indigenous perspectives on the impact of continuing education for Indigenous reconciliation and using this information to guide future program development.
<p>10. Regulatory body works collaboratively with educational providers to support registrants in meeting identified outcomes through education and continuing education</p>	<p>Regulatory body demonstrates the standard by:</p> <ul style="list-style-type: none"> • Setting a process and timeline for regular review of credentialing pathways to the profession. • Working with accreditation boards and educational institutions to review and update credentialing pathways to the profession. • Working with educational institutions to address other issues governing student preparations for entry into professions. • Having a clearly defined process and rationale for accreditation and evaluation of international curriculum programs. • Working with providers of continuing education to evaluate whether learning outcomes are being met and determining changes or additions to the learning outcomes. • Having a clear and accessible process for receiving and responding to concerns about delivery of continuing education by providers.



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REGISTRATION	
<p>11. Regulatory body maintains and makes publicly available an accurate and complete register of professionals</p>	<p>Regulatory body demonstrates the standard by:</p> <ul style="list-style-type: none"> • Having a clearly outlined process and authority for collection of the required information for the register. • Having a register that is easily accessible on the website, up-to-date, and contains all registrants and required information. Date of update is shown on the document. • Having quality assurance mechanisms to ensure the accuracy of the register. • Having disclaimers where information on the register can not be verified for accuracy. • Promoting the purpose of the register and how to access it to users (e.g. registrants, clients, public).
<p>12. Regulatory body has a registration process that is transparent, objective, impartial and fair</p>	<p>Regulatory body demonstrates the standard by:</p> <ul style="list-style-type: none"> • Having a registration process, requirements and forms that are easily accessible and understandable. • Having guidance for decision-makers (credentials committee, staff and Council) that supports consistency and fairness of decision-making. • Evaluating applications against registration requirements in a consistent, fair and equitable way and documenting rationale for decisions. <p>Having a timely process for review of registration complaints/ decisions that is clearly outlined and consistently applied.</p>
<p>13. Regulatory body enforces title and reserved practice based on risk and the response is targeted and proportionate</p>	<p>Regulatory body demonstrates the standard by:</p> <ul style="list-style-type: none"> • Having transparent policies on how concerns relating to misuse of title, illegal or unregistered practice are dealt with, including a process for understanding the risks of the concerns raised. • Having clear and accessible information for registrants and the public about how to raise concerns and what action the regulatory body may take. • Promoting an understanding of reserved titles and reserved practice to registrants and others who may fall within the regulated practice of the profession. • Conducting proactive searches for breach of title.
<p>14. Regulatory body confirms registrants continue to be in good standing</p>	<p>Regulatory body demonstrates the standard by:</p> <ul style="list-style-type: none"> • Communicating to registrants the requirements for meeting and demonstrating status of good standing, as well as actions that will be taken if good standing status is not met, and subsequent recourse for registrants.



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	<ul style="list-style-type: none"> • Completing annual checks on registrants during registration renewal to determine if they meet good standing status. • Removing registrants not in good standing from the register.
AUDIT AND PRACTICE REVIEWS	
<p>15. Regulatory body has a transparent, objective, impartial and fair process for proactively assessing the conduct or competence of its registrants</p>	<p>Regulatory body demonstrates the standard by:</p> <ul style="list-style-type: none"> • Having a documented program and process for audit and practice reviews that is understandable and accessible to registrants and the public. • Training auditors and assessors on the audit and practice review process and their role in ensuring objectivity, impartiality and fairness. • Keeping records of the results and actions following audits and practice on file. • Completing a regularly scheduled review of the results of audits and practice reviews to consider trends and make recommendations for changes to conduct and competence standards and the continuing education program.
COMPLAINTS AND DISCIPLINE	
<p>16. Anyone can raise a concern about a registrant related to incompetence, professional misconduct, conduct unbecoming a registrant, or a breach of the PGA, its regulations or the regulatory body's bylaws</p>	<p>Regulatory body demonstrates the standard by:</p> <ul style="list-style-type: none"> • Having information about how to make a complaint, types of allowable complaints, and regulatory body's role that is easily understandable and accessible on the regulatory body's website. • Having easy to find contact information for queries about the complaint process. • Promoting an understanding of the complaint and discipline process to registrants and the public, influenced by assessment of accessibility barriers. • Promptly responding to and acting on complaints.
<p>17. Regulatory body's investigation and discipline process is transparent, objective, impartial, fair, and allows for thorough, evidence-based and proportionate responses to complaints.</p>	<p>Regulatory body demonstrates the standard by:</p> <ul style="list-style-type: none"> • Having information on the regulatory body's website which clearly outlines the complaint and discipline process, stages and requirements of the regulatory body during the process. • Monitoring timescales for each stage of the complaints and discipline process. • Managing cases efficiently and proactively to avoid delay. • Having the process, stages, and requirements clearly outlined and followed when addressing complaints and discipline. • Responding to complaints about the investigation and discipline process.



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<p>18. Regulatory body ensures all decisions are made in accordance with its processes, and are consistent with the PGA and its statutory objectives, the regulatory body’s standards, and relevant case law.</p>	<p>Regulatory body demonstrates the standard by:</p> <ul style="list-style-type: none"> • Setting out how it determines which complaints meet its threshold for investigation, and how this threshold is applied consistently, fairly, and in line with policies and procedures. • Ensuring Investigators and members of the complaints and discipline committee receive appropriate training and apply administratively fair and best practices in carrying out their roles. • Having a robust and transparent process to appoint investigators and committee members based on identified competencies. • Ensuring full records of investigations and discipline are complete and kept confidential. • Ensuring information required to be published is published on the website accordingly and in a timely manner. • Having a plan for review of decisions for consistency and fairness and regularly carrying out reviews.
<p>19. Regulatory body prioritizes cases to protect the public interest and takes appropriate action.</p>	<p>Regulatory body demonstrates the standard by:</p> <ul style="list-style-type: none"> • Having a clear, documented process for risk assessment, prioritization, and management of cases both at receipt and throughout the life of an investigation. • appropriately using authority for extraordinary action to protect the public, consent orders and alternative complaint resolution. • Ensuring regular review of the fairness and consistent application of the prioritizing and management of cases.
<p>20. All parties to a complaint are kept updated on the progress of their cases and can participate effectively in the process where appropriate.</p>	<p>Regulatory body demonstrates the standard by:</p> <ul style="list-style-type: none"> • Providing information on the progress of a complaint regularly to the complainant and to the registrant involved (acknowledge that details related to the case may be confidential). • Conducting experience surveys on a regular basis to assess the experience of the parties.