

OSPG Guidance: The Register

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Issued by:

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OSPG

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Version Control History

Version #	Date (YYY-MM-DD)	Modification	Approved by
1.0	2021-02-05	Initial version	Paul Craven, Superintendent
2.0	2023-04-13	Minor edits for clarity post-PGA implementation	Kate Haines, Superintendent



OSPG Guidance: The Register

Purpose:

Section 31 of the PGA specifies the registrant information that the register must contain. This information includes:

- The person's name and whether that person is a current or former registrant
- The category, subcategory, or class of registrant
- Limits or conditions imposed on the regulated practice
- Notations for cancellations or suspensions

The PGA authorizes additional information to be required through either regulatory body bylaws or by Lieutenant Governor in Council (LGiC) regulation. OSPG's preference is to allow for requirements to be made in bylaws, rather than through regulation, following the policy direction set out in this guidance.

The purpose of this guidance is to outline expectations to assist regulatory bodies in developing bylaws and policy respecting the register, including:

- Additional information that should be collected and published on the register
- How long registrants and/or registrant information should be displayed
- How information is displayed/accessed by the public
- Verification of information and liability control measures

Policy Intent:

The intent of this guidance is to ensure that:

- Regulatory bodies have a current, informative register that is accessible to the public on the regulatory body's website
- Regulatory bodies collect accurate information about registrants, which may inform policy related to other regulatory functions
- User experience is enhanced through uniform presentation of information on registers
- The public, proponents and interested parties have relevant information that facilitates an evaluation of a registrant's suitability to practice

Standards of Good Regulation

The OSPG Standards of Good Regulation set out standards and criteria that will be considered when assessing regulatory body performance over time. Standard 11 below reflects OSPG expectations regarding the register and processes to support its use.

11. Regulatory body maintains and makes publicly available an accurate and complete register of professionals

Please refer to the Standards of Good Regulation document for further information about this standard.



Policy Direction:

Based on the policy considerations and best practices, the OSPG anticipates regulatory bodies will establish bylaws on matters relating to the register and ensure the following expectations are met:

1. Regulators must publish the minimal level of information specified in the PGA in a register that is prominent on their website.
2. The cadence for register updates should fall in line with the annual registration renewal schedule or as specified for information required by the credentials or discipline committee.
3. The following additional information should be collected and published no later than by the first annual registration renewal following the PGA being brought into force:
 - a. Registrant areas of practice*
 - b. City and/or region the registrant is located in, except in instances where registrant safety is an issue
 - c. Business contact information for the registrant
 - d. Employer of the registrant
4. Regulatory bodies should have the discretion to waive the requirement for location, for safety reasons, and at the request of the registrant.
5. Regulatory bodies have discretion through bylaw to require additional information on the register.
6. * Registrants may initially self-declare areas of practice, but regulatory bodies should work to formalize a catalogue of standard areas of practice for their professions and require registrants to declare against these.
7. Going forward, former registrants, including deceased registrants, should be listed on the register for a minimum period of ten years, and kept on record thereafter (available upon request). Regulatory bodies who choose to list former registrants for longer than the minimum ten years should provide a rationale for doing so and clearly indicate on the register how long former registrants will be listed for.
8. For registrations cancelled prior to the PGA coming in force (historical registrants), at a minimum, those recent historical registrants whose registrations were cancelled less than 7 years prior to the date the PGA was brought into force must be listed in the register for at least 10 years, along with each notation of suspension or cancellation. Regulatory bodies who choose to list historical registrants who cancelled their registrations more than 7 years before to the PGA being brought into force should provide a rationale for doing so. Regulatory bodies should clearly indicate the time period registrations that the register includes (e.g. register includes registration history starting in 1989).
9. Each cancellation and/or suspension of a registrant's registration should be noted on the register until that person's register entry is removed as set out in #7. Regulatory bodies may choose to establish policies in respect of making contextual annotations to cancellation or suspension notations (for example, to indicate that a cancellation was "in good standing" or "at request of registrant").



10. Disciplinary notations should remain in the register permanently. Regulatory bodies may choose to establish policies in respect of making additional annotations to the disciplinary notations (for example, to indicate that all remedial actions have been completed).
11. Despite section 31(2)(f)(i)(B) of the PGA, the registrar must not include information referred to in that section in a register if the registrar considers that the public interest in the information being included in the register is outweighed by the privacy interests of
 - a. a complainant or other person, other than a registrant, or
 - b. a registrant who may be suffering from a physical or mental ailment, an emotional disturbance, or an addiction to alcohol or drugs.
12. If a registrar determines that such information is not to be included in the register, the registrar must note that information has been withheld (this can be done in a general way so as not to compromise the privacy interests that are being protected).
13. Regulatory bodies should adopt uniform fields and terminology whenever possible.
14. Regulatory bodies may consider moving former registrants to an “inactive” tab on the register to avoid confusion or clutter on the active registrant register.
15. Regulatory bodies should use a register visitor agreement and disclaimer regarding inaccurate information submitted by registrants.
16. Regulatory bodies should conduct regular audits of the register to ensure quality and accurate data; These audits should be conducted every year, but need not involve an audit of every registrant.
17. The results of disciplinary committee/panel decisions should also be permanently and publicly available on the regulatory body’s website .