



# **COLLEGE OF ACUPUNCTURISTS OF ALBERTA (CAA)**

## Operations, Procedures and Governance Review (OPGR) Report Implementation Action Plan Report #1, 12 May 2022

The 2021 Operations, Procedures, and Governance Review (OPGR) report commissioned by the CAA Council contained a number of recommendations and companion suggestions. CAA Council received and accepted the report recommendations at its 20 November 2021 Council meeting and began to implement the report. Council also created a time-limited Council working group at its 16 March 2022 meeting to develop implementation plans and draft documents to accelerate the implementation of the report for Council's consideration.

This is the first implementation action plan report.

### OPGR Report Recommendations

#### Governance Structures and Philosophy

Recommendation	Remarks	Follow-up Actions
<p>1. Council will adopt a policy governance model versus the current operational model</p>	<p>Current trends among regulators show that colleges have adopted the policy governance model with clear roles and responsibilities for council, its officers, and the single employee, the combined registrar/ED; decision-making mechanisms and decision-making areas; and a smaller number of governance committees, for example.</p> <p>The College of Patent Agents and Trademark Agents (CPATA) Board Policy No. 1 can be used to both understand the essential ingredients for this model and adapt as templates to the College context.</p> <p>Council will continue to elect a president/chair and a vice-president/vice-chair annually from among the council members. Their recommended role is specified in CPATA Board Policy No. 1.</p> <p>For regulators, the concept of governance has two aspects<sup>1</sup>: a corporate role shared by all councils/boards, and a regulatory role specified in statute and regulation specific to professional regulation and public protection.</p>	<ul style="list-style-type: none"> <li>• By motion at its 11 May 2022 meeting CAA Council adopted a policy governance model of Council/College operation and approved a Governance Charter document which incorporates a menu of governance statements, policies and procedures, terms of reference, a policy framework.</li> </ul>

<sup>1</sup> Barry, Jean, International Council of Nurses. (2014a). Regulatory Board Governance Toolkit, page 27



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	This recommendation, if adopted by Council, will be the most important and the most difficult for the current Council to consistently apply. Consideration of developing and implementing a change management process to assist councillors and Council is recommended.	
2. Council will approve a strategic plan and a new mission and vision statement that aligns with the statutory public interest and public protection mandate of the College	<p>For the College to be effective, there needs to be a clear purpose and strategic direction (goals, objectives, strategies, and performance measures). With these tools, the regulatory and organizational functions can be carried out to serve the public interest and guide the profession.</p> <p>In the absence of a sense of direction, it is difficult to determine what finances, staff and other resources are required to meet the College mandate and to assess its performance to meet its statutory purpose.</p> <p>The strategic direction needs to be determined in partnership with Council and the registrar/ED representing staff.</p>	<ul style="list-style-type: none"> <li>• Planning is underway to use the July 2022 Council meeting to review the vision statement &amp; draft a mission statement and start development of a strategic plan.</li> </ul>
3. Council will consist of eight members. Four public government-appointed members and four registrants selected through a competency-based nomination process with a mandatory orientation session covering the College mandate and the role of a councillor.	<p>Current research suggests that optimum board size is between 8 and 12 members. The current Council, with vacancies, consists of 7 members, but 1 additional public member appointees will be required.</p> <p>Best practice promotes pre-selection (election or appointment) orientation for councils and for committees so that prospective members understand the role and the expectations. Best practice also promotes the use of a competency framework to screen for needed competencies and diversity, equity, and inclusion to augment/ support existing council and committee competencies and representation. There exist a number of good competency frameworks and selection – election or appointment – policies and procedures that can be adopted.</p>	<ul style="list-style-type: none"> <li>• By motion at its 11 May 2022 meeting CAA Council formally approved a Council size of 4 regulated members (registrants) and 4 public members or 8 total (with associated bylaw revisions).</li> <li>• By motion, Council also replaced Council elections with a competency-based appointment process including a pre-selection orientation (with associated bylaw revisions).</li> <li>• The newly approve Council Governance and Nominating Committee will develop the associated transition plan.</li> </ul>



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<p>4. Council will establish, as sub-committees to Council, a Finance, Risk and Audit Committee (FRAC), a Governance and Nominating Committee (GNC), and an Appeal Committee.</p> <p>Council will approve revised terms of reference for the regulatory committees – Registration Review Committee, Acupuncture Education Program Review Committee, Competency Committee, and Examination Committee.</p>	<p>The current Executive Committee seems to have little purpose. Council agendas can be developed by formal huddles amongst the president, vice-president, and registrar/ED and through the lens of the respective roles and accountabilities.</p> <p>The FRAC would be responsible for reviewing and recommending the annual budget, for reviewing the financial condition of the College through management reports, for helping to assess the risks including data governance and privacy identified by a college risk management program, and for overseeing the annual external financial audit. It would include an outside member ideally with finance and risk management experience.</p> <p>The GNC would be chaired by the vice-president, and the committee would be responsible for:</p> <ul style="list-style-type: none"> <li>Establishing an annual council agenda and annual council and council committee workplans that align with the College strategic plan and annual business plan and budget;</li> <li>Establishing an annual council/council committee, and councillor/committee member evaluation process;</li> <li>Establishing and overseeing a registrar/ED performance review process and compensation adjustment policy;</li> <li>Establishing a council meeting evaluation and reviewing the findings;</li> <li>Overseeing the qualification, nominating, and council election process;</li> <li>Overseeing the competency-based appointment process to governance and regulatory committees;</li> <li>Overseeing a council and council/committee onboarding and ongoing regulatory/governance development program; and</li> <li>Developing and maintaining a governance manual and assessing compliance with the governance policies.</li> </ul> <p>The Appeal Committee will be the entity appeal panels are drawn from to hear in-college appeals for registration, program approval, and hearing tribunals. An ongoing training program will be required to be administered by the Hearings Director.</p>	<ul style="list-style-type: none"> <li>• By motion at its 11 May 2022 meeting CAA Council formally approved adopted Terms of Reference (ToR) for:             <ul style="list-style-type: none"> <li>○ a Finance, Risk and Audit Committee (FRAC),</li> <li>○ a Governance and Nominating Committee (GNC), and</li> <li>○ an Appeal Committee</li> </ul> <p>Council also endorsed a competency-based appointment process for each governance and regulatory committee, The GNC will develop the associated transition and implementation plan.</p> </li> <li>• Draft revised ToR for the regulatory committees:             <ul style="list-style-type: none"> <li>○ Registration Review Committee,</li> <li>○ Acupuncture Education Program Review Committee,</li> <li>○ Competency Committee, and</li> <li>○ Examination Committee.</li> </ul> <p>are being reviewed through each existing committee before consideration by Council.</p> </li> </ul>



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	<p>The terms of reference for the regulatory committees need to be reviewed/ revised to comply with the policy governance model, and recent legislative changes via Bills 11 (<i>Fair Registration Practices Act</i>, 2019) and Bills 30 and 46 (<i>Health Statutes Amendment Acts</i>, 2020 and 2021 respectively).</p> <p>Policies, procedures, and decision criteria are required for the governance and regulatory committees.</p>	
<p>5. Council will revise its bylaws to align with the adoption of a policy governance model and recent legislative changes</p>	<p>There currently is provision for an Executive Committee in the College bylaws, which includes officer positions of president, vice-president, and a treasurer. A treasurer is an association role, not in alignment with a professional regulator, and the Executive Committee is not recommended for continuation.</p> <p>There is no section in the bylaws describing the role of the remaining two officers. In addition, there currently is a delegation under section 65(1) Conditions, suspension during proceedings under the HPA to the council President.</p> <p>The duties of the officers, at a minimum, should be outlined in the bylaws, and the section 65(1), delegation, and section 86, stay pending appeal delegation, should be reviewed to consider changing the delegation to a College staff member other than the complaints director or hearing director, or to an outside individual (e.g., a senior member of another HPA regulatory college) to maintain the impartiality of the College Council as an appeal body and to maintain the role distinction between the College’s governors and the College’s staff.</p> <p>In addition, the current bylaws include a provision for an annual general meeting (AGMs) and special membership meetings in section 15, Membership Meetings. Such meetings are Association functions and not permitted under Bill 46 (2021), and therefore should be removed from the bylaws.</p>	<ul style="list-style-type: none"> <li>• These matters were resolved by earlier bylaw changes with the exception of:             <ul style="list-style-type: none"> <li>26. <u>Delegation</u> <ol style="list-style-type: none"> <li>(1) Council designates the President as the individual to carry out the duties under section 65 of the <i>Act</i>. In the event of a conflict of interest, the President shall have authority to delegate his or her duties under section 65 of the <i>Act</i> to the Vice President.</li> <li>(2) Council designates the President as the individual to carry out the duties under section 86 of the <i>Act</i>. In the event of a conflict of interest, the President shall have authority to delegate his or her duties under section 86 of the <i>Act</i> to the Vice President.</li> </ol> </li> </ul> </li> </ul> <p>This provision was resolved by adoption of the proposed bylaw revisions at the 11 May 2022 CAA Council meeting.</p>



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**Policies and Procedures**

Recommendation	Remarks	Follow-up Actions
<p>6. The College will develop a full suite of organizational policies<sup>2</sup> and related procedures</p>	<p>The full suite of required policies covers the following three areas:</p> <p><b>Regulatory policies</b> – including registration and renewal, investigations, discipline, adjudication, continuing competence, and standards of practice/code of ethics;</p> <p><b>Operational and management policies</b> – including human resources, financial management, risk management, safe disclosure/whistleblower, and data governance, including confidentiality, data security, disclosure, and document management; and</p> <p><b>Council governance policies</b> – including board processes, values, roles, relationship with registrar/ED, registrar/ED evaluation, board and committee competencies and evaluation, planning (strategic and operational), budgeting, risk management, external (stakeholder and government) relations, and public and profession consultations.</p> <p>To support the policy suite, a written document management framework is required that outlines:</p> <ul style="list-style-type: none"> <li>A document creation, review, revision, publishing, and obsolescence procedure;</li> <li>A document naming convention;</li> <li>Version control practices; and</li> <li>Centralized document storage in logical directories.</li> </ul> <p>Documented workflow, i.e., “the written repeatable pattern of the activities, sequence, or steps that take place to complete a specific task on a regular basis. The flow being described includes tasks, documents, or information that are passed to a proper workflow participant for action” or how decisions are made, by whom, within what timeframes/requirements is required.</p>	<ul style="list-style-type: none"> <li>• Work was started through the Council-approved Governance Charter on producing a complete suite of governance, regulatory and operational policies and procedures.</li> <li>• The ED/Registrar will begin work with staff to process map key workflow and make process changes over the next 6 months.</li> <li>• The ED/Registrar has begun developing and implementing a document management system consisting of a document creation, review, revision, publishing, and obsolescence procedure; a document naming convention; version control practices; and centralized document storage in logical directories.</li> </ul>

<sup>2</sup> Board Policy No. 1, The College of Patent Agents and Trademark Agents (CPATA), <https://cpata-cabamc.ca/> Accessed September 2021



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	<p>The absence of policies and procedures and documented workflow inhibits effective use of enabling technologies such as the website and the SharePoint site and will impact successful implementation of the registrant management system called Alinity.</p> <p>A process map of the existing workflows in the College’s regulatory streams — registration and renewal, continuing competence, education program approval, standards of practice development and renewal, complaints and discipline, and components of operations, such as budgeting, financial control, and risk management — should also be completed. The process mapping exercise would identify gaps in procedures and documentation, and highlight “pinch points,” bottle necks, or points of delay, as well as opportunities for improvement.</p>	
<p>7. The College will develop a formal communication and engagement plan</p>	<p>A communication and engagement plan is a written document that describes who you need to communicate your work to, the purpose of communication with them, the communication method(s) you will use, how often you will communicate, and who will communicate with the audiences identified.</p> <p>A communications and engagement plan would consist of the following steps:</p> <ul style="list-style-type: none"> <li>Identify the stakeholders, i.e., the key people and groups who should be informed about the improvement work and the level of influence they have.</li> <li>Identify the purpose of the communication for each of the groups identified, for example to engage, sustain interest, or share outcomes and celebrate success.</li> <li>Identify what will be communicated.</li> <li>Identify the best method of communicating with each of the groups identified.</li> <li>Identify when each group will receive communication.</li> <li>Identify who from the College will carry out each piece of communication.</li> </ul> <p>The College’s website is part of the communication and engagement plan. It has its own steps for improvement including:</p>	<ul style="list-style-type: none"> <li>• Work to develop a formal communication and engagement plan is scheduled to begin within 6 months.</li> </ul>



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	<p>Survey the registrants and the public, with the intent to better understand how the website is currently used by the College registrants and the public. This would also be a good time to ask the registrants and the public what they want the new website to accomplish. By doing a short survey, you can ensure that the new website will meet the needs of the registrants and the public, and possibly have enhanced functionality.</p> <p>Conduct a simple audit of the web service providers (web hosting, email hosting, cloud provider, email newsletter hosting, domain, Domain Name Service (DNS), Content Delivery Networks (CDN), that are currently being used by the College, then assess whether those providers are providing the appropriate level/type of services.</p> <p>Conduct a full website content audit, to determine what content is outdated, incorrect and not useful on the website and to identify what areas need additional work. Streamlining a website usually leads to greater usage.</p> <p>Assess whether any third-party website integrations (Customer Relationship Management (CRM), Alinity, analytics, etc.) can be effectively integrated into the website and if so, at what cost.</p> <p>Review and ensure compliance to existing regulatory requirements for online communications (i.e., Canada Anti-Spam Law, Alberta’s Personal Information Protection Act (PIPA), etc.). You don’t want to unknowingly violate any privacy or security laws.</p> <p>Work with a web services and maintenance company on an ongoing basis to ensure that any problems that arise with the website or other web services (email newsletter, domain, etc.) can be quickly resolved.</p> <p>Considering all the work that is currently being undertaken at the College, it might be beneficial to break the auditing, design, and development up into reasonable stages, with sufficient time and outcomes being allocated to each stage. Doing so will ensure that no one is overwhelmed with what can be a very complicated, time-consuming but worthwhile endeavor.</p>	



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**Staffing and Organization Design**

Recommendation	Remarks	Follow-up Actions
<p>8. The College will develop a human resource philosophy and a companion, comprehensive human resources framework of policies, procedures, individual staff files, and templates regarding hiring, onboarding/ orientation, performance management, professional development, safe disclosure, diversity, equity, and inclusion, pay and benefits, etc.</p>	<p>Every good organization requires an alignment between the functions/purpose of the organization, the workflow to accomplish the purpose, and a cadre of appropriately trained, led, and organized staff.</p> <p>The College currently employs 3 staff members, 2 contract investigators, and 3 temporary contractors to support its regulatory functions (including registration, maintaining the register, registration renewal, entry to practice examination, education program review, continuing competence, standards of practice, code of ethics, complaints, discipline and adjudication), its corporate operations (including communications/engagement, finance, human resources, information technology/data governance, risk management), and the College's governance functions (council and the governance committees).</p> <p>Currently, the job descriptions for the existing positions are contained in employment contracts and are of uneven quality and completeness. No evidence was provided of an assessment of staffing to meet the above-noted regulatory, operational, and governance functions. Such an assessment would result in a determination of the type and number of full-time, part-time, and contracted staff required. A result arising from this assessment would be job specifications, i.e., documents which describe the education, experience, skills, and knowledge required to perform a job.</p>	<ul style="list-style-type: none"> <li>• Work has begun to undertake an assessment of staffing to meet the identified regulatory, operational, and governance functions within 3 months. Such an assessment will result in a determination of the type and number of full-time, part-time, and contracted staff required. A result arising from this assessment will be job specifications, i.e., documents which describe the education, experience, skills, and knowledge required to perform a job.</li> <li>• The basics of a formal human resources system will be in place within 2 months.</li> </ul>
<p>9. The College will conduct an assessment of staffing to meet the above-noted regulatory, operational, and governance functions</p>	<p>A staffing assessment would result in a determination of the type and number of full-time, part-time, and contracted staff required to support the College. A result arising from this assessment would be job specifications, i.e., documents which describe the education, experience, skills, and knowledge required to perform a job.</p>	<ul style="list-style-type: none"> <li>• See action steps above.</li> </ul>



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**Enabling Technology**

Recommendation	Remarks	Follow-up Actions
<p>10. The College will conduct an Information Technology (IT) security audit</p>	<p>Regulatory colleges are essentially data repositories full of critical and privileged information arising from the regulatory, operational, and governance functions they are entrusted to safeguard.</p> <p>In mid-2020, the College moved from a reliance on individual desktop computers with local desktop storage and shared on-site server storage, to a cloud-based configuration (<a href="#">Microsoft 365 Business</a>) consisting of Microsoft email, office programs, and storage (SharePoint).</p> <p>An IT security audit is an overall assessment of the organization's security practices, both physical and non-physical (software), that can potentially lead to its compromise if exploited by cybercriminals.</p> <p>This includes things like vulnerability scans to find out security loopholes in the IT systems or conducting penetration tests to gain unauthorized access to the systems, applications, and networks. Finally, the penetration testing reports generated after performing all the necessary procedures are submitted to the organization for further analysis and action.</p> <p>Completing periodic IT security audits will:</p> <ul style="list-style-type: none"> <li>Protect the critical data resources of the College;</li> <li>Keep the College compliant with various information protections requirements, e.g., OPIC;</li> <li>Identify security loopholes before the hackers;</li> <li>Keep the College updated with security measures;</li> <li>Identify physical security vulnerabilities;</li> <li>Help in formulating new security policies for the College; and</li> <li>Prepare the College for emergency response in case of a cybersecurity breach or a disaster or failure of the IT infrastructure.</li> </ul>	<ul style="list-style-type: none"> <li>• An IT consultant has begun consolidating the College IT components into Microsoft 365 Business and conducting an IT security audit.</li> </ul>