



COLLEGE OF CHIROPRACTORS OF ONTARIO

MEMORANDUM

To: Stakeholders (including members)

From: Dr. Dennis Mizel, President
Mr. Robert MacKay, Vice-President

Date: March 4, 2020

Subject: **Summary of Code of Conduct Matters
(Item 5.3 in Council Information Package for February 26, 2020)**

The past year at the CCO has seen a number of important—and, yes, sometimes contentious—decisions made by the Council including changes to S-001: Scope of Practice, the position statement on vaccination, as well as the by-law amendments to the composition of Council that create a fair representative balance to Council while reducing the risks associated with real or perceived conflicts of interest.

To reach these decisions, Council has sought the input of a variety of public, government, and chiropractic stakeholders. Council, comprised of both public and elected members has considered these matters, aware that being guided by our core values—integrity, respect, collaborative, innovative, transparent and responsive — ensures we meet our mission to regulate the profession in the public interest to assure ethical and competent chiropractic care.

We are also fortunate to be governed by a Code of Conduct that ensures the nine chiropractors elected by chiropractors from among their peers and up to seven members of the public appointed by the government that compose Council, as well as all non-council committee members, adhere to a high standard of conduct when carrying out their regulatory work. Council expects professional behaviour of all individuals involved with CCO in any capacity, including demonstration of an understanding and compliance with the duties of due diligence, confidentiality and loyalty.

Any allegation of a breach of our Code of Conduct is taken seriously by Council. It deals with such charges promptly and painstakingly, employing an independent and experienced investigator as required and devoting CCO's time and resources to ensure a fair and comprehensive review. Attached is a summary report of several Code of Conduct complaints received and dealt with during the period September 2019 – February 2020. Council received information about these matters at the council meeting on February 26, 2020, at which time there was a direction to publish a summary of the matters to demonstrate transparency and accountability.

The disposition of these complaints suggests to us that accusations of a reputed breach by a Council member must be made *cautiously, deliberately and with all due consideration* for the time and cost required to investigate and examine the circumstances.

This caution is not meant to discourage any legitimate concern about the behaviour of members of Council being brought to Council. Rather this *expectation for judgment and circumspection* before charging individuals with breaching the Code recognizes that the fundamental task of Council is to focus on its statutory role and responsibility; that is, regulating chiropractic in the public interest. And it accepts that Council is accountable to members for the efficient utilization of the resources granted to it.

Experts, including Ms Deanna Williams who spoke to CCO on November 29, 2019, suggest that 80% of a regulator's time and energy should be devoted to public interest/public protection, and that other matters, including internal reviews and investigations, should not involve more than 20 % of the college's efforts and resources. Any matters not directly related to the important public interest work CCO does are a distraction from that work. However, best practices suggest any governance matters be addressed fairly, promptly and efficiently.

We believe this is an appropriate division of labour. It is our intention to ensure we have the time and resources to build public trust and confidence, promote understanding of the role of CCO amongst all stakeholders, and ensure the practice of members is safe, ethical, and patient-centered. CCO will be using the learnings from the recent reviews to self reflect and refocus energies and resources on ensuring that members provide competent, ethical chiropractic care to the public of Ontario and that Council members role model professional, respectful behaviour and communications.



Dr. Dennis Mizel, President



Mr. Robert MacKay, Vice-President