# SCPT GOVERNANCE POLICY MANUAL

(2020)

# **Table of Contents**

BOARD GOVERNANCE	5
1.0 SCPT Council and Committees Organizational Chart	7
2.0 SCPT Council Charter	8
3.0 Council and Committee Member Conduct	10
3.1 Council and Committee Member's Code of Conduct	10
3.2 Conflict of Interest	11
3.3 Confidentiality	12
4.0 Roles and Responsibilities	13
4.1 SCPT Officer Positions	13
4.1.1 Executive Committee	17
4.2 Public Representatives	18
4.3 Student Representatives	18
4.4 Canadian Alliance of Physiotherapy Regulators (CAPR) Rep	
5.0 Committees	
5.1 Statutory Committees	
5.1.1 Professional Conduct Committee (PCC) Terms of R	eference 20
5.1.2 Discipline Committee Terms of Reference	21
5.2 Standing Committees	
5.2.1 Legislation Committee Terms of Reference	22
5.2.2 Professional Standards of Practice Committee Term Reference	
5.2.3 Finance Committee Terms of Reference	23
5.2.4 Registration Committee Terms of Reference	23
5.3 Special Committees	
5.3.1 Communications Committee Terms of Reference	
5.3.2 Continuing Competency Committee	24
5.3.3 Governance and Nominations Committee (GNC)	25

5.4 Ad Hoc Committees	5
6.0 Nominations and Elections 20	6
6.1 Election to SCPT Council and Officers2	6
6.2 Appointment to SCPT Committees	6
7.0 Succession Planning	7
8.0 Board Evaluation	8
COUNCIL-EDR RELATIONSHIP	9
9.0 EDR Delegation2	9
9.1 EDR Performance Review3	0
9.2 EDR Compensation	1
10.0 Executive Limitations	2
10.1 General Executive Constraint	2
10.2 Communication and Support to the Council	2
10.3 Treatment of Staff	3
10.4 Financial Condition & Activities	3
10.5 Budgeting and Financial Planning3	4
10.6 Asset Protection3	4
10.7 Compensation and Benefits3	5
10.8 Emergency EDR Succession Planning3	5
10.9 Setting of Fees Other Than Registration 3:	5
10.10 Operation of the Register30	6
10.11 Administration of Statutory Committees	6
10.12 Treatment of Members, Clients and Members of the Public 3	7
10.13 Collaboration	7
10.14 Services to Council	7
10.15 Information Management	7
FIDUCIARY RESPONSIBILITIES	9
11.0. Enterprise Risk Management	9
12.0 Privacy	0

13.0 Financial Framework	40
13.1 Investments and Reserve Funds	41
13.2 Expenses	41
13.3. Honoraria	42
13.4 Salary Replacement and Meeting Stipends	42
13.5 Signing Authority and Expense Approval	43
13.6 Council and Committee Educational Funding	44
13.7 Corporate Credit Cards	44
13.8 Sponsorship Requests	44
14.0 Strategic Planning	45

# **Appendices**

- The Physical Therapist's Act 1998
- <u>SCPT Administrative Bylaws</u>
- SCPT Regulatory Bylaws
- <u>SCPT Strategic Framework 2020-2023</u>
- Complaints Management Process
- <u>2020/2021 Budget</u>
- Risk Management Framework (Not yet available)

#### **BOARD GOVERNANCE**

#### SASKATCHEWAN COLLEGE OF PHYSICAL THERAPISTS

The Physical Therapists Act (1998) (Act) created the Saskatchewan College of Physical Therapists (SCPT) as the regulatory body for physical therapists in Saskatchewan. The purpose of SCPT is protection of the public through self-regulation of the practice of physical therapy in Saskatchewan. All physical therapists in Saskatchewan must be registered members of the SCPT.

#### **GOVERNANCE**

The SCPT governance model places Council's primary focus on strategy and policy with a growing focus on generative governance. The Council's primary role is leadership, setting the mission and overall strategy, fiduciary oversight and monitoring organizational performance.

The Executive Director & Registrar (EDR) is the senior executive and is responsible for implementing the policies of the Council and ensuring that the strategic objectives set by the Council are achieved. The EDR is responsible for the management of day-to-day operations of SCPT.

All SCPT policies have been adopted by the Council, in order to guide both Council and EDR behavior and decision making. All Council and EDR decisions must first take into consideration the requirements of the Physical Therapists Act 1998 and the SCPT Bylaws.

**OUR VISION** is to be a proactive leader in the field of healthcare regulation.

**OUR MISSION** is to serve the public by ensuring safe competent care from qualified physical therapists.

#### **GUIDING PRINCIPLES and VALUES:**

## Fairness

We make fair, consistent and defensible decisions.

## Transparency

We act openly to enhance accountability.

#### Collaboration

We value our members and stakeholders input.

## Inclusion and Diversity

- We are committed to an environment where all individuals are safe and welcome.
- We are committed to diversity within all aspects of our organization.

This Governance Manual is divided into three sections:

#### Board Governance

 What the Council's job is, how it goes about it and how it evaluates itself; as well as the role of committees.

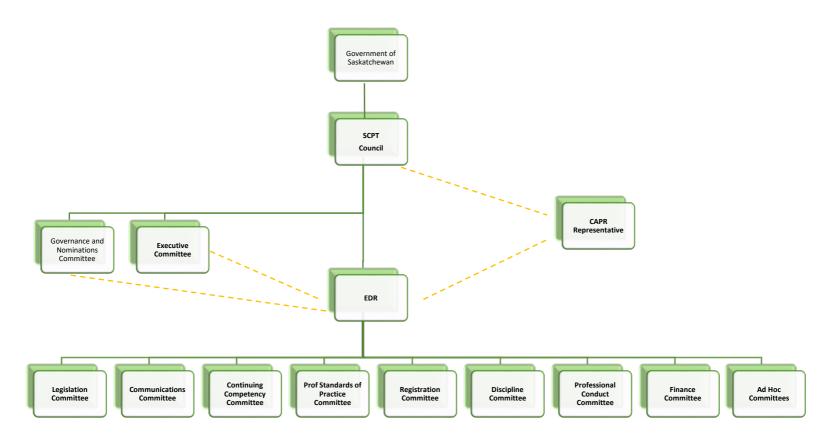
## • Council-EDR Relationship

- How the Council delegates and evaluates the operation of the SCPT.
- Executive Limitations the constraints of ethics and prudence within which the Council delegates the operation of the College to the EDR.

## • Fiduciary Responsibilities

o Policies related to the fiduciary duties of Council.

# 1.0 SCPT Council and Committees Organizational Chart



Accountability:

Communication:

#### 2.0 SCPT Council Charter

## **Purpose**

The purpose of the Council Charter is to provide the SCPT Council with guidance in the discharge of their duties to oversee the affairs of the SCPT.

## **Principles**

SCPT is governed by an executive body known as the Council of Physical Therapists which is established through the Act.

The Council collectively has a duty to:

- Manage Council business in a manner consistent with the Vision, Mission and Values of the organization;
- Practice good governance;
- Enable the EDR to lead and manage the day-to-day operations of SCPT;
- Give consideration to the needs and interests of the public, members and stakeholders.

## **Council Composition**

Council consists of members at large (8-9) that are elected by SCPT membership in accordance with the Act, two student representatives appointed by the University of Saskatchewan PTSS, and three public representatives that are appointed by The Saskatchewan Ministry of Health. Council authority is derived from the Council as a whole. The Council acts collectively and once it does so, Councilors support its policies and decisions.

## Meetings

Meetings of the Council will be held as per <u>Administrative Bylaws 4 (1-5)</u>.

#### **Core Responsibilities**

The Council is responsible for the core activities described below. The Council may delegate certain functions to committees as set out in the specific terms of reference for each committee.

#### 1. Strategic Planning and Setting Direction

The SCPT Mission Statement is developed by Council and is regularly reviewed by Council to ensure clarity and relevancy. The Council is responsible for setting SCPT's strategic direction including defined objectives. This includes adopting a strategic planning process and approving plans, monitoring implementation and performance against the plans and adjusting course as determined reasonable by the Council. The

responsibility includes reviewing and approving the annual financial plan including budget, capital plans and ensuring adequate levels of capital and liquidity. Every three to five years Council will re-evaluate the Strategic Plan. Annually Council will determine the strategic objectives for the year. The EDR will report on progress towards strategic objectives at each meeting of Council. (See Appendix for SCPT Strategic Framework)

## 2. Policy Approval

The Council is responsible for approving policy and shall exercise due diligence when considering any policy recommendations brought before them.

#### 3. Effective Governance

The Council is responsible for the effective governance of SCPT. It is responsible for identifying requisite competencies for consideration when recruiting Councilors and striving to retain optimally qualified Councilors. It is responsible for overseeing orientation, ongoing development and succession planning for Council. It shall engage in board evaluation and identify development opportunities to allow Councilors, the Council and SCPT to function at the highest levels. The Council shall maintain records of meetings and activities of the Council.

## 4. Oversight of Risk Management

The Council is responsible for the oversight of risk management and the approval of and adherence to a risk management framework. The Council is responsible for ensuring that appropriate policies and procedures are in place to manage risk.

## 5. Financial Stewardship

Council is responsible for ensuring that revenues are sufficient so that the business of SCPT can reasonably be conducted in accordance with our mandate. Council must also evaluate potential financial risks and liabilities and develop financial practices to mitigate these risks. Council determines financial policies and controls. It is also responsible for overseeing adherence to applicable auditing, regulatory, accounting and reporting requirements. Through this process, the Council must satisfy itself that the financial reporting and financial control systems are operating appropriately.

#### 6. EDR Appointment and Succession Planning

The Council is responsible for ensuring and overseeing the appointment, development, performance and compensation management and succession planning relating to the EDR, approving policy and procedures necessary to accomplish this.

Council Motion Number:	Date Effective:
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#### 3.0 Council and Committee Member Conduct

#### 3.1 Council and Committee Member's Code of Conduct

#### **Purpose**

Council and committee members make decisions in the public interest, balancing this responsibility with an understanding of the profession and the settings in which it is practiced. They establish the College's goals and policies within its statutory mandate. Council and committee members are expected to exhibit conduct that is ethical, civil and lawful, in a manner that is consistent with the nature of the responsibilities of Council and the confidence bestowed on Council by the public and its registrants. This code of conduct serves to provide Council and Committee members with an understanding of the standards of conduct that guides its members.

#### Council and committee members will:

- Promote the public interest in their contributions as Councilors and in committee discussion and decision-making.
- Be prepared to commit sufficient time and energy to attend to College business and to attend meetings to the best of their ability.
- Acquire, apply and maintain knowledge of Council and committee policies, procedures, relevant legislation, College functions and current issues facing the College and the committees they participate in.
- Maintain an awareness of public interest issues of concern to members of the profession or the public and willingly communicate such to Council or committees.
- Shall maintain the confidentiality of the details and dynamics of Council discussions whether as a past or present capacity.
- Regardless of their personal viewpoints, shall not speak against, or in any way undermine, Council or committee solidarity once a decision has been made.
- Respect the division of roles and responsibilities of the statutory committees and staff and maintain respectful working relationships with other Councilors, committee and staff members.
- Respect the views and the expertise of other Council and committee members and appreciate the opportunity for varied viewpoints to be brought forward and considered.
- Understand and respect that the President and EDR are the only positions that have the delegated authority to speak on behalf of SCPT to the public.
- Respect the power, authority and influence associated with their role and not misuse this trust for personal gain.
- Should not engage in harassment, bullying or discriminatory behavior.

#### 3.2 Conflict of Interest

Conflict of Interest arises if the personal or private interests of a Council or committee member appear to influence and/or impair that member's ability to represent the College fairly and impartially in decision making.

Personal or private interests might also include, but not limited to, those of:

- a family member, close friend or business associate;
- a partnership, corporation or practice area in which the member holds a significant interest;
- a person to whom the member owes an obligation

It is up to the individual Council or committee member to identify any potential conflict of interest situation, and to ask two questions:

- 1. Does the individual member feel confident about his/her ability to act impartially?
- 2. Would a reasonably informed person with access to the information also be confident that the relationship or activity would not impact negatively on the individual's ability to act impartially as a Council or committee member?

If a Conflict of Interest is identified, SCPT procedure for management of Conflict of Interest will be followed.

## 3.3 Confidentiality

## **Principles**

Council and committee members of a not-for-profit organization hold a fiduciary relationship with the corporation. They have a duty to maintain the confidentiality of the information that they receive by virtue of their position, regardless of obligations or loyalties to other organizations or individuals. Good governance requires full and frank discussion which can only be accomplished when Council and committee members are confident that their disclosures will be held in confidence by their colleagues.

- Individuals working with or on behalf of SCPT shall maintain the confidentiality and security of SCPT information. They shall not disclose or discuss with any other person or entity, or use for their own purpose, information concerning SCPT affairs received in their above noted capacity unless authorized by the President or the EDR.
- All Council and committee meeting discussions are confidential with the exception
  of any information that has been publicly posted in the meeting minutes or the
  annual report of the SCPT.

Council Motion Number:	Date Effective:

## 4.0 Roles and Responsibilities

#### **4.1 SCPT Officer Positions**

The duties as well as the terms of office of the executive members of Council are outlined in SCPT Administrative Bylaws.

#### **President**

The President is responsible for managing the Council and its activities. This includes ensuring that the Council works effectively as a team and complies with governance policies. The President ensures that meeting agendas are focused on Council responsibilities, meetings are efficiently managed, and decision-making is transparent, conflict of interest issues are addressed sensitively and resolved constructively. The president is designated as the public spokesperson for SCPT with respect to Council policies and overarching matters that affect SCPT as a whole and its standing in the community.

**Selection:** Appointed by Council from existing Councilors. Councilors are not eligible until the start of their second 2-year term on Council and must be at the beginning of a 2 - year term to be eligible.

Term: 2 years, renewable once

## **Duties/Terms of Reference:**

- Ensure effective action of Council in governing and supporting the College.
- Oversees Council's affairs.
- Acts as representative of Council and SCPT.
- Can participate as an ex-officio on all Council committees.
- Ensures continuity of duties between him/herself and the Vice President.
- Tasks related to the EDR as per the SCPT EDR Employee Handbook.
- Fulfills the following functions as per the Bylaws of the College:

## Council Meeting Duties:

- Calls Council meetings, as per Bylaws;
- Develops agenda for Council and Executive Committee meetings in consultation with the EDR;
- Chairs Council and Executive Committee meetings;

#### Regular Duties:

 Communicates, verbally or in writing, with the media and the community on behalf of SCPT including communicating with Saskatchewan Health Authority and the Ministry of Health regarding issues pertaining to College activities.

- Communicates, verbally or in writing, with other Regulatory and Professional bodies such as the Canadian Alliance of Physiotherapy Regulators, the Canadian Physiotherapy Association, and the Saskatchewan Physiotherapy Association on issues of concern to SCPT.
- o Provides direction from the Council to the EDR.
- o Facilitate the EDR performance review process.

#### AGM Duties:

- Oversees development of Annual Report.
- Presents Annual Report at AGM.
- Chairs the College AGM.
- Presides over the election of Council.

## **Vice President**

**Selection:** Appointed by Council from existing Councilors. It is recommended that an applicant for Vice president have spent a minimum of 1 year on Council prior to putting their name forward the Vice President position.

If a member has held the position of President, they cannot apply for the Vice President position for 2 years after their term as president has been completed.

**Term:** 1 year, renewable once

**Duties/Terms of Reference:** As per the Administrative bylaws of the SCPT: "In absence of the President, the Vice President shall perform the duties of the President."

#### Other Duties:

- Perform such duties as may be assigned by Council and the President.
- Attend the EDR's annual performance review.

## **Secretary**

The Secretary is responsible for ensuring that accurate records are kept of all meeting proceedings and decisions. The Secretary ensures that copies of minutes are circulated to Councilors prior to each meeting through coordination with the SCPT Office. The SCPT Office keeps all official documents, records and electronic copies on the SCPT database and on the website, with backup storage to support the records. The Secretary is the nominal custodian of the corporate seal and all official books, papers, records, documents and correspondence of SCPT.

**Selection:** Appointed by Council from existing Councilors. Councilors are not eligible until the start of their second 2-year term on Council and must be at the beginning of a 2 - year term to be eligible.

Term: 2 years, renewable

## **Duties/Terms of Reference:**

- Keep a record of the proceedings of Council and the College, carry on correspondence on behalf of the Council and College (as deemed necessary by Council), and at the termination of office, transfer all electronic files to the successor.
- Keep a record of minutes and record of motions of all proceedings of Council and the College electronically and such a record of minutes, after being confirmed and accepted at a subsequent meeting of Council. A printed copy shall be signed by the President and Secretary and kept in the SCPT Office. A copy of the electronic minutes shall be posted to the SCPT website for public access by the SCPT Office.
- Review and forward minutes to Executive Committee for feedback.
- Review and forward minutes to the Registration and Operations Manager (ROM) for circulation in accordance with SCPT Policy.
- Keep a record of the proceedings of Executive Committee meetings and submit minutes to the Executive Committee and ROM for circulation to Council.

#### **Treasurer**

The Treasurer is responsible for ensuring that complete and accurate records are kept of all of SCPT financial matters in accordance with Generally Accepted Accounting Principles and ensures that the Council is provided with regular reports on the financial position of SCPT.

**Selection:** Appointed by Council from existing Councilors. Councilors are not eligible until the start of their second 2-year term on Council and must be at the beginning of a 2 - year term to be eligible.

Term: 2 years, renewable

# **Duties/Terms of Reference:**

- Shall function as chair of the Finance Committee. Recommended to serve on the Finance Committee for a 2 year term prior to putting name forward for the role of Treasurer.
- Oversee the financial practices of the SCPT to ensure appropriate internal controls are in place and adhered to.
- Present any recommended changes to Council Honoraria and/or Expense Allowances for the upcoming year at the time that the preliminary budget is presented.
- Is responsible for investing College operating surplus and reserve funds with the assistance of the Finance Committee and EDR.

- Prepare and present a detailed report of all finances in conjunction with the SCPT staff, as well as present the Auditor's report, at the AGM. Present the annual budget, as approved by Council, to membership at the SCPT AGM for information.
- Ensure that an audit is completed as per regulations.
- Act as a signing officer for the SCPT.

Council Motion Number:	Date Effective:
Council Motion Number:	Date Revised:

#### 4.1.1 Executive Committee

**Composition:** President (Chair), Vice President, Treasurer, Secretary

**Purpose:** To monitor the responsibilities of the Council between Council meetings.

**Accountability:** The Executive Committee is responsible directly to Council.

## **Terms of Reference / Duties:**

- Responsible for consulting with the EDR to provide input and guidance as requested by EDR.
- Identify the need for Council input or decision between Council meetings.
- Facilitate communication between the Council and EDR.
- To provide input to the EDR in operational decision making when requested to do so by the EDR and where there is a lack of policy to guide decisions.
- Review correspondence and respond when requested to do so by EDR/ Council.
- To monitor EDR performance and make recommendations to Council regarding same.
- Review the draft minutes of Council meetings prior to distribution to Council.
- The Executive Committee will manage both emergent and planned EDR succession planning and hold responsibility for initiating, planning and implementing the recruitment process of the new EDR.

**Meeting Duties:** A written record will be kept of the proceedings of the Executive Committee. These minutes will be circulated to all Council members.

Council Motion Number:	Date Effective:
<b>Council Motion Number:</b>	Date Revised:

## 4.2 Public Representatives

**Selection:** Appointment by the Lieutenant Governor in Council up to three persons who are resident(s) of Saskatchewan.

**Term:** 3 Years, renewable once; subject to Government discretion.

**Duties/Terms of Reference:** As per the document on "The Role and Responsibilities of Public Representatives" from Saskatchewan Health, the purpose of the lay representative is to:

- Safeguard the public interest; while being guided by the principles of fairness, transparency and collaboration.
- Become familiar with the purpose of the Council and of the Act, bylaws and policies governing the profession.
- Ensure that the profession acts fairly, follows the Act and bylaws and fosters appropriate standards of practice.

Council Motion Number:	Date Effective:
Council Motion Number:	Date Revised:

## 4.3 Student Representatives

**Purpose:** SCPT will invite two University of Saskatchewan MPT students to attend Council meeting as guests to provide a student perspective to Council discussions and to enhance MPT students' knowledge of SCPT.

**Selection:** The Physical Therapy Students Society (PTSS) will be invited to appoint one first year MPT student each year.

Term: 2 years.

## **Duties/Terms of Reference:**

- MPT students may participate in discussions but not vote, given that they are not yet members of the SCPT.
- MPT students shall share pertinent information arising from SCPT Council meetings with other MPT students to encourage MPT students to be aware of SCPT and to encourage students to access SCPT information.
- MPT students will sign a confidentiality agreement to not share confidential information.

## 4.4 Canadian Alliance of Physiotherapy Regulators (CAPR) Representative

## **Purpose:**

- To facilitate Council's management of national issues impacting physical therapy regulation;
- To assist Council in dealing with the business and affairs of CAPR;
- To provide provincial representation to CAPR to enhance its ability to deal with regulatory issues on a national level;
- To participate in activities that assist CAPR to fulfill its mandate;
- To provide assistance to CAPR in national direction and strategic planning.

**Selection:** Appointed by Council from existing Councilors through Expression of Interest Form circulated to Council in January; with effective start upon ratification by CAPR at its next AGM.

**Term:** 1 Year, renewable, with term completion to coincide with CAPR AGM **Duties/Terms of Reference:** The SCPT's designated representative will serve on the Board of Directors of CAPR. The requirements of this role are defined in the CAPR Governance Manual that will be provided to the representative upon ratification of the position by CAPR Board of Directors.

Council Motion Number:	Date Effective:
Council Motion Number:	Date Revised:

#### 5.0 Committees

For all SCPT committees, with the exception of the Governance and Nominations Committee and Ad Hoc Committees, the following apply:

**Selection:** Appointed by Council. Council will appoint one of the members of the Committee as the chairperson of the Committee (the "Chair").

Term: 2 years, renewable

**Accountability:** The Committee is responsible to the EDR.

- Resignations from the committee shall be made in writing to the Chair who will communicate this to the EDR.
- The committee may invite individual(s) with expertise to participate on the committee as a non-voting liaison.
- All committee members are expected to maintain/obtain knowledge, skills and access to equipment required by their specific committee.
- All committee members shall have an equal vote, including the Chair of the Committee, except the EDR and non-voting liaison who have voice but no vote.
- The EDR sits on all committees as non-voting ex-officio, with exception of the Statutory Committees.

## **5.1 Statutory Committees**

<u>The Act</u> establishes Statutory Committees for SCPT. The Professional Conduct Committee and the Discipline Committee are defined as Statutory Committees and operate at arm's length of Council. The EDR is responsible for managing the Complaints Management Process and monitoring the progress of complaints through the PCC and DC processes. The EDR is responsible for reporting on committee activity to Council.

#### 5.1.1 Professional Conduct Committee (PCC) Terms of Reference

## **Administrative Bylaws**

See Administrative Bylaw 24(1) and (2)

#### **Purpose**

The PCC will review and investigate any and all complaints, against any member of the SCPT, when any such complaint is brought forward to the PCC via the EDR of the SCPT in accordance with the SCPT Complaints Management Process.

In accordance with the Act 25(2):

"On completion of its investigation, the PCC shall make a written report to the discipline committee recommending:

- (a) that the discipline committee hear and determine the formal complaint set out in the written report; or
- (b) that no further action be taken with respect to the matter under investigation because:
  - (i) the matter has been resolved with the (mutual) consent of the complainant and the member who is the subject of the complaint; or
  - (ii) no further action is warranted on the facts of the case".

## **Composition and Representation**

- The PCC shall consist of three to five SCPT members appointed by Council, the majority of whom must be practicing members.
- Council appointed Legal Counsel will be available to provide advice of a legal nature only.
- It is recommended, although not required, that members of the PCC shall not be members of Council. (Council may be required to review any subsequent findings of a Discipline Committee as outlined in Section 34 of the Act and this would avoid any perceived conflict of interest at such a review.)
- No sitting member of the Discipline Committee shall also be a sitting member of the PCC.

## Investigations

Reference can be made to the <u>SCPT Complaints Management Process</u> document for information on the Complaints Process in its entirety.

## 5.1.2 Discipline Committee Terms of Reference

#### **Administrative Bylaws**

See Administrative Bylaw 27(1), (2), and (3)

#### **Purpose**

The Committee will hear a complaint referred to it by the Professional Conduct Committee ("PCC"), decide whether a member is guilty of professional misconduct or professional incompetence and make an order as to penalty if the Committee finds the member guilty.

#### **Composition and Representation:**

- The Committee shall consist of at least five persons appointed by Council.
- The majority of the members of the Committee must be practicing members of the College.

- One person on the Committee must be a public representative on Council appointed by the Lieutenant Governor in Council.
- Committee members must not have been on the PCC for a period of 2 years prior to being appointed as a member of the Committee.

## **Hearings:**

 When the PCC recommends that the committee hear and determine a formal complaint, pursuant to the Act, the committee shall conduct a hearing in accordance with the Act.

## 5.2 Standing Committees

SCPT <u>Administrative Bylaw 28 (1-5)</u> establishes Standing Committees. These committees assist with fulfilling the responsibilities of Council and the EDR. As the activity of committees is an operational matter the EDR is responsible for monitoring the activities of all Committees and for reporting progress on delegated tasks to Council.

**Purpose:** Fulfill duties as per Administrative Bylaws of the Saskatchewan College of Physical Therapists.

5.2.1 Legislation Committee Terms of Reference

## **Administrative Bylaws**

See Administrative Bylaw 29(1) and (2)

#### **Composition and Representation:**

- The Committee shall consist of at least three members, two of whom must be registrants of the College and one of whom may be a public representative. At least one member must also be a member of Council. Legal counsel will sit on the committee as a non-voting liaison.
- Committee membership may vary from year to year, depending upon the volume of work, as determined by the Chair.

## 5.2.2 Professional Standards of Practice Committee Terms of Reference

## **Administrative Bylaws**

See Administrative Bylaw 30(1) and (2)

## **Composition and Representation**

- The committee shall consist of at least three members, two of whom must be registrants of the College. One shall be a Councilor and one of whom shall be a Public Representative.
- Committee membership may vary from year to year, depending upon the volume of work, as determined by the Chair.

#### 5.2.3 Finance Committee Terms of Reference

## **Administrative Bylaws**

See Administrative Bylaw 31(1) and (2)

## **Composition and Representation:**

- The Committee shall consist of the Treasurer (appointed by Council) who will be Chair, and at least two other members who must be registrants of the College.
- Committee membership may vary from year to year, depending upon the volume of work, as determined by the Chair.

#### 5.2.4 Registration Committee Terms of Reference

## **Administrative Bylaws**

See Administrative Bylaw 32(1) and (2)

## **Composition and Representation:**

- The Committee shall consist of at least three members, two of whom must be registrants of the College.
- The Chair or designate shall represent the Committee at all appeals to Council.

#### 5.3 Special Committees

SCPT <u>Administrative Bylaw 34</u> describes processes for establishing Special Committees. These committees assist with fulfilling the responsibilities of Council and the EDR. If the activity of a special committee is an operational matter the EDR is responsible for monitoring the activities and for reporting progress on delegated tasks to Council. If a special committee is accountable directly to Council, Council will be responsible for monitoring the delegated tasks and the Chair will report directly to Council.

#### 5.3.1 Communications Committee Terms of Reference

#### **Purpose**

- To ensure that SCPT has effective communication processes in place to ensure communications to its registrants are received in a consistent format and in a timely manner.
- To ensure that media/registrants/general public is notified of significant information and events as directed by the President and/or SCPT Council.

## **Composition and Representation:**

- The Committee shall consist of at least three members who all must be registrants of the College, one of which shall be a Councilor.
- Committee membership may vary from year to year, depending upon the volume of work, as determined by the Chair.
- Councilors are the preferred delegate to attend national meetings/workshops.

## 5.3.2 Continuing Competency Committee

#### Purpose:

- To identify methods of measuring maintenance of physical therapy competency as a requirement of licensure.
- To establish (develop and implement through both direct means and delegation) a process for the College to assess maintenance of physical therapy competency to ensure that licensure is granted on competency-based criteria.

## **Composition and Representation:**

• The Committee shall consist of at least three members, 2 of whom must be registrants of the College, one of which shall be a Councilor.

## 5.3.3 Governance and Nominations Committee (GNC)

**Selection:** Appointed by Council. Council will appoint one of the members of the Committee as the chairperson of the Committee (the "Chair").

**Term:** 2 years, renewable

**Accountability:** The Committee is responsible to the Council.

- Resignations from the committee shall be made in writing to the Chair who will communicate this to the Council.
- The committee may invite individual(s) with expertise to participate on the committee as a non-voting liaison.
- All committee members are expected to maintain/obtain knowledge, skills and access to equipment required by their specific committee.
- All committee members shall have an equal vote, including the Chair of the Committee, except the EDR and non-voting liaison who have voice but no vote.
- The EDR sits as non-voting, ex-officio member.

## **Purpose:**

 The Governance and Nominations committee is responsible for reviewing and making recommendations to Council with regards to SCPT Governance. This committee is also responsible for the recruitment and nomination of Council and committee members.

## **Composition and Representation:**

• The Committee shall consist of at least three members, 2 of whom must be registrants of the College, one of which shall be a Councilor.

#### 5.4 Ad Hoc Committees

SCPT <u>Administrative Bylaw 35(1),(2) and (3)</u> describes processes for establishing Ad Hoc Committees.

Council Motion Number:	Date Effective:
Council Motion Number:	Date Revised:

## **6.0 Nominations and Elections**

#### 6.1 Election to SCPT Council and Officers

#### **Purpose**

- To ensure that all SCPT membership has equal opportunity to volunteer for Council position vacancies.
- To allow for succession planning for Executive Committee: President; Vice President; Treasurer and Secretary.

## **Principles**

Currently under review

## **Policy**

 The SCPT has an election process that is transparent, ensures accountability to Members, and promotes the best practice of ensuring that SCPT Council has the competencies required for good governance of the organization.

#### 6.2 Appointment to SCPT Committees

## **Purpose**

To ensure all membership has equal opportunity to volunteer for SCPT Committee vacancies.

## **Principles**

Administrative Bylaw 27(1) (b) and 27(3) outline the requirements for committee appointments.

## Policy

The SCPT Council uses an appointment process that is transparent, equitable, proactive and promotes the best practice of ensuring that SCPT committees have the competencies required for effective operations of the organization.

Council Motion Number:	Date Effective:
Council Motion Number:	Date Revised:

## 7.0 Succession Planning

## Purpose

To manage organizational risk and support a seamless, orderly transition from existing to new leadership in both planned and unplanned circumstances.

## **Principles**

- Succession planning is a continuous process that requires clear roles, organizational
  goals, performance expectations and the measurement of performance at both the
  individual leader and Council/committee level. This cycle helps identify the
  appropriate leadership skills and characteristics needed in any given time-period for
  the organization.
- Succession planning should be considered within the context of annual organizational goals and the review of leadership performance against them. SCPT leadership should meet minimum expectations of performance to continue in the leadership position.
- Careful, proactive succession planning inspires confidence among Councilors which allows them to work at a strategic rather than operational level. It ensures that the Council will be informed in a timely fashion of leadership changes and that risk will be minimized during the transition period.

## **Policy**

The SCPT Council and EDR shall put in place communication plans and risk-mitigation steps to proactively manage EDR and Council/committee leadership succession.

Council Motion Number:	Date Effective:
Council Motion Number:	Date Revised:

## 8.0 Board Evaluation

## Purpose

Regular and ongoing board evaluation is an important component of good governance, it contributes to a culture of learning and is useful to identify areas for improvement.

## **Policy**

At a minimum, Council will in engage in a board-evaluation activity once per Council year. Board evaluation will consist of evaluation of the Council as a whole, Councilor evaluation and Council meeting evaluation.

Council Motion Number:	Date Effective:
Council Motion Number:	Date Revised:

#### **COUNCIL-EDR RELATIONSHIP**

## 9.0 EDR Delegation

## **Purpose**

As long as the EDR uses any reasonable interpretation of the Council's strategic outcomes and Executive Limitations policies (to the Council's satisfaction), the EDR is authorized to establish all further operational policies, make all decisions, take all actions, establish all practices and develop all activities. Such decisions of the EDR shall have full force and authority as if decided by the board.

All Council authority delegated to staff is delegated through the EDR, so that all authority and accountability of staff, as far as the Council is concerned, is considered to be the authority and accountability of the EDR.

- The Council will direct the EDR to achieve certain results with regards to strategic objectives and within an approved budget through the establishment of strategic and financial policies.
- The Council will outline the latitude the EDR may exercise in running the operations of the College, through establishment of Executive Limitations policies.
- Council may request and obtain information in any and all of the delegated areas except that which the legislation identifies as confidential, and personnel information.
- Only decisions of the Council acting as a body are binding upon the EDR.
  - Decisions, recommendations or instructions of individual Council members, officers, committees or working groups are not binding on the EDR except in rare instances when the Council has specifically authorized such exercise of authority.
  - In the case of Council members or committee/working groups requesting information or assistance without Council authorization, the EDR can refuse such requests that require, in the EDR's judgement, a material amount of staff time, of funds or is disruptive.

Council Motion Number:	Date Effective:
Council Motion Number:	Date Revised:

#### 9.1 EDR Performance Review

#### **Principles**

- The EDR is accountable to the Council for delegated responsibilities.
- Council establishes the EDR job description that includes the competencies and skills required for the EDR to successfully manage the operations of SCPT.
- EDR performance will be measured against annual performance objectives aligned with SCPT strategic objectives.

- The Executive Committee will conduct a performance evaluation of the EDR during the probationary period and thereafter, annually.
- The Executive Committee will provide a report to Council regarding the EDR's
  performance assessment, and make a recommendation with regards to EDR
  compensation as per the EDR Compensation Policy. The final assessment of the
  EDR's performance and decisions regarding the EDR compensation will be made by
  Council in camera.
- During the annual EDR review process, the Executive Committee shall work with the EDR to develop agreed-upon objectives for the upcoming year, with respect to the Strategic Plan of the organization.
- Council and Committee concerns regarding EDR performance can be taken to the President when they arise, if deemed necessary.
- A significant part of the assessment of the performance of the EDR will be based on the effectiveness of the operational implementation plan and the progress of the organization towards its objectives.

Council Motion Number:	Date Effective:
Council Motion Number:	Date Revised:

## 9.2 EDR Compensation

## **Principles**

- Council establishes the Compensation Strategy for determining initial salary, salary adjustment, and benefits for the EDR.
- Compensation will reflect fair and competitive compensation while reflecting prudent financial management.

- SCPT is committed to establishing and maintaining competitive salaries, reflective of current market conditions and considering budgetary and funding constrains.
- A salary range will be established for the EDR based on the outcomes of a market review performed at minimum every 5 years. As part of the market review process, an EDR Job Description review will be undertaken.
- On hire into the role initially, salary is determined based on skills, knowledge and experience in relation to the job requirements and the anticipated level of performance.
- Compensation will be reviewed in conjunction with an annual performance evaluation. Any annual salary adjustment will be based on successful achievement of pre-determined performance objectives, performance of job duties and progression towards annual goals.

<b>Council Motion Number:</b>	Date Effective:
Council Motion Number:	Date Revised:

#### **10.0 Executive Limitations**

#### 10.1 General Executive Constraint

The EDR shall not cause or allow any practice, activity, decision or organizational circumstance which is illegal, imprudent or in violation of commonly accepted business practices and the SCPT Code of Ethical Conduct or that is inconsistent with SCPT's mission, vision, values, policies and bylaws.

#### 10.2 Communication and Support to the Council

- The EDR shall not permit the Council to be uninformed or unsupported in its role.
- The EDR will not:
  - Neglect to submit timely reports including interpretations of Council policies that provide the observable metrics or conditions that would demonstrate compliance, rationale for why the interpretations are reasonable, and evidence of compliance;
  - Withhold, impede, or confound information relevant to the Board's informed accomplishment of its job;
  - Allow the Council to be without timely and thorough information to support informed Council decisions;
  - Present information in unnecessarily complex or lengthy form, or an inaccurate or incomplete manner, or in a form that does not clearly differentiate among monitoring, decision-making, and general incidental or other information;
  - Allow the Council to be unaware that, in the EDR's opinion, the Council is not in compliance with its own policies on Governance and Council-EDR Relationship, particularly in the case of Council behavior which is detrimental to the work relationship between the Council and the EDR;
  - Allow the Council to be without reasonable administrative support for Council and committee activities;
  - Engage with the Council in a way that favors or privileges certain Councilors over others;
  - Let the Council President be uninformed of issues as they arise;
  - Allow the Council to be without a workable, user-friendly mechanism for official Council or committee communications.

#### 10.3 Treatment of Staff

- With respect to treatment of staff, the EDR shall not cause or allow conditions that are unfair, undignified, unorganized or unclear.
- Accordingly, the EDR shall not:
  - Operate without personnel policies and procedures that clarify personnel rules for staff, provide effective handling of grievances, and protect against wrongful dismissal;
  - Discriminate against any staff member for expressing dissent within the organization;
  - Prevent staff from grieving to the Council when internal grievance procedures have been exhausted and the employee alleges that either:
    - Council policy has been violated to his/her detriment; or,
    - Council policy does not adequately protect his/her employee rights within the meaning of relevant government legislation, or human rights within the meaning of the Canadian Charter of Rights and Freedoms;
  - Fail to acquaint staff with the EDR's interpretation of their rights and protections under this policy;
  - Allow staff to be unprepared to deal with emergency situations.

#### 10.4 Financial Condition & Activities

- With respect to the actual, ongoing financial condition and activities, the EDR may not cause or allow the development of fiscal jeopardy or a material deviation of actual expenditures from Council priorities.
- The EDR will not:
  - Expend more funds than have been received in the fiscal year to date unless
     Council has approved the expenditure and use of reserve funds;
  - Incur debt;
  - Use any long-term reserves without Council approval;
  - Allow payables or receivables not to be settled within 90 days, without a report Council;
  - Allow tax payments or other government-ordered payments or filings to be overdue or inaccurately filed;
  - Acquire, encumber or dispose of real estate;
  - Issue expense cheques to himself or herself without the written prior approval of a Council-approved signatory who has been provided with appropriate documentation and receipts;

- Fail to notify the Council in advance of multi-year contracts to lease or purchase equipment beyond the approved budget;
- Lease facilities without the prior approval of the Council.

## 10.5 Budgeting and Financial Planning

- The EDR shall not cause or allow financial planning for any fiscal year or the remaining part of any fiscal year to:
  - Deviate materially from Council strategic priorities;
  - o Risk financial jeopardy, or
  - o Fail to be derived from a multi-year plan.
- The EDR will not allow budgeting which:
  - Risks incurring those situations or conditions described as unacceptable in the Executive Limitations policy entitled "Financial Condition & Activities";
  - o Omits:
    - Credible projection of revenues and expenses,
    - Separation of capital and operational items,
    - Cash flow analysis, and
    - Disclosure of planning assumptions;
  - Provides less than the amount determined annually by the Council for the Council's direct use during the year.

#### 10.6 Asset Protection

- The EDR may not allow corporate assets to be unprotected, inadequately maintained or unnecessarily risked.
- The EDR may not:
  - Allow the College to be without an Enterprise Risk Management Plan that identifies, assesses and manages risk in a way that provides reasonable assurance of achievement of mandate;
  - Operate without an adequate comprehensive insurance policy providing property and liability coverage in an amount and terms which are comparable to other regulatory Colleges in Saskatchewan;
  - Allow personnel access to material amounts of funds;
  - Subject facilities and equipment to improper wear and tear or insufficient maintenance;
  - Unnecessarily expose the organization, its Council, or staff to claims of liability;
  - Receive, process or disburse funds without internal controls in accordance with the recognized accounting principles and standards that

- apply to the College, and in compliance with Canadian and Saskatchewan laws;
- Make any purchase wherein normally prudent protection has not been given against conflict of interest;
- Allow property, information and files to be unprotected from loss or significant damage;
- Invest or hold operating capital in insecure instruments, including uninsured chequing accounts and bonds of less than an acceptable rating, or in non-interest bearing accounts except where necessary to facilitate ease in operational transactions;
- Endanger the organization's public image, credibility, or its ability to accomplish its strategic objectives;
- Change the organization's name or substantially alter its identity in the community;
- Allow conflict of interest in entering into contracts of any nature;
- Operate without adequate protection from loss or unauthorized access of College information and intellectual property;
- Allow the College to be without a current and comprehensive Technology Plan sufficient to support accomplishment of strategic objectives in the future, and maintain integrity of membership data.

## 10.7 Compensation and Benefits

- With respect to employment, compensation and benefits to employees, consultants, contract workers and volunteers, the EDR may not cause or allow jeopardy to fiscal integrity or public image.
- The EDR will not:
  - Change his or her own compensation and benefits;
  - Establish current compensation and benefits that deviate materially from the geographic or professional market for the skills employed;
  - Create obligations over a longer term than revenue can be safely projected.

## 10.8 Emergency EDR Succession Planning

The EDR shall not operate without succession planning processes in place to facilitate leadership continuity and ensure competent operation of the College in the long term.

## 10.9 Setting of Fees Other Than Registration

Fees should not be set by the EDR that could be construed as being unreasonable and jeopardize the integrity and/or operations of the College.

## 10.10 Operation of the Register

- The EDR shall not fail to keep the Register up to date and accurate.
- The EDR shall not fail to refer an application for registration to the Registration Committee if the EDR has doubts, on reasonable grounds, about whether the applicant fulfils the registration requirements in the Bylaws.

## 10.11 Administration of Statutory Committees

- The EDR shall not fail to ensure the efficient administration of statutory committees in accordance with the Physical Therapists Act, SCPT Bylaws and Council/committee policies and procedures.
- The EDR shall not fail to ensure that:
  - Every complaint to the College is referred to the PCC and is investigated expeditiously;
  - Required communication takes place between the College/PCC and all concerned parties;
  - Documentation is maintained and distributed in a timely manner;
  - Any investigations required by legislation/regulation are undertaken in a fair and timely manner;
  - Any referrals to the Discipline Committee arising out of the regulatory process are forwarded expeditiously.
- In exercising this responsibility, the EDR shall not:
  - Interfere with the substantive meaning of any statements made by the PCC/DC;
  - Fail to consult the Chair of the PCC/DC regarding any substantive changes to the presentation of statements made by their committee;
  - Attempt to enforce any decisions upon a committee, or comment in the course of their decision-making process, other than to provide information and advice;
  - Fail to administer committee meetings and maintain expenses within Council approved work plans and budgets and with the full knowledge and approval of the committee/Chair;
  - Fail to inform the Chair of a committee of any matter which requires the attention of their committee;
  - Fail to inform the Chair of a committee of any significant aspects of their operation which, in his/her opinion, could bring the Council into disrepute or jeopardize the fulfilment of the Council's strategic objectives, and, if necessary, ask the full Council to review the matter.

#### 10.12 Treatment of Members, Clients and Members of the Public

- The EDR shall not fail to treat members, clients and members of the public in accordance with the Code of Ethical Conduct and with a level of courtesy and respect which is reasonably expected in common business practice.
- The EDR shall not fail to provide a mechanism for the regular communication of Council and SCPT business to members.
- The EDR shall not fail to take reasonable steps to communicate individual rights under the Physical Therapists Act and SCPT Bylaws to clients and potential, current, and past members.
- The EDR shall not fail to inform members about their professional responsibilities and the consequences of non-compliance.

#### 10.13 Collaboration

 The EDR shall not fail to develop appropriate collaborations to achieve the Council's strategic objectives, and to maximize efficiency and effectiveness in the use of resources.

#### 10.14 Services to Council

- The EDR shall not fail to supervise and administer the election of Council members and appointment of committee members as set out in the SCPT Bylaws.
- The EDR shall not fail to provide such administrative services to Council as may be required by Council, President and Executive Committee in governing the College according to the Physical Therapists Act, Bylaws and established policies. These administrative services include:
  - o making all preparations for scheduled Council meetings;
  - distributing to Council and appointed committee members the agenda and all available required documents for each Council meeting no later than 1 week prior to that meeting;
  - o providing staff support to Council and its officers in fulfilling its legislative requirements and in implementing its approved work plan.

## 10.15 Information Management

- The EDR shall develop and maintain an effective information management system process that assists the organization in effectively carrying out and evaluating the Council's objectives.
- Further, without limiting the scope of the above statement by the following list, the EDR shall not fail to:

- Maintain an up-to-date prioritized plan for necessary information systems enhancements or acquisitions;
- Develop a plan that ensures a smooth transition to new or upgraded information systems;
- o Evaluate the effectiveness and efficiency of information management;
- Ensure that back-up and recovery plans are designed, documented and tested;
- Meet legislated requirements for records retention, confidentiality, freedom of information and privacy;
- Ensure that there is adequate back up resources for all critical organizational functions;
- o Provide appropriate security for all of the organizations records.

<b>Council Motion Number:</b>	Date Effective:
Council Motion Number:	Date Revised:

#### **FIDUCIARY RESPONSIBILITIES**

## 11.0. Enterprise Risk Management

## Purpose

SCPT's Risk Management Policy sets out the requirements necessary to ensure a consistent and comprehensive approach to risk management.

## **Principles**

- The EDR will prepare reports sufficient for Council to be able to effectively monitor and mitigate risk.
- All key business strategy and decisions shall consider potential risks and opportunities.
- Adequate insurance is maintained that includes, but is not limited to, liability insurance for Directors and Officers, Errors and Omissions, and property insurance with general liability.

## **Policy**

- To minimize its exposure to risk, SCPT shall:
  - o maintain and comply with a risk management framework;
  - o maintain and comply with an audit schedule;
  - o follow consistent risk management strategies across all operational areas;
  - o ensure that resources are allocated on a risk-weighted basis.
- Risk will be actively measured, managed, monitored and reported by the EDR.
- Risk Identification will be forward-looking to allow management to take proactive action.
- SCPT's risk management model will consist of the following five steps:
  - 1. Risk Identification
  - 2. Risk Measurement
  - 3. Risk Management
  - 4. Risk Monitoring
  - 5. Risk Reporting

Risk Management Framework (Currently under review)

<b>Council Motion Number:</b>	Date Effective:
Council Motion Number:	Date Revised:

## 12.0 Privacy

## **Purpose**

The purpose of this policy is to ensure compliance with federal and provincial privacy legislation.

#### **Policy**

The SCPT will maintain confidentiality of the information it collects about its registrants (including professional corporations) and their clients, as required by the applicable legislation.

Council Motion Number:	Date Effective: November 2001
Council Motion Number:	Date Revised:
	November 24, 2005
	October, 2012

## 13.0 Financial Framework

## **Purpose**

The purpose of the Financial Framework of the SCPT is to provide guidelines for the application of sound financial practices to maintain the financial integrity of SCPT.

#### **Principles**

- The business of SCPT is conducted with honesty, fairness, accountability and transparency.
- All reasonable efforts are made by the SCPT office to maintain and safeguard the assets of SCPT through internal and external controls which are created with the assistance of a chartered professional accountant.
- SCPT is responsible for the expenses it incurs in the course of conducting its affairs.
- Audited financial information about the business affairs of SCPT is readily available on request.
- SCPT's Strategic Plan provides direction regarding financial priorities of the organization.
- SCPT maintains an accurate and current Financial Framework containing all financial policies. The Framework is reviewed regularly by the Council and updated as new policy decisions are made.
- Bookkeeping is performed according to generally accepted accounting principles.

#### 13.1 Investments and Reserve Funds

#### **Purpose**

To outline the approved investment practices of the SCPT and define the Reserve Funds approved by SCPT Council.

## **Principles**

- SCPT will maintain a reserve fund to provide for any unexpected/extraordinary expense and/or to provide for the winding down of the College's operations, in the unlikely scenario that this becomes necessary.
- Tolerance for investment risk will be low.

## **Policy**

- Investment decisions will be made in alignment with Section 5(3) of <u>The Physical</u> Therapists Act, 1998 and Section 24 (1-3) of The Trustee Act, 2009.
- The amount maintained in the reserve fund should be proportionate to the organization's risk, and will be reviewed annually with the budget.

<b>Council Motion Number:</b>	<b>Date Effective:</b> September 7 <sup>th</sup> , 2013
<b>Council Motion Number:</b>	Date Revised:

## 13.2 Expenses

## **Purpose**

To outline expenses that can be submitted for reimbursement by the SCPT.

- Expenses incurred on behalf of the SCPT will be paid in a transparent, timely and fair manner.
- Councilors and committee members shall be reimbursed for all substantiated expenses incurred while performing required duties on behalf of Council/SCPT. This includes, but is not limited to, travel/transportation, accommodations, meals, parking, and administrative expenses.

<b>Council Motion Number:</b>	Date Effective:
Council Motion Number:	Date Revised:

#### 13.3. Honoraria

#### **Definitions**

Honorarium: A small fee or payment for services provided in a volunteer capacity.

## **Policy**

 SCPT will recognize Council Executive, Councilors and Committee Chairs for their work and contribution to SCPT as a volunteer.

<b>Council Motion Number:</b>	Date Effective:
<b>Council Motion Number:</b>	Date Revised:

## 13.4 Salary Replacement and Meeting Stipends

## **Principles**

SCPT employees are excluded from this policy.

#### **Definitions**

- Stipends are an hourly payment based on the duration of each Council or committee meeting.
- Salary replacement is payment made to members losing income while on SCPT business.

- To ensure that volunteers are recognized for their time Councilors, committee chairs and committee members are eligible for stipends.
- To ensure that volunteers are not financially disadvantaged due to time offered to SCPT, Councilors, committee chairs and committee members are eligible for salary replacement for meetings related to SCPT work.
- A member is eligible for a meeting stipend if they are receiving salary replacement from SCPT.
- Members attending meetings, while being paid by their employer, will be eligible for a meeting stipend.

<b>Council Motion Number:</b>	Date Effective:
<b>Council Motion Number:</b>	Date Revised: January 2019

## 13.5 Signing Authority and Expense Approval

## **Purpose**

- To establish internal controls by these measures:
  - Determine threshold for approval of payment requests;
  - Determine the duties of those designated with signing authority to sign cheques.

## **Principles**

- Internal controls are essential in order to protect the finances of SCPT.
- The EDR approves expenses before cheques are written. The EDR shall ensure that expenses are both reasonable and do not exceed the approved budget.
- Those who have signing authority are an added measure of control, by providing a second review of all expenses prior to cheque signing.
- A dual staff signature (EDR and ROM) will be permitted for expenses approved by the Treasurer, as well as for expensed included in the Council Approved Vendor list.

#### **Definitions**

- Pre-Approval items which are not in the budget, or are questionable as to whether they meet the definition in the budget require approval BEFORE expenditures are made.
- Authorize or authorization reviews payment to be sure it is compliant with receipts and give approval for the payment.
- Signing authority or signatory members appointed by Council that have the authority to sign cheques.

## Policy

 All expenses approved by the EDR and/or the Treasurer meet legal, ethical, policy and procedural requirements of the organization.

Council Motion Number:	Date Effective:
Council Motion Number:	Date Revised:

## 13.6 Council and Committee Educational Funding

## **Policy**

- An education budget amount will be set each year during budget preparation, considering the following:
  - Educational needs of the organization with regards to strategic objectives;
     and
  - Other financial obligations for the year.

Council Motion Number:	Date Effective:
Council Motion Number:	Date Revised:

## 13.7 Corporate Credit Cards

## Purpose

In order to enable the EDR and ROM to perform operations of the organization, they shall be provided with a corporate credit card.

## **Policy**

The limits of use for the EDR and ROM's corporate credit cards will be defined in accordance with financial policy and procedure.

<b>Council Motion Number:</b>	Date Effective:
<b>Council Motion Number:</b>	Date Revised:

## 13.8 Sponsorship Requests

#### **Purpose**

To provide a consistent, standardized, timely approach to requests to SCPT for sponsorship.

- Council will consider sponsorship of events that serve to instruct and educate our members on issues related to legislation and self-regulation.
- Council will also review and consider financial support for education that is required by our members that may come about through any changes in legislation.

Council Motion Number:	Date Effective:
Council Motion Number:	Date Revised:

## 14.0 Strategic Planning

- The SCPT Council shall engage in a strategic planning cycle every three to five years.
- The EDR will participate in Council led Strategic Planning process.
- In order to better understand the environment and meet the mandate of the organization, SCPT's Stakeholders will be engaged in the strategic planning process.
- Annually, the EDR will produce an operational implementation plan for the review of the Council.
- The Council will regularly review the performance of the organization towards the objectives of the operational implementation plan.

Council Motion Number:	Date Effective:
<b>Council Motion Number:</b>	Date Revised: