

## September Council Meeting Minutes

<b>Date/Time of Meeting:</b>	Tuesday, September 26, 2023, 1:00 p.m.
<b>Council present:</b>	Jennifer Pereira, Teresa Bendo, Matt Daher, Susan Garfat, Sara Gottlieb, Alyssa King, Ben Matthie, Chad McCleave, Pheing Ngo, Victoria Nicholson, Jana Smith, Leanne Smith (had to leave meeting early to teach a class), Jotvinder Sodhi, Heather Westaway, Ryan Wight
<b>Regrets:</b>	Corby Anderson,
<b>Staff members:</b>	Nancy Leris, Brian Fehst, Arifa Gafur, Cecilia Li, Mora Olubobokun, Magdalena Reder, Fiona Teape
<b>Guest presenters:</b>	none
<b>Guests/observers:</b>	Tiffany Mak, Ministry of Health Jessica C, R. Kin

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Let it be noted that Council held an in-camera session from 9:00 am – 12:00 pm.

### 1. Call to order, roll call, welcome

Jennifer Pereira, Chair and Council President, called the meeting to order at 1:00 p.m. and welcomed Council, staff members and guests.

The Chair shared a Land Acknowledgement.

As the notice of the meeting had been duly given in accordance with the by-laws of the College of Kinesiologists of Ontario and a quorum was present, the meeting was duly constituted for the transaction of business.

### 2. Introductions

The Chair welcomed Tiffany Mak from the Ministry of Health and Jessica who is a R. Kin.

The Chair also introduced the newest member of CKO, Mora Olubobokun, Director of Operations and Financial Services, and asked her to share some information about herself.

The Chair reminded meeting attendees that the College requires cameras to remain on during meetings to support and encourage engagement.

### 3. Conflict of Interest Declarations

The Chair asked the Registrar whether any Council members wished to declare a Conflict of Interest. The Registrar confirmed that there were no declarations.

The Chair also asked the Council if they knew of anyone who might have a Conflict of Interest. None were raised.

### 4. Approval of Agenda

*UPON A MOTION duly made by Teresa Bendo and seconded by Susan Garfat, it was resolved that the agenda be approved. Carried.*

### 5. Approval of Minutes from the June 2023 Council Meeting

*UPON A MOTION duly made by Benjamin Matthie and seconded by Heather Westaway, it was resolved that the minutes be approved. Carried.*

### 6. Action Items from the June 2023 Meeting

1. Track the increase of resignations, if any, after the fee increase is implemented - **completed**

Fiona Teape, Director of Registration, provided a high-level overview of registration numbers, including renewals after the fee increase was implemented and resignations.

- There was a 4% increase in renewals prior to the deadline year over year (2022 vs 2023)
- There has been fluctuation in the resignation number over the past five years
- CKO may not see the actual effect of the fee increase until the next renewal period for 2024-2025

Additional information will be provided at the December meeting, after the suspension deadline on Oct. 1, 2023.

2. Council Effectiveness Review Framework (CERF) – **completed**
3. Discuss next steps for the internal controls audit – **completed**

The Registrar noted that this will be discussed when reviewing the Q4 financial report during item # 7.

4. Add Heather Westaway to the Steering Committee: Strategic Planning – **ongoing**  
The Registrar noted that Council will vote to approve this addition when approving the proposed 2023-2024 Committee Slate during item # 14.
5. Changes to the Committee Slate – **completed**
  - Remove Bradley Markis’ name from Planning & Finance, Examination Appeals, Quality Assurance and ICRC;
  - Highlight Victoria Nicholson’s name in green as Chair for the Governance and Nominations Committee; and
  - Planning and Finance – remove the red highlight from Benjamin Matthie’s name and indicate Chad McCleave as the Chair

## 7. Committee Reports

Reports were provided in the Council package, highlighting committee meetings, activities, changes and discussions that took place since the June Council meeting. Q4 financial report and dashboard were also included.

Chad McCleave, Chair of the Planning and Finance Committee, provided an update at the end of Q4. He noted CKO has a surplus at the end of the year due to projects not being completed caused by a shift in focus, based on Ministry announcements and change in staff.

The Planning and Finance Committee met on Sept. 18 to review the Q4 report and dashboard report.

## 8. Directors’ and Officers’ Liability Insurance

Chad McCleave, Chair of the Planning and Finance Committee, provided an overview of the liability insurance. It is the fiduciary responsibility of all Council members and includes a duty of care to CKO and a duty of obedience by the Directors and Officers. Council may be liable for its performance or non-performance of its fundamental responsibility. The Liability Insurance protects CKO against any unintentional wrongful acts that may lead to legal action against CKO.

## 9. Registrar’s Report

Nancy Leris, Registrar/CEO, presented the Registrar’s Report.

**Updated five-year Council Meeting Schedule** – In December 2022, Council voted and approved to change each September Council meeting to a two-day meeting. Council was presented with a revised five-year meeting schedule to reflect the two-day meetings that would take place every September, one day for training and the other for Council business.

CKO staff did their best to consider religious observations when developing the future dates for the September two-day meetings.

Council was asked to review the proposed five-year schedule and vote to accept the scheduled days. Council highlighted that there are meeting days which need to be reviewed by CKO and to bring back the schedule at the December meeting.

After the discussion, Council agreed to accept most of the dates for 2024 and that the rest of the meeting schedule will be revisited at the December 2023 Council meeting.

### **Resolution – Approve revised proposed five-year Council meeting schedule**

*UPON A MOTION duly made by Susan Garfat and seconded by Matthew Daher, it was resolved that Council approves a majority of the 2024 meeting dates and that Council will revisit and review the future years' meeting dates in December 2023. Carried.*

#### **Governance**

- The Council Effectiveness Evaluation Framework review is complete, and the results were presented to Council.
- The Governance and Nomination Committee met on Sept. 12 to develop a proposed Committee slate for 2023-24. This will be presented to the Council for their approval after the Election of officers.

#### **Strategic Planning Request for Proposal (RFP)**

- The Request for Proposal (RFP) for the development of CKO's new strategic plan was approved by Council at the June meeting and was posted on MERX (a vendor bidding platform) for 60 days.
- Several amendments were made to the RFP based on questions received from vendors and proposals were received by Aug. 31. These proposals will be reviewed by the Steering Committee between October and November.

#### **Office Space**

The office lease expires in June 2024 and CKO continues to explore options for office relocation and will update the Planning and Finance Committee on our progress in December. CKO has received a quote for space sharing from another College and continues to explore other options. More updates will be provided to Council at the December meeting.

#### **Annual Financial Audit & Annual Report**

CKO's Annual Financial Audit will begin in mid-October, and we have also started working on the Annual Report. The draft Audited Financial statements and Annual Report will be presented to Council at the December meeting.

## Registration

- As mentioned earlier, Annual renewal took place from July 1 to Aug. 31, 2023. The suspension process will begin on Oct. 1, 2023.
- The fall online Entry-to-Practice Exam was scheduled and completed on Sept. 20, 2023.
- Amendments to the *Kinesiology Act, 2007*, allowing for the Emergency Class officially came into effect on Aug. 31, 2023.
- Staff continue to develop policy and processes to support the administration of the Emergency Class certificate for Council's review at the December meeting.
- The first draft of the updated Kinesiologist Core Competencies Profile was completed by the Steering Committee. It is under review by the editor, and validation survey files are being prepared by the psychometrician for CKO's review. Following that, we will share with registrants for their feedback.

## Quality Assurance

- The e-Learning Modules portal is open to members from Sept. 1 to Oct. 31, 2023. Members are required to complete the Professionalism and Ethics and the revised Prevention of Sexual Abuse e-Learning Modules by Oct. 31, 2023.

## 10. President's Report

Jennifer Pereira reflected on her time as President and noted it as one of the greatest accomplishments of her career. She noted that one Council member stated that "the president is highly skilled and handles situations with talent and grace." Jennifer encouraged the future President and Council members to develop and foster great relationships with each other and to lean on others as well as the Registrar and CKO staff for support.

## 11. Risk Management Training

Nancy Leris, Registrar and CEO, provided training on Risk Management.

- Risk Management process involves identifying, assessing and responding to risks CKO faces.
- CKO's Business Continuity and Disaster Recovery Plans are the framework used to prepare for emergency situations.
- The Risk Management Plan will be reviewed twice per year, which may include additional updates to the plan when required.
- The Business Continuity Plan provides a framework for operational stability in emergency situations. This framework will be reviewed and updated before, during and after the period of disruption.
- The plan ensures that staff, council, committees and registrants are informed of CKO's efforts to continue to fulfil its mandate.
- The goal is to limit disruption of services to an acceptable level.

- Similarly, the Disaster Recover Plan is a framework that will be reviewed and updated before, during, and after the period of disruption.
- The goal is to promote maximum recovery of process and functions that ceased or were suspended.
- CKO and the Planning and Finance Committee have reviewed and made revisions to the plans. The revisions are as follows:

**Proposed changes – Risk Management Plan:**

- Promotes integration of CKO’s Risk Management, Business Continuity and Disaster Recovery Plans;
- Ensures accurate identification of individual(s) responsible for specific items; and
- Maintains and enhances readability (including but not limited to minor edits for grammar/formatting).

**Proposed changes – Business Continuity Plan:**

- Includes a broader spectrum of emergency circumstances in the scope of the plan;
- Clarifies roles, responsibilities and implementation; and
- Maintains and enhances readability.

In addition to these amendments, CKO has also developed and will continue to review and update a series of portfolio-specific Business Continuity Plans, which will be maintained by CKO staff assigned to each portfolio.

**Proposed changes – Disaster Recovery Plan**

- Emphasizes the high-level focus of the Plan by removing the return-to-work plan that is specific to return to office during the COVID-19 pandemic; and
- Clarifies roles, responsibilities and implementation, including updating the duties and assignments of the members of the Emergency Preparedness Team, staff list, staff titles, number of staff assigned to various portfolios, the listing of service provider/vendor contacts and updating the process for payment approvals.

In addition to these amendments, CKO has also developed and will continue to review and update a series of portfolio-specific Business Continuity Plans, which will be maintained by CKO staff assigned to each portfolio.

*Discussion*

CKO noted that the COVID-19 pandemic highlighted the fact that there was nothing in place to enable remote working; therefore, a plan was created. As a result, CKO upgraded its IT infrastructure to allow remote working.

The Registrar stated that CKO looks at different risks, sets the priority and level for each, and then implements the strategies. She also mentioned that some strategies are costly and would require Council’s approval before implementation.

Council noted that the risk ratings should change after mitigating controls have been implemented, but there is no change in any of the areas. They also noted that there is no benchmark for each area of risk before and after the implementation of changes.

The Chair stated that inherent risks (the risk present in any scenario where no attempts at mitigation have been made, and no controls or other measures have been applied to reduce the risk from initial level to levels more acceptable to the organization. This includes risks presented by different means – e.g., legislation, outside organizations, etc.) never change unless there is an external change (such as changes to the legislation) and that CKO can only focus on residual risks (the risk remaining after efforts have been made to reduce the inherent risk after mitigating/controls steps have been put into place). She also highlighted the point that the College should try to work on higher inherent risk items rather than focus on the entire document.

When changes are made, they will be reviewed by the Planning and Finance Committee for initial approval and discussion and then presented to Council for final approval. CKO keeps all previous versions of each plan for comparison to older documents and when strategies or changes are implemented.

On a final note, Council would like to have high-level document for each plan, removing the highly sensitive and confidential information. However, CKO should have detailed plans for internal purposes.

**Resolution – Approve proposed Risk Management, Business Continuity, and Disaster Recovery Plans as presented**

*UPON A MOTION duly made by Teresa Bendo and seconded by Victoria Nicholson, it was resolved that Council approves the proposed Risk Management, Business Continuity, and Disaster Recovery Plans as presented. Carried.*

## **12. Workplace Violence and Safety Training**

Brian Fehst, Manager, Professional Practice, provided Council with training pertaining to workplace violence and safety.

The relevant legislation is the *Occupational Health and Safety Act*. Every worker has the right to work in an environment free from violence and harassment. Among the responsibilities of an employer is promoting a culture and environment of safety by providing training.

To prevent violence and harassment in the workplace, the employer should:

- Prepare policies with respect to workplace violence and workplace harassment;
- Include measures and procedures for workers to report incidents of workplace violence / harassment;
- Set out how the employer will investigate and deal with incidents or complaints.

CKO has its policy posted in an area visible and accessible to all staff and visitors. When staff encounter workplace violence, they should speak with the Registrar, and Council members should contact the President.

### **13. Communications Update**

Cecilia Li, Senior Communications Officer provided her update.

#### **Elections**

Elections were held in Districts 2, 3 and 6. There was only one nominee in District 2 and therefore Pheing Ngo was acclaimed; Alyssa King was elected from District 6, and Susan Garfat was re-elected from District 3.

#### **10<sup>th</sup> Anniversary**

The 10<sup>th</sup> Anniversary webpage was launched on Aug. 15 and contains a timeline of the CKO's key milestones. The page was visited 262 times during a 35-day period. The page will also contain interviews with two past Presidents and current President.

#### **E-newsletter**

CKO's e-newsletter was re-launched in August and it reached 3,047 recipients. The letter had an open rate (the number of people who opened the email) of 76% and a click rate (the number of people who opened the email and clicked on any of the links included) of 18%. These statistics of the September and following issues of the newsletter will continue to be monitored and presented at the December meeting.

#### **Social Media**

CKO resumed posting on Facebook, X (formerly Twitter) and LinkedIn in August, and on Instagram in September. LinkedIn had the greatest number of impressions (the number of times the page's posts were displayed on LinkedIn members' screens) within a 30-day period. While the Instagram post was only live for 13 days when the data was collected, it received highest impressions – 221 impressions. CKO re-engaged its use of YouTube and posted a video pertaining to the fall exam webinar, which received 219 views in 12 days.

#### *Discussion*

One Council member inquired why YouTube was not being utilized more and noted that the CKO could shift to YouTube Shorts which shows shorter clips, which people are more inclined to view. CKO stated that YouTube was not used as much due to it being a subscription-based service and was not accounted for in the budget. However, this will be included in the strategic planning project.

#### **University Presentations**

CKO completed one virtual presentation to U of T's MPK (Master of Professional Kinesiology) Program in August, focused on how to register and become an R. Kin. and the role of CKO for registrants and the public. There are ten more presentations scheduled with various universities, and one scheduled with University Health Network (UHN). CKO has reached out

to other institutions and organizations and will follow up again regarding scheduling presentations.

#### *Discussion*

CKO was contacted by UHN to provide a practice-based presentation that's not focused on how to become registered as the attendees would all be R. Kins.

CKO also noted that there may be the possibility of recording the presentations for future use, but this option needs to be explored further.

### **Annual Report**

The College has begun the work for the 2023/24 Annual Report and has the following timeline in place:

- September – November: content collection and production
- Dec. 4: present report and approved financial statements to Council for approval
- Mid-December: document ready to be published and shared

## **14. Election of Officers/Executive Committee/Approval of Committee Membership**

### **Election of Officers and Executive Committee**

#### **Resolution – Approve Registrar to supervise elections of officers**

*UPON A MOTION duly made by Susan Garfat and seconded by Benjamin Matthie, it was resolved that that the Registrar be appointed as the Elections Officer and assume the chair for this portion of the meeting for this purpose. **Carried.***

#### **Resolution – Approve the Registrar appointing Brian Fehst and Arifa Gafur as Scrutineers for the election of officers.**

*UPON A MOTION duly made by Susan Garfat and seconded by Chad McCleave, it was resolved that Council approves appointing Brian Fehst and Arifa Gafur as Scrutineers for the election of officers. **Carried.***

The Registrar presided over the election of the College's Executive Committee.

**Therefore,** be it resolved that:

- Benjamin Matthie is elected as President
- Victoria Nicholson is acclaimed as Vice President
- The additional members that were acclaimed to the Executive Committee include Teresa Bendo, Heather Westaway and Ryan Wight

*UPON A MOTION duly made motion by Matthew Daher and seconded by Pheing Ngo, it was resolved that Benjamin Matthie be appointed President; Victoria Nicholson be appointed Vice-President; and Teresa Bendo, Heather Westaway, and Ryan Wight be appointed as members of the Executive Committee. **Carried.***

## Approval of Committee Slate

Brian Fehst, Manager of Professional Practice, noted that the Governance and Nominations Committee met to consider committee composition for 2023/2024.

A proposed slate for each of the Committees and proposed chairs, has been provided to Council. The Governance and Nominations Committee considered the preferences of Council members, applications received from the general membership and the workloads of each committee to form the proposed slate.

### *Discussion*

#### ICRC

- Sara Gottlieb noted that she would like to be removed as Chair. Ryan Wight expressed interest in becoming chair and was approved as Chair.

#### Planning and Finance

- It was noted that the Chair cannot be a signatory. Chad McCleave, proposed Chair, stated that if he cannot attend a meeting, then he will coordinate with Susan Garfat, to have her chair in his absence.
- It was also brought to the attention of Council that it appeared that most of the Committee Chairs appointed were public members and a pattern seems to emerge. CKO staff clarified that term limits and succession planning were considered when appointing the Chairs.

**Therefore**, be it resolved that the proposed committee slate be accepted, with one amendment:

*UPON A MOTION duly made motion by Pheing Ngo and seconded by Teresa Bendo, it was resolved that the Council of the College of Kinesiologists of Ontario appoints the committee members and chairs with an amendment to the attached slate developed and recommended by the Governance and Nominations Committee. **Carried.***

## 15. Review of Action Items

- Pull data regarding resignations to see if they are a result of non-payment of fees
- Continue to monitor the increase, if any, of resignations after the fee increase
- Risk Management Plan – provide a high-level update of matrix; looking to see if risk levels have reduced based on the implementation of / changes to strategies
- The open rate and click rate data from the September – November e-newsletters will be presented at the December Council meeting

### Termination

*UPON A MOTION duly made by Matthew Daher, the Council meeting of September 2023 was terminated at 4:14 pm. **Carried.***