



FAIRNESS COMMISSIONER

COMMISSAIRE À L'ÉQUITÉ

OFFICE OF THE FAIRNESS COMMISSIONER

595 Bay Street, Suite 1201, Toronto ON M7A 2B4

Fair Registration Practices Report 2020

The Fair Registration Practices Report was created as required in the:

- Fair Access to Regulated Professions and Compulsory Trades Act, 2006 (FARPACTA) s.20 and 23(1), for the regulated professions named in Schedule 1 of FARPACTA
- Health Professions Procedural Code set out in Schedule 2 of the Health Professions Act, 1991 (RHPA) s. 22.7(1) and 22.9(1), for health colleges

Guidelines for this report are available to download as a .pdf on the OFC website.

<https://www.fairnesscommissioner.com/en/Publications/Pages/Guidelines.aspx>

Organization: College of Kinesiologists of Ontario

Name of the regulated profession: College of Kinesiologists of Ontario

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Qualitative Information

The following qualitative information is collected for the purpose of highlighting a regulator's enhancements to improve fair access year over year, including actions that result from recommendations made in the OFC's Assessment of Registration Practices.

For each of the categories below, where applicable, please describe any improvements/changes implemented in the last year by your organization or a third-party for the purpose of changing fair access.

Please also describe the impact of these improvements/changes on applicants. If you have been working on improvements/changes over the last year that have not yet been implemented, describe your progress and the expected impact the improvements/changes will have on applicants and your organization.

Provide as much detail as possible. This can include the rationale for the improvements/changes, relevant findings from preliminary work leading up to the improvements/changes, methodology, relevant dates and anything else you think is important.

Include as much supporting material as possible to support your description (e.g., relevant reports, policies, protocols, websites, other documents and anything else you think is important). This material can be provided in the form of hyperlinks to electronic sources.

a. Requirements for registration, including acceptable alternatives

i) Describe any improvements / changes implemented in the last year

Alternatives to Registration Requirements

The CKO provided applicants with alternatives to the supporting documents required for registration in response to the COVID-19 Pandemic and the limitations they experienced with acquiring and mailing original documents.

[View further information on alternatives to the supporting documents required for registration during the COVID 19 Pandemic](#)



Update to applicant and registrant section of the CKO website:

The CKO did extensive updates to its website in 2020. Changes included streamlining content on the applicant and registrant webpages to ensure that the information provided is clear and easily accessible.

- ii) Describe the impact of the improvements / changes on applicants

Alternatives to Registration Requirements:

This change gave applicants the flexibility of meeting the CKO registration requirements without barriers and ensured that applications were processed without delays. This allowed successful applicants to become registered and move on with their careers.

Update to applicant and registrant section of the CKO website:

Applicants can easily access and understand the CKO's registration requirements. The presentation of registration information in a simplified and user-friendly way has resulted in an overall reduction in application processing times as there are fewer errors and omissions requiring follow-up.

- iii) Describe the impact of the improvements / changes on your organization

Alternatives to Registration Requirements:

By providing these alternatives to applicants the CKO maintained its processing timelines and curtailed a backlog of incomplete applications.

Update to applicant and registrant section of the CKO website:

The streamlining of its website has enabled the CKO to better communicate to applicants, registrants, and the public. Further, updates to the application and registration information on the CKO website has resulted in a reduction of general application enquiries and complaints received. This change has also significantly reduced processing timelines as applicants and registrants are better informed of the registration requirements, resulting in a significant reduction in processing timelines and application errors requiring follow-up. This enables the CKO to issue timely approvals and decisions.



b. Assessment of qualifications

i) Describe any improvements/changes implemented in the last year

Postponement of the Spring 2020 Entry-to-Practice-Examination

The spring sitting of the CKO's entry-to-practice examination which was scheduled to take place on April 10, 2020 was rescheduled for September 19, 2020 across all writing centres. The CKO made the difficult decision to postpone the exam due to the COVID-19 pandemic and provincial restrictions to in person group gatherings in place at that time.

The CKO scheduled an additional exam in Toronto on September 26 to accommodate the high number of applicants wanting to write in Toronto. The CKO also made accommodations for applicants to reduce the risk related to traveling during the pandemic as well as granting other accommodations requests. Face masks and hand sanitizers were also shipped to the exam provider and provided to examination candidates and exam invigilators during the exam.

Lastly, the CKO met with its exam provider in 2020 to explore online exam options for the 2021-2022 fiscal year in response to the ever-evolving restrictions on in person group gatherings in place because of the COVID-19 pandemic.

Review of Jurisprudence e-Learning Module:

The CKO began a review of the Jurisprudence e-Learning Module in 2020. This review is in line with the CKO's operational plan for continuous improvement of its Standards and Guidelines and the changing regulatory environment. The CKO intends on making changes to the Jurisprudence e-Learning Module in the coming year once the review is finalized.

ii) Describe the impact of the improvements/changes on your organization.

Postponement of the Spring 2020 Entry-to-Practice-Examination



The CKO experienced significant issues with locating and scheduling available test writing centres for both the 2020 spring and fall exam administration. The CKO also had to allocate financial resources and staffing to accommodate for the increase of work required to administer two exam sittings in short sequence. The CKO is cognizant of the important role it plays in supporting the labour supply of competent kinesiologists in Ontario. The CKO has taken a proactive approach to exploring options for an online exam to ensure that applicants wishing to become registered are not faced with barriers to access the profession. While this change is not finalized and the impact cannot be fully assessed, the CKO believes that transitioning to an online exam will improve access to the profession for applicants, result in a reduction in processing timelines and increase human resource efficiencies.

The CKO realizes the importance of making the exam accessible online, however it is also evaluating the financial viability of doing so for the 2020-2021 fiscal year.

Review of Jurisprudence e-Learning Module:

While impacts on the College resulting from changes to the Jurisprudence e-Learning Module are not readily apparent, it is expected that such changes lead to improved compliance and hence avoidance of professional misconduct. Additionally, other communications to members regarding Standards and Guidelines in this area, build upon the jurisprudence learning experience, strengthening the effectiveness of these instruments. The College strives to ensure that applicants and registrants have a clear understanding of the legislative framework which governs their professional conduct. This improves public confidence in the College's ability to govern the profession in the public interest and reduce risk of harm.

iii) Describe the impact of the improvements/changes on applicants

Postponement of the Spring 2020 Entry-to-Practice-Examination:

Applicants with pending employment contingent upon them writing and passing the exam, and applicants who had intentions of writing the exam to acquire employment were particularly negatively impacted by the spring 2020 exam postponement.

The CKO assisted applicants throughout this process by working with our exam administrator to make appropriate adjustments to our exam schedule. This



included but was not limited to adding additional testing sites and extended exam windows, considering further examination deferrals, and providing personal protective equipment to examination candidates and exam invigilators.

The CKO believes that transitioning to an online exam format will significantly reduce the unintended barrier to the profession applicants are experiencing resulting from the provinces COVID-19 Response Framework and restrictions on in person group gatherings.

Updates to the Jurisprudence e-Learning Module:

These changes are not finalized; therefore, the impact cannot be assessed.

c. Provision of timely decisions, responses, and reasons

- i) Describe any improvements/changes implemented in the last year

Noted in previous sections.

- ii) Describe the impact of the improvements/changes on applicants

Noted in previous sections.

- iii) Describe the impact of the improvements/changes on your organization

Noted in previous sections.

d. Fees

- i) Describe any improvements/changes implemented in the last year

In response to the financial hardships experienced by kinesiologists because of the COVID-19 pandemic, in 2020 the CKO Council decided that registrants who were suspended on October 1, 2020 for non-renewal and who reinstated between October 1, 2020 and October 31, 2020 would not be charged a reinstatement fee or a late fee. The CKO Council also waived the late fee for registrants renewing after the August 31, 2020 renewal deadline and registrants were afforded the opportunity to make individual payment arrangements with the CKO, such as fee payment by installments.



- ii) Describe the impact of the improvements/changes on applicants
No impact.
- iii) Describe the impact of the improvements/changes on your organization

While not having a direct impact on the College, this decision shows the CKO's commitment to fairness in its processes, and its willingness to make appropriate application accommodations if necessary and when feasible.

e. Timelines

- i) Describe any improvements/changes implemented in the last year
Noted in previous sections.
- ii) Describe the impact of the improvements/changes on applicants
Noted in previous sections.
- iii) Describe the impact of the improvements/changes on your organization
Noted in previous sections.

f. Policies, procedures and/or processes, including by-laws

- i) Describe any improvements/changes implemented in the last year

Review of the Inactive Certificate of Registration and Reinstatement to the General Class policy:

The CKO reviewed and submitted draft changes to the Registration Committee for the [Inactive Certificate of Registration and Reinstatement to the General Class](#) (the policy) in November 2020. The proposed amendments to the policy seeks to address the nuanced nature of kinesiology practice and to minimize ambiguity by providing a very clear and transparent outline of the eligibility requirements, the application process, and conditions imposed on the Inactive Class. The proposed policy changes also include an expanded list of eligible registrants. If approved, the policy would require kinesiologists who apply for reissuance to the General Class, who have practiced kinesiology less than 1,500



hours in the three years preceding the date of their application, be referred by the Registrar to a panel of the Registration Committee for review of their currency of knowledge, skill, and judgement prior to them being approved to return to active practice. The proposed changes were made in consideration of reducing risk of harm to the public and is in keeping with the legislative benchmark of 1500 practice hours requirement under the Registration Regulation. The Registration Committee continues to review the proposed changes to the policy and intends on making a submission to the CKO Council in 2021.

Review of Registration Policies:

The CKO began a review of its [registration policies](#) in 2020 in keeping with its scheduled timeline for policy review.

The CKO Response to Systemic Racism:

In response to global events in 2020, the CKO released the following statement denouncing systemic racism.

The CKO acknowledges that systemic racism is real and present in our society. For true progress to be made on this issue, its existence must be recognized by organizations like ours with a duty to serve and protect the public interest.

We serve and protect all people who use the services of registered kinesiologists, regardless of their race, ethnic origin and other provisions covered under human rights legislation. We also acknowledge that more can and should be done to educate and empower our registrants, Council, volunteers, and staff on the issue of systemic racism. That is why in 2020 the College committed to the following actions:

- Full review of the Code of Ethics for kinesiologists to strengthen provisions around discrimination.
- Development of learning tools for kinesiologists to help them identify systemic racism and prevent it within the healthcare context.
- Full review of the Code of Conduct for Council, the College's decision-making body, to add provisions that address discrimination.
- Full review of the College's human resources policies and practices to strengthen provisions around discrimination.



The CKO is also a member of a working group of the Health Profession Regulators of Ontario (HPRO). The group's goal is to identify needs and develop tools which would support the colleges in addressing systemic racism.

ii) Describe the impact of the improvements/changes on applicants

Review of the Inactive Certificate of Registration and Reinstatement to the General Class policy:

These changes are not finalized and continue to be reviewed by the Registration Committee; therefore, the impact cannot be assessed. The proposed changes to the Inactive Class policy serve to strengthen the Colleges public protection mandate and oversight by clearly defining the limitations of the Inactive Class, and the expectations and obligations of kinesiologists registered in the Inactive Class.

Review of Registration Policies:

These changes are not finalized; therefore, the impact cannot be assessed.

The CKO Response to System Racism:

These changes are not finalized; therefore, the impact cannot be assessed. Notwithstanding this, applicants, registrants, and the public can be assured that there are processes and procedures in place at all levels of the College operations to address systemic racism and discrimination; and that the principles of fairness, objectivity, transparency, and impartiality underpin the CKO entry to practice program.

iii) Describe the impact of the improvements/changes on your organization

Review of the Inactive Certificate of Registration and Reinstatement to the General Class policy:

These changes are not finalized; therefore, the impact cannot be assessed.



Review of Registration Policies:

These changes are not finalized; therefore, the impact cannot be assessed.

The CKO Response to System Racism:

Accountability is at the forefront of the CKO governance model. The CKO is working on an RFP to hire an external consultant to assist with completing the objectives outlined in the sections above. The CKO's is committed to educating and empowering its registrants, Council, volunteers, and staff on the issue of systemic racism.

g. Resource for applicants

- i) Describe any improvements/changes implemented in the last year
Noted in previous sections.
- ii) Describe the impact of the improvements/changes on applicants
Noted in previous sections.
- iii) Describe the impact of the improvements/changes on your organization
Noted in previous sections.

h. Review or appeal processes

- i) Describe any improvements/changes implemented in the last year

In 2020 the CKO improved the process for tracking and reporting of decisions to the Registration Committee. The CKO has begun to include previous decisions on similar referral types in the case reviews submitted to Committee members.

The CKO has also updated all its communication and reporting materials submitted to the Registration Committee to include applicants and registrants' initials instead of their full names. The exception to this is instances where an applicant's or registrant's full name is required to enable the declaration of conflict of interest. The CKO has also implemented the use of gender-neutral language in respect of all applicant files.



- ii) Describe the impact of the improvements/changes on applicants

These changes give applicants confidence that they are being assessed purely based on their knowledge and skills in meeting the essential competencies for entry to practice, and that mechanisms are in place to ensure that the Registration Committee's decisions are consistent, unbiased, and fair.

- iii) Describe the impact of the improvements/changes on your organization

These changes strengthen the Registration Committee's commitment and ability to continue making consistent, defensible, and bias free decisions.

i. Access to applicants' records

- i) Describe any improvement/changes implemented in the last year
No changes this year.

- ii) Describe the impact of the improvements/changes on applicants
No changes this year.

- iii) Describe the impact of the improvements/changes on your organization
No changes this year.

j. Training and resources for registration staff, Council, and committee members

- i) Describe any improvements/changes implemented in the last year

All new and existing Registration Committee members took part in the annual Registration Committee training. Training included information on consistent and defensible decision-making, transparency, and its importance to maintaining accountability, assessment strategies in reviewing applications for educational equivalency, and the CKO public interest mandate. Committee members also received in-depth training on conflict of interest, bias, combatting systemic racism, and risk assessment and mitigation.



ii) Describe the impact of the improvements/changes on applicants

Orientation and training and the ongoing training of Council, staff and Committee members ensure that each person and each group understand applicable policies, the regulatory and legislative framework, confidentiality requirements and respective roles. All are trained on conflict of interest, statutory obligations, and on risk management. Such thorough training ensures applicants of fairness, transparency, confidentiality, and that all decisions impacting them are made from a consistent and regulatory perspective. Applicants are assured that decisions are made by knowledgeable people free from conflict of interest and bias, who apply policies consistently and transparently. Applicants and registrants are also assured that decisions are made in the interest of the public and with no other purpose than public protection and reduction of risk of harm.

iii) Describe the impact of the improvements/changes on your organization

Ongoing training ensures that all registration staff and Registration Committee members are well versed in fairness principles, understand the obligations of the College and are aware of and avoid making registration decisions that may be consciously or unconsciously biased, discriminatory or violate an applicant's human rights. This applies to the consideration of all applications, whether the applicant is domestically or internationally educated.

Each year the College adds more training for staff, Council and Committee members. At its December 2020 Council meeting, staff presented a draft Council and Committee Competency Profile for Council's consideration. This profile details the knowledge, skill, judgement, and attitude requirements the CKO is looking for in potential Council and committee members. The profile will help in the selection of candidates for election to Council and appointment to the College's committees and provide further assurance that all the necessary competencies are at the table for effective and defensible decision-making, for fulfillment of the various roles of administration of the legislative and regulatory framework, and for oversight of the activities of the College.

The profile was posted for feedback for 60 days and discussed at the March 2021 Council meeting. Later in 2021, staff will also present proposed by-law changes that will allow for a competency-based election and selection process. If approved, the by-law changes will be posted for feedback for 60 days. Part of



this process will be to develop an in-depth orientation/training program for new Council members and on-going yearly training.

k. Mutual recognition agreements

- i) Describe any improvements/changes implemented in the last year

No changes this year

- ii) Describe the impact of the improvements/changes on applicants

No changes this year

- iii) Describe the impact of the improvements/changes on your organization

No changes this year

l. Describing any improvements/changes implemented in the last year

- i) Describe any improvements/changes implemented in the last year

Investment in Human Resources and IT Infrastructure:

CKO staff transitioned to working remotely in March of 2020 in response to the COVID-19 Pandemic. As a result of this transition, and to ensure its continued operations, the CKO invested in its human resources and IT infrastructure. A key component of this process involved making updates to the CKO Risk Management Plan, which was approved by the CKO Council for the 2020-2021 fiscal term. The College of Kinesiologists Risk Management Plan is a controlling document that incorporates the goals, strategies, and methods for performing risk management. The Risk Management Plan describes all aspects of the risk identification, estimation, evaluation, and control processes. The purpose of developing such a plan is to determine the approach for cost-effectively performing risk management on all operational functions of the College. [See page 57 of the June 2020 Council meeting minutes for the CKO's updated Risk Management Plan](#)



The CKO also undertook the following during the shift to working remotely:

- Investment in its data management system to improve processing efficiencies, address data legacy issues, and to identify and address processes that require system automation;
- Strengthening security to its data management system, website, shared sites, and all technology platforms. For example, Multi Factor Authentication (MFAs) for access to CKO drives and other CKO online platforms, and application of software patches as they become available to reduce risks;
- Investment in its telecommunication platforms such as phone systems, virtual meeting platforms, etcetera, to ensure the continued operations of the College while staff work remotely.

ii) Describe the impact of the improvements/changes on applicants

Investment in Human Resources and IT Infrastructures:

The CKO's continued investment in its human resources and IT infrastructure ensures its constant operations while staff work remotely and has ensured that applicants, registrants, and the public receive the same standard of service that would be expected if staff were working in person at the office. The CKO continued to process and register new applicants to keep up with labour force demands of qualified registered kinesiologists.

The CKO also expanded its communication capabilities to applicants and registrants by providing virtual meetings in place of face-to-face meetings when requested. Registrants can reach the CKO by phone or can request a virtual meeting at any time.

iii) Describe the impact of the improvements/changes on your organization

Investment in Human Resources and IT Infrastructure:

These changes enable the CKO to fulfil its public protection mandate by ensuring that knowledgeable, skilled, and qualified kinesiologists are registered to serve the health care needs of Ontarians. The investment in its human resources and IT infrastructure also enabled the CKO to continue its operations and fortify its technology systems by putting security measures in place to protect from potential security breaches. The CKO also responded to other notable risk factors as detailed in its updated Risk Management Plan.



m. Describe any registration-related improvements/changes to your enabling legislation and/or regulations in the last year

Proposal to authorize a Specialty:

The Ontario Athletic Therapist Association (OATA) first submitted a proposal to the College in 2013 requesting that the CKO create a specialty or a class of membership for athletic therapists.

The CKO can create classes of membership following thorough examination of need (i.e., demonstrated risk of harm to the public) however these changes require changes to its regulation.

In response to the OATA submission the CKO developed a Specialties Assessment Framework and Policy to Authorize a Specialty Title; documents were released for feedback in 2016 and in 2018 both documents were approved.

In 2019 the CKO created the Specialties Committee to review OATA’s proposal. This work continued into 2020 and is ongoing.

Provide any additional information:

Quantitative Information

The following quantitative information is collected for the purpose of observing statistical changes and trends related to application, licensure, appeals and staffing year over year.

a. Languages

Indicate the languages in which application materials and information about the application process are available.

Language	Yes/No
English	Yes
French	Yes

Other (please specify):



b. Gender applications

Indicate the number of applicants in each category as applicable

Gender	Number of applicants
Male	151
Female	239
None of the above	N/A

Additional comments:

c. Gender of members

Indicate the number of members in each category as applicable. Select the option that best corresponds to the terminology used by your organization.

Gender	Number of members
Male	1047
Female	1955
None of the above	N/A

Additional Comments:

For the following sections d,e & f, the OFC recognizes that the term initial education infers that applicants may receive their education in multiple jurisdictions.

For the purpose of these questions, include only the jurisdiction in which an entry-level degree, diploma or other certification required to practice the profession or trade was obtained.

d. Jurisdiction where applicants obtained their initial education

Indicate the number of applicants by the jurisdiction where they obtained their initial education in the profession or trade

Ontario	Other Canadian Provinces	USA	Other International (list countries and # of applicants)	Unknown	Total
380	8	1	Brazil – 1	0	390



Additional comments:

e. Jurisdiction where applicants who became registered members obtained their initial education

Indicate the number of applicants who became registered members in the reporting year by the jurisdiction where they obtained their initial education in the profession or trade.

Ontario	Other Canadian Provinces	USA	Other International (list countries and # of applicants)	Unknown	Total
209	7	0	0	0	216

Additional comments:

f. Jurisdiction where members were initially trained

Indicate the total number of registered members by jurisdiction where they obtained their initial education in the profession or trade.

Ontario	Other Canadian Provinces	USA	Other International (list countries and # of applicants)	Unknown	Total
2814	136	28	Australia – 2 Chile – 1 China – 2 Colombia – 1 Cuba – 1 Estonia – 1 Greece – 1 Ireland – 1	0	3002



			Iran – 2 Latvia – 1 Poland – 4 Philippines – 1 Romania – 1 South Korea – 1 Spain – 1 Ukraine – 2 Uzbekistan – 1 Total – 23		
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g. Application processed

Indicate the number of applications your organization processed in the reporting year. Enter the data by jurisdiction where applicants were initially trained in the profession, i.e. before they were granted use of the protected title or professional designation in Ontario.

January 1, 2020 to December 31, 2020	Ontario	Other Canadian Provinces	USA	Other International	Unknown	Total
New applications received	380	8	1	1	0	390
Applicant actively pursuing licensing. Those who had some contact with your organization in the reporting year	187	4	0	1	0	192
Inactive applicants. Those who had no contact with your organization in the reporting year.	30	0	0	0	0	30
Applicants who met all requirements and were authorized to become members <u>but</u>	206	4	1	1	0	212



did not become members						
Applicants who became fully registered members	209	7	0	0	0	216
Applicants who were authorized to receive an alternative licence but were not issued a licence	0	0	0	0	0	0
Applicants who were issued an alternative class of licence*	0	0	0	0	0	0

- An alternative class of licence enables it holder to practice with limitations, but additional requirements must be met in order for the member to be fully licensed.

Additional comments:

h. Classes of certificate/licence

Provide a description of the classes of certificate/license offered by your organization. You should have at least one class listed.

#	Certification	Description
1	General Class	A General Certificate of Registration is issued to an individual who has met all the registration requirements. If a member holds a General Certificate of Registration, they must use the designation R.KIN and may use "Registered Kinesiologist" or "Kinesiologist Registered in the General Class" as their professional title.
2	Inactive Class	A member registered with a General Certificate may



		<p>apply for an Inactive Certificate of Registration. The following are conditions of a Certificate of Registration in the Inactive Class: The member shall not, (a) engage in providing direct patient care; (b) use their professional Kinesiologist title or designation; (c) supervise the practice of the profession; or (d) make any claim or representation to having any competence in the profession.</p>
3		

Additional comments:

i. Reviews and appeals processed

State the number of reviews and appeals your organization processed in the reporting year. Enter the data by jurisdiction where applicants were initially trained in the profession, i.e. before they were granted use of the protected title or professional designation in Ontario.

January 1, 2020 to December 31, 2020	Ontario	Other Canadian Provinces	USA	Other International	Unknown	Total
Applicants that were subject to an internal review or that were referred to a statutory committee of your governing council, such as	32	13	6	5	0	56



Registration Committee						
Applicants who initiated an appeal of a registration decision	0	0	0	0	0	0
Appeals hear	0	0	0	0	0	0
Registration decisions changed following an appeal	0	0	0	0	0	0

Additional comments:

j. Paid Staff

Provide the number of paid staff employed by your organization in the categories shown, as of December 31, 2020.

You may use decimals if you need to count half units. For example, one full-time employee plus one part-time employee will be equivalent to 1.5 employees.

Category	Number of staff
Total number of staff employed by the regulatory body	9
Number of staff involved in the appeals process	2
Number of staff involved in the registration process	4

Additional comments:

Submission

Name of individual with authority to sign on behalf of the organization:

Nancy Leris

Title: Acting, Registrar

Date: 2021/04/30