

PROVINCE OF BRITISH COLUMBIA

In the Matter of an Inquiry under section 18.1 of the Health Professions Act R.S.B.C. 1996 c. 183

I, Adrian Dix, Minister of Health, further to my authority under section 18.1 of the *Health Professions Act* R.S.B.C 1996 c. 183 ("Act"), having considered the public interest, appoint Harry Cayton to inquire into the administration and operation of the College of Dental Surgeons of British Columbia ("College"), in accordance with the following terms of reference.

TERMS OF REFERENCE

Purposes of Inquiry

1. Harry Cayton is to inquire into, make findings of fact, and provide advice and opinions respecting whether the College adheres to best practices for governance of regulated professions and whether the College is fulfilling its mandate under section 16 of the *Act* including, but not limited to,
 - (a) the effectiveness of the College in ensuring:
 - (i) members of the Board discharge their duty to act in the public interest and fulfil their duties in accordance with the Oath of Office set out in 17.11 of the Act and section 4 of the Health Professions General Regulation B.C. Reg. 275/2008;
 - (ii) persons appointed by the Board to committees of the Board and College discharge their statutory duties under the Act, in the public interest;
 - (iii) there are mutually respectful relationships between Board members and professional staff of the College;
 - (iv) senior staff of the College treat each other and all college staff with respect and professionalism; and
 - (v) the College has established clear and appropriate policies and procedures to resolve conflicts or disputes between Board members or between Board members and College staff or amongst College staff;
 - (b) whether, to carry out its statutory mandate respecting the handling of complaints about registrants pursuant to Part 3 of the Act:
 - (i) the College bylaws, standards, practices and procedures respecting complaints are in accordance with the Act and are focused on and effectively protect the public safety and the public interest; and
 - (ii) investigations and complaints are processed in a timely and effective manner;

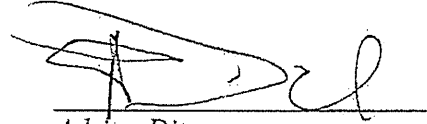
- (c) whether the College bylaws, guidelines, standards of practice and policies established by the Board to guide registrant conduct are in the public interest and ensure public safety;
 - (d) whether the College has an effective program to monitor and enforce bylaws, guidelines, standards of practice and policies that ensure the protection of the public interest; and
 - (e) whether the College practices respecting public notification and reporting are consistent with the Act and show appropriate transparency including the reporting of college activities, bylaws, finances and decisions to registrants, government and the public.
2. Harry Cayton is to make recommendations respecting changes to the Act and regulations made under the Act which he considers necessary or appropriate in order to enhance:
- (a) the effective administration and operation of a college to assist in carrying out the duties and objects of a college under section 16 of the Act;
 - (b) the ability of a board of a college to utilize best practices for governance of regulated professions;
 - (c) the transparency and accountability of a college; and
 - (d) the public interest and public safety generally.

Conduct of the Inquiry

3. Without limiting the powers of Mr. Cayton under section 18.1 of the Act:
- (a) For the purposes of the inquiry into the matters described in paragraph 1(b), Harry Cayton shall review a sampling of complaints including their handling and disposition by the College. The manner of the selection of the sample of the complaints for this purpose shall be determined by Harry Cayton.
 - (b) The report to the Minister respecting shall not
 - (i) include any information that would identify any complainant or any registrant who is the subject of a complaint; and
 - (ii) make any finding or allegation of misconduct with respect to any person.
 - (c) Investigation or adjudication of any specific complaint submitted to the College pursuant to Part 3 of the Act by Harry Cayton is outside of the scope of the inquiry.
 - (d) Harry Cayton may observe meetings of the Board and meetings of any committee of the College or the Board and may observe any aspect of the administration and operations of the College.
 - (e) Harry Cayton may consult with such individuals and organizations as he considers necessary or desirable.
 - (f) Harry Cayton may engage other persons to assist him with the inquiry as he determines necessary.

(g) Harry Cayton shall submit a report to the Minister of Health no later than December 31, 2018.

September 20, 2018
Date



Adrian Dix
Minister of Health