

# Regulatory Principles That Guide Our Work as of January 2024

Based on Harry Cayton's *Checklist for Regulatory Boards*, November 2021

CPATA assessments: 2022, May 2023, January 2024

<b>1. Be clear about your purpose as a regulator; keep the public interest as your unremitting focus.</b>
Adopted Regulatory Objectives (which as 'living documents' may evolve over time), Standards and Principles to guide all regulatory work.  Material presented to the Board for decisions is always connected to public interest and, if applicable, the ROs. Updated Board Governance Policies (March 2024) and Board self-assessment tools clearly reflect the unremitting focus on the public interest.
<b>IN PROGRESS:</b> Draft revisions to Board Governance Policies (to the Board for approval March 2024) and Board self-assessment (to the GC February 2024) focus on these principles
<b>2. Set long-term aims and shorter-term objectives</b>
Long-term – Development of Strategic Framework 2023-2025 completed and progress being monitored and evaluated Short-term – Annual Work Plans approved by Board
<b>3. Agree how to deliver and monitor those aims and objectives</b>
Regular Monitoring Reports presented to Board from all committees/programs Board and Director self-assessments launched February 2024
<b>IN PROGRESS:</b> <ul style="list-style-type: none"><li>- Board receives regular reports from the CEO on strategic plan, annual work plan and risk register.</li><li>- Board receives reports from Board Committees at each Board meeting following Committee meetings.</li><li>- Outcomes measurement to be developed so there is reporting on all regulatory work and progress toward achieving the approved objectives.</li></ul>
<b>4. Have competencies for board members whether elected or appointed and apply them to everyone through a selection or nominations process, induction, and regular appraisal</b>
Board adopted a <a href="#">Skills and Attributes Matrix</a> Shared with ISED to assist with Board Appointments; shared with candidates for elected Directors

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Updated Board Governance Policies (March 2024) elaborate on role, responsibilities and expectations of the Board and individual Directors.

**IN PROGRESS:**

- The Board as a whole and individual Directors will engage in self-evaluation based on skills matrix.
- Board undergoes continuous education in accordance with an education plan to continuously improve on collective and individual competencies.
- In addition to competencies for board members, with respect to Committees, skills matrices were developed, and are reviewed annually and updated as needed.

**5. Have a code of conduct for board members and enforce it**

Revised Board Governance Policies (March 2024) expand and refine the Code of Conduct based on best practices and experience to date.

**IN PROGRESS:**

CPATA is in the progress of updating its Board policies. It expects to review and approve the updated Board policies in March 2024, and to continue to review them annually (and update as needed).

**6. Declare conflicts of interest, keep a register of interests, and ensure that decisions are not tainted by partiality or bias**

The Board Governance Policies and Code of Conduct provide enhanced guidance re conflicts. Conflicts checks are a part of each Board and Regulatory Committee agenda.

**IN PROGRESS:**

A 'register of conflicts' is being developed as part of the updated Governance Policies to be included with individual director reporting on their skills, attributes and knowledge matrix, and in annual self-assessments, to proactively identify director involvement in other initiatives, as an early warning system to help reduce the risks of conflicts.

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<b>7. Behave with respect and courtesy towards board members and others</b>
Based on Board surveys, Committee and staff engagement, Directors, Committee members and staff are acting at high levels of respect, courtesy and professionalism. The updated Board Governance Policies expand on expectations in this regard and include a process for addressing concerns or complaints against Directors or Chair. The Board and Director self-assessments evaluate in this area.
<b>8. Commit to corporate decision-making and to corporate responsibility for decisions made.</b>
<b>IN PROGRESS:</b> Governance Committee has prepared a Board and individual Director Evaluation process that permits reflective assessment of adherence to these principles.
<b>9. Appoint a competent CEO and trust them</b>
<ul style="list-style-type: none"><li>- Annual performance reviews and clear lines of accountability are in place.</li><li>- In 2022, the Board oversaw a national search based on an approved position description resulting in the hiring of a new CEO &amp; Registrar for 2023 together with a transition plan for exiting and incoming CEOs.</li><li>- The new Board and Director self-assessments include questions relating to effective, open and trusting working relationships with the CEO.</li></ul>
<b>10. Ask for reports that include what you need to know not everything you might want to know</b>
The CPATA Board has received reports on key areas of policy and operational development since inception. The nature of reporting to the Board will continue to evolve to meet this standard. Reporting should be consistent and reflect information such as how the issue impacts the public interest, costs, impact/effect on current policy, and if stakeholder consultation has taken place.
<b>IN PROGRESS:</b> <ul style="list-style-type: none"><li>- CPATA continues to evolve its reporting. Since 2023, the Board receives reports from Committees at each meeting and at least annually invites Committee Chairs to attend a Board meeting. The Board also receives programmatic reporting (such as professional competency and professional responsibility) and a reporting schedule for key Board oversight areas. Staff are using a Board report template to develop report consistency. It is expected that the information / depth of Board reports will continue to evolve.</li></ul>

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- In 2023 CPATA staff developed and have started to use a Decision Matrix to evaluate policies and programs that considers whether an issue falls within CPATA's jurisdiction, how the issue impacts the public interest, and embeds key decision-making considerations including costs/effects on current policies, stakeholder engagement. This approach is used to inform Board reporting.

## 11. Make clear decisions and follow-up on their implementation

Board resolutions are typically circulated in advance and adopted subject to Board revisions. Implementation is reported on by the CEO.

## 12. Provide the resources needed to deliver your objectives

Board approves the budget which is designed around planned activities and approved programs. The Board approves the Budget after it is prepared by staff and reviewed by the Audit and Risk Committee. The budgets to date have been developed to enable CPATA to launch and maintain its core operations.

### IN PROGRESS:

Future budgets are expected to be designed around planned activities found in a multi-year Strategic Plan. The Board will also be moving towards multi-year budget planning.

The CEO takes steps to ensure CPATA has a fully trained and appropriately compensated staff team that can fully support all operations, and who are committed to and engage in ongoing professional development.

## 13. Make independence, fairness, and justice for the public and registrants the core values of registration and complaints and discipline

CPATA Act established independent Investigation and Discipline Committees, Board established independent Registration Committee – all have final decision-making authority. Directors do not participate in regulatory decision-making. The amended By-laws (May 2023) provide for review/appeal processes respecting decisions of the CEO and regulatory committees.

### IN PROGRESS:

- An appropriate reporting regime is in place so that regulatory committees provide regular reports to the Board that account for 'independence, fairness, and justice for the public and registrants'.

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- A policy framework and training plan are in place for all regulatory committees to support fair, consistent, high quality and expedient decision-making.
- Decisions of the Investigations Committee are summarized, de-identified and published.
- Notices of Application and decisions of the Discipline Committee are transparent and published. Discipline proceedings are open to the public.
- Newsletter articles provide transparency and education relating to the agent conduct and ethics inquiry processes.

## 14. Continue to keep the public interest as your unremitting focus

Links and reference to the public interest is an aspect of all Board policies and decisions. Updated Board Governance Policies focus and expand on application of public interest factors and principles in all decision making. The Regulatory Objectives, Standards and Principles are core.