

Office of the
fairness
commissioner

Bureau du
commissaire à
l'équité



REGISTRATION PRACTICES ASSESSMENT REPORT — *The College of Midwives of Ontario (CMO)*

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The Office of the Fairness Commissioner is an arm's-length agency of the Ontario government, established under the Fair Access to Regulated Professions and Compulsory Trades Act, 2006. Its mandate is to ensure that certain regulated professions have registration practices that are transparent, objective, impartial and fair.

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AVAILABILITY OF REPORT

This report is provided by the OFC to the regulatory body assessed. The OFC will, upon request, release the report to other parties. The OFC will also post a summary of the report on its website. In the interest of transparency and accountability, the OFC encourages regulatory bodies to provide the detailed report to its staff, council members, the public, and other interested parties.

INTRODUCTION

Assessment is one of the Fairness Commissioner's mandated roles under the [Regulated Health Professions Act, 1991 \(RHPA\)](#).

ASSESSMENT CYCLE

To hold regulatory bodies accountable for continuous improvement, the OFC assesses their licensing practices using a two-year [assessment cycle](#).

Assessment cycles alternate between **full assessments** and **targeted assessments**:

- Full assessments address all specific and general duties described in the RHPA.
- Targeted assessments focus on the areas where the OFC made recommendations in the previous full assessment.

This approach establishes continuity between the assessment cycles.

FOCUS OF THIS ASSESSMENT AND REPORT

The targeted assessment of this regulatory body focused on the areas where the OFC made recommendations in the previous full assessment.

The OFC's detailed report captures the results of the targeted assessment. The assessment summary provides the following key information from the detailed report:

- duties that were assessed
- an overview of assessment outcomes for specific-duty practices
- an overview of comments related to the general duty
- commendable practices
- recommendations

ASSESSMENT SUMMARY

SPECIFIC DUTIES

Specific duties assessed

As a result of the recommendations made in the full assessment, the regulatory body has been assessed in the areas marked below:

- Information for Applicants
- Internal "Review"
- Information on Appeal Rights
- Documentation of Qualifications
- Assessment of Qualifications
- Training
- Access to Records

Outcomes

The regulatory body has demonstrated all of the practices in the following specific-duty areas:

- Assessment of Qualifications

GENERAL DUTY

Assessment Method

The regulatory body selected one of the following three methods for the assessing of its adherence to the general-duty principles, and informed the OFC:

- a. OFC assesses based on the practices listed in the assessment guide
- b. Regulatory body self-assesses based on the practices in the assessment guide
- c. Regulatory body self-assesses using a system-based approach, in which it explains what it does to ensure that its practices are adhering to the general-duty principles

Principles assessed

As a result of the recommendations made in the full assessment, the regulatory body has been assessed on the principles marked below:

- Transparency
- Objectivity
- Impartiality
- Fairness

Comments

Since the last assessment, the College of Midwives of Ontario (CMO) has taken measures to ensure transparent registration processes, including the development of registration-related policies.

COMMENDABLE PRACTICES

A *commendable practice* is a program, activity or strategy that goes beyond the minimum standards set by the OFC assessment guides, considering the regulatory body's resources and profession-specific context. Commendable practices may or may not have potential for transferability to another regulatory body.

The regulatory body is demonstrating commendable practices in the following areas:

Assessment of Qualifications

- maintaining a series of council-approved policies pertaining to all aspects of the registration process. The policies:
 - are based explicitly on the need to ensure transparent, objective, impartial and fair registration practices
 - are current and are reviewed and updated by council as necessary
 - are readily available on the CMO's website
- basing assessment of internationally educated applicants on well-defined competencies of professional practice rather than on the applicant's program or institution of instruction. This reflects the CMO's interest in fostering diversity in the profession.

Transparency

- identifying clear structures, processes and policies for influencing, monitoring, and holding accountable all third parties involved in the assessment of registration requirements

RECOMMENDATIONS

The OFC has not identified any immediate opportunities for improvement for the practices assessed for this assessment period. The OFC expects that the CMO will continue maintaining its standards in the future.

In the spirit of continuous improvement, the OFC encourages the CMO to continue its efforts towards more transparent, objective, impartial and fair registration processes.

ASSESSMENT HISTORY

In the previous assessment, the OFC identified three recommendations for the regulatory body.

They have all been implemented.

DETAILED REPORT¹

SPECIFIC DUTY — ASSESSMENT OF QUALIFICATIONS²

Legislation: RHPA, Schedule 2, s. 22.4(2)

If the College makes its own assessment of qualifications, it shall do so in a way that is transparent, objective, impartial and fair and, if it relies on a third party to assess qualifications, it shall take reasonable measures to ensure that the third party makes the assessment in a way that is transparent, objective, impartial and fair.

1. Qualifications assessments are based on transparent criteria. [Transparency]

Demonstrated <input checked="" type="checkbox"/>	Partially Demonstrated <input type="checkbox"/>	Not Demonstrated <input type="checkbox"/>	Not Applicable <input type="checkbox"/>
Commendable practice Maintaining a series of Council-approved registration-related policies pertaining to all aspects of the registration process. The policies are explicitly premised on the need to ensure transparent, objective, impartial and fair registration practices.			

2. Qualifications assessment criteria are directly linked to the requirements/standards for entry to the profession. [Transparency]

Demonstrated <input checked="" type="checkbox"/>	Partially Demonstrated <input type="checkbox"/>	Not Demonstrated <input type="checkbox"/>	Not Applicable <input type="checkbox"/>
Commendable practice Basing assessment of internationally educated applicants on well-defined competencies of professional practice rather than on the program or institution of instruction. This reflects the CMO's interest in fostering diversity in the profession.			

3. Qualifications assessment criteria are applied consistently to all applicants. [Objectivity]

Demonstrated <input checked="" type="checkbox"/>	Partially Demonstrated <input type="checkbox"/>	Not Demonstrated <input type="checkbox"/>	Not Applicable <input type="checkbox"/>
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¹ Please note: Suggestions for continuous improvement appear only in the detailed report. Suggestions for improvement are not intended to be recommendations for action to demonstrate a practice, but are made solely to provide suggestions for areas that a regulatory body may consider improving in the future.

² Practices 1–9 refer to qualifications assessments that are conducted by the regulatory body itself. Only practice 10 refers to assessments conducted by third parties. Qualifications assessment includes assessment of the following: academic credential/educational programs, work experience, language, exams, prior learning assessment, and (in some cases) currency of qualifications.

4. Information about educational programs used in qualifications assessment is current and accurate. [Fairness, Objectivity, Transparency]

Demonstrated <input checked="" type="checkbox"/>	Partially Demonstrated <input type="checkbox"/>	Not Demonstrated <input type="checkbox"/>	Not Applicable <input type="checkbox"/>
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5. Assessment methods are reviewed for objectivity, validity and reliability. [Objectivity]

Demonstrated <input checked="" type="checkbox"/>	Partially Demonstrated <input type="checkbox"/>	Not Demonstrated <input type="checkbox"/>	Not Applicable <input type="checkbox"/>
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6. The results of qualifications assessment are communicated to the applicant in writing (electronically or in hardcopy). [Fairness, Transparency]

Demonstrated <input checked="" type="checkbox"/>	Partially Demonstrated <input type="checkbox"/>	Not Demonstrated <input type="checkbox"/>	Not Applicable <input type="checkbox"/>
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7. Applicants have an opportunity to appeal the results of a qualifications assessment or to have the results reviewed. [Fairness]

Demonstrated <input checked="" type="checkbox"/>	Partially Demonstrated <input type="checkbox"/>	Not Demonstrated <input type="checkbox"/>	Not Applicable <input type="checkbox"/>
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8. On its website, the regulatory body informs applicants about the following items related to assessment of qualifications:
- the criteria that qualifications assessments are based on
 - how those criteria are linked to the requirements/standards for entering the profession
 - the costs
 - opportunities to appeal the results of a qualifications assessment or have the results reviewed
 - any policies and procedures relating to special considerations³
- [Transparency]

Demonstrated <input checked="" type="checkbox"/>	Partially Demonstrated <input type="checkbox"/>	Not Demonstrated <input type="checkbox"/>	Not Applicable <input type="checkbox"/>
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³ Where it is impossible to remove barriers without undue hardship to the regulatory body, special arrangements must be made so that all individuals can fully participate. This accommodation may include, but is not limited to: accommodation for special needs, providing and accepting communication in multiple formats, mechanisms to allow flexibility in demonstrating competencies or ways to meet requirements, and providing flexibility and/or offering multiple dates for applicants participating in assessments.

9. The regulatory body ensures that the following are done within a reasonable amount of time:
- a. assessing the qualifications
 - b. communicating the results to applicants
 - c. providing reasons in writing for unsuccessful applications
- [Fairness, Transparency]

Demonstrated <input checked="" type="checkbox"/>	Partially Demonstrated <input type="checkbox"/>	Not Demonstrated <input type="checkbox"/>	Not Applicable <input type="checkbox"/>
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10. Regulatory bodies that rely on third-party assessments take measures to ensure that the third-party assessments are transparent, objective, impartial and fair. [Fairness, Transparency, Objectivity, Impartiality]

Demonstrated <input checked="" type="checkbox"/>	Partially Demonstrated <input type="checkbox"/>	Not Demonstrated <input type="checkbox"/>	Not Applicable <input type="checkbox"/>
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GENERAL DUTY

Legislation: RHPA, Schedule 2, S.22.2 The College has a duty to provide registration practices that are transparent, objective, impartial and fair.

Transparency

A process is transparent if it is conducted in such a way that it is easy to see what actions are being taken to complete the process, why these actions are taken, and what results from these actions. In the regulatory context, transparency of the registration process encompasses the following:

- **Openness:** having measures and structures in place that make it easy to see how the registration process operates
- **Access:** making registration information easily available
- **Clarity:** ensuring that information used to communicate about registration is complete, accurate and easy to understand

Assessment Comments

Openness

The CMO takes the following measures to make it easy for applicants to understand how the registration process operates:

- Maintaining a series of Council-approved policies pertaining to all aspects of the registration process. These are readily available on the CMO's website.
- The policies are regularly reviewed and updated/approved by Council as necessary.
- Additional material about the registration process is reviewed by CMO staff annually to ensure that it is current, accurate and easy to understand.

Notably, the information provided by the CMO makes it very easy to understand what structures, processes and policies are in place for influencing, monitoring, and holding accountable all third-parties involved in the assessment of registration requirements.

Access

The CMO provides applicants with relevant information at the time and in the way needed to take actions appropriate to their individual circumstances. Information is available through:

- A dedicated section of the CMO's website
- Live presentations to the graduating classes of the Midwifery Education Program and the International Midwifery Pre-registration Program
- Print, phone, email and walk-in customer service

Clarity

The CMO communicates with applicants throughout the registration process to keep them apprised of their status. It has standard timeframes for communicating common milestones in the process, such as:

- Receipt of application
- Whether an application is complete or incomplete
- Whether an application is referred to the Registration Committee
- Status of eligibility for registration
- Issuance of certificate of registration

Commendable practices

Identifying clear structures, processes and policies for influencing, monitoring, and holding accountable all third-parties involved in the assessment of registration requirements. (Practices 18 & 19)

- This includes a joint standing committee between the CMO and the International Midwifery Pre-registration Program.
- The committee meets at least twice a year discuss policies and procedures, to review statistical data, and to refine best practices so that the work of the program can be carried out in a way that is transparent, objective, impartial and fair.
- The CMO also maintains a formal policy that sets out its relationship with the International Midwifery Pre-registration Program.

BACKGROUND

ASSESSMENT METHODS

Assessments are based on the [Registration Practices Assessment Guide – For Health Regulatory Colleges](#). The guide presents registration practices relating to the specific duties and general duty in the RHPA.

A regulatory body's practices can be measured against the RHPA's specific duties in a straightforward way. However, the general duty is broad, and the principles it mentions (transparency, objectivity, impartiality and fairness) are not defined in the legislation.

As a result, the specific-duty and general-duty obligations are assessed differently (see the [Strategy for Continuous Improvement of Registration Practices](#)).

Specific Duties

The OFC can clearly determine whether a regulatory body demonstrates the specific-duty practices in the assessment guide. Therefore, for each specific-duty practice, the OFC provides one of the following assessment outcomes:

- Demonstrated – all required elements of the practice are present or addressed
- Partially Demonstrated – some but not all required elements are present or addressed
- Not Demonstrated – none of the required elements are present or addressed
- Not Applicable – this practice does not apply to the (*acronym of regulatory body*)'s registration practices

General Duty

Because there are many ways that a regulatory body can demonstrate that its practices, overall, are meeting the principles of the general duty, the OFC makes assessment *comments* for the general duty, rather than identifying assessment outcomes. For the same reason, assessment comments are made by principle, rather than by practice.

For information about the OFC's interpretations of the general-duty principles and the practices that the OFC uses as a guideline for assessment, see the [Registration Practices Assessment Guide – For Health Regulatory Colleges](#).

Commendable Practices and Recommendations

Where applicable, the OFC identifies commendable practices or recommendations for improvement related to the specific duties and general duty.

Sources

Assessment outcomes, comments, and commendable practices and recommendations are based on information provided by the regulatory body. The OFC relies on the accuracy of this information to produce the assessment report. The OFC compiles registration information from sources such as the following:

- Fair Registration Practices Reports, audits, Entry-to-Practice Review Reports, annual meetings
- the regulatory body's:
 - website
 - policies, procedures, guidelines and related documentation templates for communication with applicants
 - regulations and bylaws
 - internal auditing and reporting mechanisms
 - third-party agreements and related monitoring or reporting documentation
 - qualifications assessments and related documentation
- targeted questions/requests for evidence that the regulatory body demonstrates a practice or principle

For more information about the assessment cycle, assessment process, and legislative obligations, see the [Strategy for Continuous Improvement of Registration Practices](#).