DISCIPLINE COMMITTEE OF THE BOARD

TERMS OF REFERENCE

BACKGROUND
The Board has established the Discipline Committee (DC) as a regulatory committee pursuant to the Bylaws.

COMMITTEE PURPOSE
The role of the DC is to conduct discipline hearings and make determinations relating to matters of professional misconduct and professional incompetence, and where guilt is determined, to exercise any of the powers granted in the Bylaws and issue Orders which specify the sanctions including but not limited to reprimand, fine, suspension or revocation of designation imposed on the member.

COMMITTEE ROLES
Authority is given to the Discipline Committee as a regulatory Committee under Regulatory Bylaws 18 to 23.

In carrying out the responsibilities of the DC, committee members will act in a good faith, objective, and reasonable manner, ensuring that the standards of our profession are maintained and respected.

REPORTING RELATIONSHIP
The DC shall report through a DC Chair to the CPHR Saskatchewan Board of Directors. The DC Chair shall be appointed by the Board of Directors.

The DC operates at arms length of the Board. This means that the DC shall make all decisions required of it under the Regulatory Bylaws independent of the Board.

COMMITTEE GUIDELINES
1. The DC shall have a minimum of seven (7) members; one of whom shall be a public appointee or public representative.
2. Five (5) members of the DC, one (1) of whom shall be public appointee or representative shall constitute quorum for a business meeting of the DC.
3. No member of the Professional Conduct Committee (PCC) is eligible to be appointed a member of the DC.
4. The DC shall consist of a majority of CPHR Professional members.
5. A lawyer may participate as an advisor on the committee in a non-voting capacity.
6. All CPHR members on the Committee shall be members in good standing.
7. All members of the DC are required to abide by these Terms of Reference.
8. All DC members shall be residents in Saskatchewan. A DC member who is not a resident in Saskatchewan shall be removed from the DC.
9. All members of the DC must sign CPHR Saskatchewan’s Confidentiality Agreement.
10. DC members hold office on the DC:
   a. Until a successor eligible for appointment is appointed to the DC;
   b. Until the Board passes a resolution removing that individual from the DC.
   c. Until a resignation is accepted; or,
   d. Until that individual ceases to be a resident of Saskatchewan.
11. When quorum is not present, the DC meeting shall be adjourned to a time and place as may be decided by the DC’s chair.
12. All DC members are expected to attend all meetings of the DC and shall advise CPHR Saskatchewan staff or the DC chair when unable to attend a meeting. If a DC member misses at least 50% of DC meetings within the last twelve (12) months, without informing the DC chair of an acceptable reason, the DC member’s position is considered vacated, unless the DC chair advises otherwise.
13. The Board shall receive resignations from DC members.
14. If the CPHR Saskatchewan membership of a member of the DC is suspended or cancelled, that member ceases to be a member of the DC on the date of the change in membership status.
15. The Board shall approve all resignations and removals from the DC. A vacancy on the DC does not impair the power of the remaining members of the DC to act.
16. The Governance and Human Resources Committee of the Board will serve as the Appeals Committee. No member of the DC shall be permitted to serve on the PCC or Governance and Human Resources Committee of the Board during their tenure on the DC. Also, no former member of the DC shall sit on the Governance and Human Resources Committee appeal of a decision which they were part. A member of the Board who is a member of the DC, shall not participate in the hearing of an appeal.

**COMMITTEE CHAIR RESPONSIBILITIES**

1. The DC chair shall:
   a. Orientate new DC members;
   b. Schedule meetings for the DC;
   c. Set the agenda for meetings, keep minutes, and distribute as needed, with administrative support provided by the CEO/Registrar and CPHR staff as delegated by the CEO;
   d. Report to the Board;
   e. Carry out responsibilities under Bylaws;
   f. Approve publications regarding professional conduct activities;
g. Appoint any other DC member to act in their absence; and
h. Periodically review the attendance record and discuss any attendance problems with the member(s) concerned.

**COMMITTEE RESPONSIBILITIES**

1. In accordance with Article 19 of the Bylaws the DC convenes a Discipline Hearing Panel for the purposes of exercising its powers and performing its duties under the Bylaws and for any other purpose. The decision of the Discipline Hearing Panel of the DC constitutes a decision of the DC.
2. The DC shall make any rules or guidelines that it establishes available for examination by the public.
3. In addition to carrying out its mandate, the DC may conduct business meetings for the purposes of managing the work of the DC for training and development purposes. Such business meetings shall be convened by the Chair of the DC.
4. Convene at least once annually to conduct business of the DC.
5. Decisions of the DC are made independently of the Board and the DC shall report to the Board on its general business (e.g. numbers of referrals, numbers of hearings, decision outcomes, and trends).
6. Declare any conflict of interest to the DC Chair.
7. Abide by the mandatory Confidentiality Agreement required by members of the DC.
8. Participate in meetings as required.
9. Review the DC’s Succession and Training Plan and ensure that plans are in place for adequate knowledge transfer and continuity of the DC’s operations, including a review of DC members’ knowledge, skills, abilities and experience, and any training and development needs for individuals and the DC.
10. The Registrar shall provide administrative support to the DC. CPHR Saskatchewan staff will provide support to the DC.

**BUDGET**

1. The budget for the DC is prepared in consultation with the CEO and the Audit, Finance and Risk Committee for approval by the Board.
2. The DC Chair will be responsible for ensuring the DC remains within the CPHR Saskatchewan Board-approved expense guidelines.
3. The budget shall permit the DC to have access to Independent Legal Counsel if required.

**AMENDMENTS**

The Governance and HR Committee must conduct an annual review of the Terms of Reference in conjunction with Committee Chairs and make recommendations for any changes to the full Board.