

# Information Statement

## Public Authority: Council for Allied Health Professionals

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### Introduction to Your Rights under Public Access to Information

This document is the Information statement for the Council of Allied Health Professionals (the Council). In accordance with the Public Access To Information (PATI) Act 2010, every public authority has a legal duty to maintain an Information Statement. The Council is established and governed by legislation under the Ministry responsible for Health.

The purpose of the PATI Act and this document is to make information readily available to the public without the need for specific written requests, to encourage authorities to proactively publish information and to develop a culture of openness. Every person who is a Bermudian, or resident of Bermuda, has a right to access any record held by a public authority unless it is exempt. Several classes of information are exempt, including: Personal information (unless it relates to the requestor); Sensitive commercial, information received in confidence; Operations and deliberations of Public Authorities; Cabinet, Ministerial and Governors documents; and Legal documents. However, these exemptions are subject to the public interest test, except those that would be in contempt of Court, infringe Parliamentary privilege or are prohibited by other legislation [see sections 21 to 40, PATI Act]. In addition every person has a right to amend their personal information if it is incomplete, incorrect or misleading [s19, PATI Act].

#### How to make a request

Requests for information, or to amend your personal information, must be made using the application form, and submitted in person to the Ministry Information Officer. See Section G for how to make a request including the documents needed, record specificity, contact information and process timelines.

#### Key and Definitions

- AHP means Allied Health Professions
- Council means the Council for Allied Health Professions
- Ministry means the Ministry of Health and Seniors
- PATI means Public Access To Information
- Square brackets [ ] refer to sections of the PATI Act, unless another Act is indicated

**Section A: Structure, Organization and Governing Legislation [s5(1)a]**

*Insert governing Legislation:*

Allied Health Professions (AHP) Act, 1973

*Insert structure of Authority (text, and figure if latter useful):*

The governing legislation establishes the membership of the Council: “the Council shall consist of —

- (a) the Chairman, appointed by the Minister;
- (b) one representative elected by the Board of each specified profession for which a Board is established, from among registered persons practicing that profession;
- (c) one representative of each of the specified professions for which no Board is established, appointed by the Minister from among registered persons practicing that profession;
- (d) a medical practitioner appointed by the Minister after consultation with the Bermuda Medical Council; and
- (e) a person appointed by the Minister who appears to him to be qualified by training or experience or both to assist the Council in matters of a legal or ethical nature.”

[s3(2), AHP Act].

Accordingly, currently there are 12 members as follows:

- (a) the Chair;
- (b) one representative for each of the following 9 Boards:
  - i Board of Addiction Counsellors (Board established 2003)
  - ii Board of Chiropractors
  - iii Board of Dieticians
  - iv Board of Diagnostic Imaging Technologist
  - v Board of Emergency Medical Technicians (Board established 2015)
  - vi Board of Medical Laboratory Technologists
  - vii Board of Occupational Therapists
  - viii Board of Physiotherapists
  - ix Board of Speech, Language Pathologists and Audiologists
- (c) None: No members are appointed under Provision (c) above, because all professions are represented by a Board
- (d) One medical practitioner
- (e) One person experienced to assist in matters of a legal or ethical nature

Please see the Government website for the list of current members at: <https://www.gov.bm/government-boards-and-committees> then select current Boards and Committees and then search for the Council for Allied Health Professionals.

**Section B1: Legislated functions, powers, duties of the Authority [s5(1)b]**

*Insert power, duties and function of the authority (cite Act or Policy):*

The Allied Health Professions Act 1973 (the AHP Act) regulates several healthcare professions. The AHP Act establishes the Council and Boards to regulate the professions. The primary function of the Council is to ensure due process in the Boards functioning, to ratify the recommendations and documents of the Boards and to oversee complaints bodies.

The Boards of the Professions are advisory bodies that assess registration applications and make recommendations to the Council. In order to do this, the Boards are responsible for establishing

the qualifications, experience and conduct expected of registered practitioners. These are articulated in Standards of practice, Scopes of practice, Code of ethics, and Continuing Education requirements. The Office of the Chief Medical Officer (the Office) provides administrative support to the Council. All business, mainly registration applications, complaints, is processed through the Office.

There are nine (9) Boards under the Council representing the following ten (10) professions:

- Addiction Counsellors (added 2003)
- Audiologists (under the SLP Board)
- Chiroprodists
- Dieticians
- Diagnostic Imaging Technicians
- Emergency Medical Technicians (added 2001. Board established 2015)
- Medical Laboratory Technologists
- Occupational Therapists
- Physiotherapists
- Speech & Language Pathologists

#### **Detailed functions of Council [s4, AHP Act]**

The functions of the Council are to —

- (a) promote the interests of patients and other members of the public in relation to the performance of Boards, registered persons and specified professions;
- (b) coordinate the activities of Boards and specified professions, determine their relationship with the medical profession and other related health professions and advise the Minister in respect thereto;
- (c) in addition to any statement prepared by an appropriate authority in accordance with section 10, establish codes of conduct or professional standards of practice applicable to registered persons, assistants or specified professions and encourage conformity with them;
- (d) direct the registration of persons and the enrolment of assistants;
- (e) exercise disciplinary control over registered persons and assistants and establish administrative processes for handling complaints received against them;
- (f) after consultation with the Board of a specified profession, if there is one, establish –
  - (i) qualifications and practical experience required for registration in that profession; and
  - (ii) requirements for the continuing education of registered persons and assistants in that profession;
- (g) advise the Minister on whether —
  - (i) a health profession should be designated as a specified profession under this Act for the purposes of section 4D; or
  - (ii) a specified profession should be removed from the First Schedule in accordance with section 15 (1)(b);
- (h) investigate and report to the Minister on the performance by each Board of its functions;
- (i) where a Board performs functions corresponding to those of another body (including another Board), investigate and report to the Minister on how the performance of such functions by those other bodies compares with the performance of the functions by the Board;
- (j) recommend to any Board changes in the way in which it performs any of its functions; and
- (k) carry out any other function assigned to it by the Minister.

#### **Section B2: Obligations under PATI Act [s5(1)b]**

*(same for all public authorities)*

#### **Obligations of the Authority under the PATI Act**

1. To provide an **information statement** for the public and promulgate it [s5],
2. To provide **other information** to the public so that the public needs only to have minimum resort to the use of the Act to obtain information [s6]. This includes:
  - General information, e.g. activities of the Authority
  - Log of all information requests and their outcome
  - Quarterly expenditure (upon request) [s6(5)]
  - Contracts valued at \$50,000 or more.
3. To **respond to information requests** in a timely manner [s12-16]
4. To **track information requests**, and provide this data to the Info Commissioner [s5(8)3]
5. To respond to requests from the Information Commissioner [s9]
6. To **amend personal information** held by the Authority that it is wrong or misleading following a written request by the person to whom the information relates [s19]
7. To conduct an **internal review** if formally requested [part 5]
8. To give evidence for **review by the Information Commissioner** [part 6, 47(4)], or for **judicial review** [s49], if required
9. To provide an **annual written report** to the Information Commissioner of the status of information requests [s58(3)].
10. To **do anything else as prescribed** under the PATI Act and Regulations [s59, 60], including:
  - **Managing Fees** for Requests for information
  - Management and maintenance of **records**
  - **Following procedures** for administering the Act
11. To **train staff and make arrangements** so as to facilitate compliance with the Act [s61]
12. To **designate an officer** to be the person to whom requests are directed [s62]

### **Section C: Services and Programmes provided [s5(1)c]**

*Insert a summary of services and programmes provided by the authority:*

#### **Services**

1. The registration of healthcare professionals
2. Handling complaints against practitioners and exercising disciplinary control where required
3. Verification of good standing of Bermuda registrants for overseas registration bodies

### **Section D: Records held [s5(1)d]**

*List and describe the classes of records held by the authority:*

#### **Registration Records**

1. *The Allied Health Professions Register.* (Gazetted annually). Government of Bermuda. (Public Access). The Register is a list of practitioners authorized to practice in Bermuda. It is an electronic database, an official copy of which is Gazetted every year.
2. *Registration Applications.* (Exemption section 23 – Personal Information). Records application information such as qualifications and work experience.

#### **Activities of the Council**

3. *Meeting minutes of the Council.* (2009 to current). Council for Allied Health Professions. (Public Access with personal identifiers redacted). Records the business addressed and attendance.

4. *Annual Report of the Council*. (2011 to current). Council for Allied Health Professions. (Public Access with personal identifiers redacted). Summarizes the activities of the Council for the preceding year including attendance.

**Section E: Administration manuals [s5(1)e]**

*Insert list and description of all administrative manuals/ guidelines used by employees for administering or carrying-out activities:*

1. *Terms of Reference for the Council and Boards* (2011). Council for Allied Health Professions. (Public Access). Describes the functions and procedures of the Council and its Boards according to the Act. It is intended for use by members of the Council and Boards.
2. *Registration and Re-registration Guidelines* (Ed 2, Oct, 2014). Council for Allied Health Professions. (Public Access). Describes the process for applicants to register with a professional Board under the Council. It is intended for use by the applicants.

**Section F: Decision-making documents [s5(1)f]**

*Insert list and description of all policies and guidelines for decision making in respect to any person. Note "person" includes any company or association or body of persons, whether corporate or unincorporated; [Interpretation Act, 1951]*

1. *Regulatory Criteria for healthcare professionals*. (2012). Council for Allied Health Professions. (Exemption section 30 Operations of Public Authorities) Describes the academic and practical experience required to be eligible to practice as a healthcare professional in Bermuda. Professions include: Addictions Counselors, Audiologists, Chiropodists, Diagnostic Imaging Technologists, Dieticians, Medical Laboratory Technologists, Occupational Therapists, Physiotherapists, Speech, Language Pathologists. (For more information, see the information statement for the profession).
2. *Code of Conduct: Standards of Conduct, Performance and Ethics*, (2006). Council for Allied Health Professions. (Public Access). Describes the conduct expected of registrants.
3. *Standards of practice for Allied Health Professions* (June, 2016). Council for Allied Health Professions. (Public Access). Describes the standards that all registered practitioners are expected to abide.
4. *Standards of practice for specific professions* (various dates). The author is the Board for the specific Professions. (Public Access). Describes the standards that specific practitioners are expected to abide. Please see the Information Statement for the specific profession for more details.
5. *Scopes of practice for specific professions* (various dates). Author is the Board for the specific Professions. (Public Access). Describes the scope of practice for specific practitioners. Please see the Information Statement for the specific profession for more details.

**Section G: How to Contact the Information officer and Make a Request [s5(1)g and (h)]**

*Insert process, name and contact information:*

**How to make a request for information, or to amend your personal information**

Requests must be made using the application form and submitted in person to the Information Officer. You must also provide Government-issued identification to prove that you are a Bermudian or a resident



of Bermuda, such as a passport or Bermuda driver's license. The process and application form are located at: <https://www.gov.bm/online-services/make-pati-request>

A request must identify the record, the subject and time period. Requests should specify the manner in which access is preferred, for example by inspection or by copy. There is a fee charged for reproducing materials (see list of fees on the PATI website at: <https://www.gov.bm/pati-service-fees>).

Your request will be acknowledged within 5 days. The Public Authority has 6 weeks to make a decision regarding the request. Access to the record may be provided in full, in part or denied. If you are not satisfied with the outcome you may appeal the decision via several mechanisms: an Internal Review by the head of the Authority, an External Review by the Information Commissioner, and a Judicial Review in the Supreme Court. These processes are described on the PATI website (<https://www.gov.bm/public-access-information-pati>).

Contact	PATI Information Officer, Dr. Peek-Ball c/o Administration Assistant Ministry of Health and Seniors Office of the Chief Medical Officer <i>Re: PATI request for Council for Allied Health Professionals</i>
Hand-deliver to	Continental Building, 25 Church Street, Hamilton
Mail*	PO Box HM 380, Hamilton HM BX, Bermuda
Email*	<a href="mailto:OfficeofCMO@gov.bm">OfficeofCMO@gov.bm</a> <i>Add subject line: PATI request for Council for Allied Health Professionals</i>
Telephone	278-4904/ 278-4968

\* Note requests for information will only be accepted for submissions made in-person so as to verify the requestor's identity.

#### **Section H: Further Information [s5(1)h]**

*Insert any other information that you think might be useful for the public to know, so as to decrease requests for information [s6]:*

#### **Further Information**

1. **About us** is available on the Bermuda Health Council's website at: <http://www.bhec.bm/for-professionals/professional-bodies/> select Allied Health. For online copies of the registers – select the relevant profession.
2. The **legislation** listed may be found at Bermuda Laws Online [www.bermudalaws.bm](http://www.bermudalaws.bm).
3. **Financial Information.** As with all statutory boards, the fees for services and the remuneration of board members for service is governed by the following legislation:
  - Government Fees Act, 1965; and the Government Fees Regulations, 1976. The Act governs the charging of fees to applicants for services. The Regulations lists the fees for the services.

- Government Authorities (Fees) Act, 1971. The Act governs the remuneration of body members for services. In brief: the Chair receives \$100, and other members receive \$50, per meeting. Public Officers receive no monies.

**Section I: Other Information As Prescribed [s5(1)i]**

*At Aug 2016 the Regulations do not specify additional requirements for the Information Statement. But note, that the following shall be provided in accordance with s6 of the PATI Act:*

1. **Log of PATI** information access requests: To be provided upon request and with personal identifiers deleted.
2. **Contracts:** Any contracts entered into, with a value greater than or equal to \$50,000 [s6(6)]. Note for this authority, there is no power to enter into any contracts.
3. **Expenditure:** Quarterly expenditure will be provided upon request. Other than remuneration to members for attending meetings, as described in section H above, the Authority has no expenses.
4. **Salaries:** The Minister responsible for PATI shall publish a list of title and salary range of every post of public officers [s6(6)].

**Section J: Information Statement: Copies and Updates [s5(2,3,4,5)]**

Every public authority shall update its information statement at least once a year, and make it available for inspection by the public at reasonable times by [s5(2-5), PATI Act]:

**Locations of Information Statement** (*Confirm copies of Information Statement are available at*):

- Office: Ministry Headquarters, Continental Building, 25 Church St, Hamilton Y
- The Bermuda National Library Y
- The Bermuda Archives Y
- Available electronically at:
  - PATI website <https://www.gov.bm/public-access-information-pati> Y
  - Authority's website – there is no website for the authority n/a
- With the Information Commissioner. Y

Have you published a notice in the Gazette indicating the places where the information statement is available for the public? Y

**Date Information Statement was updated:**

*Date:* 15<sup>th</sup> January, 2020

**Sign:**



**Name:**

Shawnette L. Smith

**Post:**

Chair, Council for Allied Health Professions

(Subject Matter Expert: N. Blades)

*Ends*