

Information Statement

Public Authority: Psychological Practitioners Professional Conduct Committee

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Introduction to Your Rights under Public Access to Information

This document is the Information statement for the Psychological Practitioners Professional Conduct Committee (PCC) (the Committee). In accordance with the Public Access To Information (PATI) Act 2010, every public authority has a legal duty to maintain an Information Statement.

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, and a right to amend their personal information held by a public authority if it is incorrect or misleading. However, 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 Governor's documents; and Legal documents. All 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 [for more information see sections 21 to 40, 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, including definitions

- Act means the Psychological Practitioners Act 2018
- Committee means the Psychological Practitioners Professional Conduct Committee
- Council means the Bermuda Psychologists Council
- Ministry means the Ministry of Health

- 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]

The Committee consists of three (3) members, two (2) are psychologists and one (1) is an attorney. Members are appointed by the Minister for Health. [Psychological Practitioners Act, Schedule 2]

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 search for the Psychological Practitioners Professional Conduct Committee.

Legislation

- Psychological Practitioners Act 2018

Section B1: Legislated Functions, Powers, duties of the Authority [s5(1)b]

The functions of the Committee are:

1. to receive and investigate, or cause to be investigated, complaints against any registered psychologist, including any allegation that—
 - a. the registered psychologist’s registration was improperly obtained;
 - b. the registered psychologist is guilty of professional misconduct;
 - c. the registered psychologist is unfit to practise a specialty or to be registered;
 - d. the person is unfit to practise by reason of a conviction of an indictable offence, adverse physical or mental health, or being drug or alcohol impaired in the course of performing professional functions; and
2. to perform such other functions as may be assigned to it by the Council.

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

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:
 - a. General information, e.g. activities of the Authority
 - b. Log of all information requests and their outcome
 - c. Quarterly expenditure (upon request) [s6(5)]
 - d. 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:
 - a. **Managing Fees** for Requests for information
 - b. Management and maintenance of **records**
 - c. **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]

Services

To receive and investigate complaints against any registered psychologist and any such functions assigned by the Council.

Programmes

Not applicable - the Committee has no programmes.

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

The following records in respect of this public authority are held:

Complaint Records

1. *Complaints.* (Exemption section 23 – Personal Information). Complaints against practitioners and relevant correspondence and decision documents.

Activities of the Committee

2. *Annual Report of the Committee.* The Psychological Practitioners Professional Conduct Committee. (Public Access, with personal identifiers redacted). Summarises the activities of the Committee for the preceding year, includes the business addressed, complaints statistics and member attendance.
3. *Meeting minutes of the Committee.* The Psychological Practitioners Professional Conduct Committee. (Public Access, with personal identifiers redacted). Records the business addressed and attendance.

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

None

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

Regulatory Criteria for Profession

1. *Psychological Practitioners Act, 2018*. Government of Bermuda. (Public Access). The legislation that guides the functions of the Committee.

Guidelines

2. *Ethical principles of psychologists and code of conduct (2018)*. Psychological Practitioners Professional Conduct Committee. (Public Access). The codes of ethics and conduct that guide the profession of psychology in Bermuda.
3. See Documents listed in Section E

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

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

Requests must be made using the application form and submitted 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 Administrative Assistant Ministry of Health Office of the Chief Medical Officer <i>Re: Psychological Practitioners Professional Conduct Committee</i>
Hand deliver to	Ground Floor, Continental Building, 48 Church Street, Hamilton
Mail*	P.O. Box HM 380, Hamilton HM BX, Bermuda
Email*	OfficeofCMO@gov.bm Add subject line: <i>PATI request re: Psychological Practitioners Professional Conduct Committee</i>
Tel	278-4904/ 278-4968

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

1. **About us** is available on the Bermuda Government's website at: <https://www.gov.bm/psychology>
This includes the list of registered practitioners.
2. The **legislation** listed may be found at Bermuda Laws Online 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 To be Provided [s5(1)i]

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 (3) 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)]


Locations of Information Statement:

- Office: Office of CMO, Ministry of Health, Continental Building, 25 Church St, Hamilton
- The Bermuda National Library
- The Bermuda Archives
- Available electronically at:
 - PATI website: <https://www.gov.bm/public-access-information-pati>
 - Committee/PCC website: <https://www.gov.bm/psychology>
 - Information Commissioner's website: <https://www.ico.bm/public-authorities-list>

Date Information Statement was updated:

Date: 10th January, 2020

Sign:



Name:

Shivan Washington

Post:

Acting Permanent Secretary, Health

Ends

