

Information Statement

Public Authority: Board of Physiotherapists

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Introduction to Your Rights under Public Access to Information

This document is the Information statement for the Board of Physiotherapists (the Board). In accordance with the Public Access To Information (PATI) Act 2010, every public authority has a legal duty to maintain an Information Statement. The Board 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
- Board means the Board of Physiotherapists
- 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):

Each Board shall consist of a Chairman appointed by the Minister and three members elected from among registered persons practicing the profession for which the Board is established [s4(E)2, AHP Act].

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 Board of Physiotherapists.

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 Professionals 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.

Detailed functions of the Boards under the AHP Act [s4F]

- (1) The Board of a specified profession shall recommend to the Council —
 - (a) the qualifications and practical experience required for the registration of registered persons in that profession; and
 - (b) requirements for the continuing education of registered persons.
- (2) The Board of each specified profession shall —
 - (a) establish qualification and training requirements for the enrolment of assistants in that profession;
 - (b) recommend to the Council for enrolment persons who meet the established qualification and training requirements in that profession; and
 - (c) appoint examiners to conduct examinations for persons applying for enrolment as assistants in that profession.

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

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 Board.* (2001 to current). Board of Physiotherapists. (Public Access with personal identifiers redacted). Records the business addressed and attendance.
4. *Annual Report of the Board.* (2001 to current). Board of Physiotherapists. (Public Access with personal identifiers redacted). Summarizes the activities of the Board 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. *Board of Physiotherapists Terms of Reference* (2010). Board of Physiotherapists. (Public Access). Describes the functions and procedures of the Board according to the Act. It is intended for use by members of the Board.
3. *Registration and Re-registration Guidelines* (2nd Ed, 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 unincorporate; [Interpretation Act, 1951]

1. *Regulatory Criteria for Physiotherapists*. (2012). Board of Physiotherapists. (Exemption section 30 Operations of Public Authorities). Describes the academic and practical experience required to be eligible to practice as Physiotherapist in Bermuda.
2. *Code of Conduct: Standards of Conduct, Performance and Ethics*, (2006). Council for Allied Health Professions. (Public Access). Describes the same for registrants.
3. *Physiotherapy Board: Standards of Practice*. (2015). Board of Physiotherapist. (Public Access). Describes Performance and Ethics for all Physiotherapist registrants.

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

Insert 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>).

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| Contact | PATI Information Officer, Dr. Peek-Ball c/o Administration assistant Ministry of Health and Seniors Office of the Chief Medical Officer <i>Re: Board of Physiotherapists.</i> |
| Hand-deliver to | Continental Building, 25 Church Street, Hamilton |
| Mail* | PO Box HM 380, Hamilton HM BX, Bermuda |
| Email* | OfficeofCMO@gov.bm Add subject line: <i>PATI request re Board of Physiotherapists</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]:

1. **About us** is available on the Bermuda Health Council's website at: <http://www.bhec.bm/for-professionals/professional-bodies/> select Physiotherapy. 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 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 (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)]

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 Bdlg, 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: 23 December 2018

Sign: 

Name: Michelle Monk,
Post: Chair, Board of Physiotherapists

(Subject Matter Expert: Mrs. Angela Gilbert)

Ends