

Funeral and Transfer Services Advisory Committee
Terms of Reference
(Last revised June 2020)

Overview:

These terms of reference set out the purpose, mandate and scope of work of the Funeral and Transfer Services Advisory Committee (the committee).

1. Purpose

- The committee will provide advice to the CEO/Registrar and the Bereavement Authority of Ontario (BAO) Board of the Directors (the Board) on matters relating to the regulation of funeral and transfer services in Ontario.
- The committee will provide for open communication between licensees in the funeral and transfer services sectors, consumers and the Board.
- The committee will bring together sector representatives from Ontario to discuss issues that affect funeral and transfer service licenses. Committee members may also be invited to:
 - Make recommendations regarding education requirements for the sector in consultation with the CEO/Registrar;
 - Support the Board by providing sector-based advice for proposed changes to legislation or regulation;
 - Work with other Advisory Committees to provide advice as requested;
 - Participate in broad stakeholder consultations; and
 - Respond to any other issue or questions of the Board or CEO/Registrar.

2. Membership

- The committee will be comprised of a total of nine (9) members:
 - Seven (7) Funeral Directors or operators;
 - One (1) transfer service operator; and
 - One (1) consumer representative.
- The Board will review the qualifications of all committee members and select one Advisory Committee member to sit as the next Chair. This individual will also sit as a voting member of the Board.

3. Eligibility

- Members must be a licensed operator, a licensee, or employed by a licensee in good standing;
- Members cannot sit on more than one BAO Advisory Committee at a time;
- No more than one member can represent a single corporation or entity;
- Members must reside in Ontario;
- Reasonable efforts will be made to ensure that members are representative of Ontario's diverse geographical regions; and
- Best efforts will be made to appoint individuals based on the following criteria:
 - Seven (7) Funeral Director or operator members:
 - At least one (1) member from a small population centre; At least two (2) members from a medium population centre;
 - At least one (1) member from a large population centre;
 - One (1) transfer service operator member:
 - One (1) consumer representative:
 - Member from a recognized consumer organization or have demonstrated interest or expertise in consumer protection or consumer experience in the bereavement sector

4. Terms of Service

- Advisory Committee members will be appointed to a two (2) or three (3) year term, to a maximum of six (6) years, with no eligibility to serve a further term.
- If a member of the committee is appointed Chair and the length of the appointment extends beyond the six (6) year maximum for committee members the member may continue as Chair until the expiry of the appointment at which time they cease to be a member of the committee.
- Advisory Committee positions will be considered immediately vacated if:
 - The committee member no longer resides in Ontario;
 - The committee member is licensed under the *Funeral, Burial and Cremation Services Act, 2002* and ceases to be licensed;
 - The committee member is subject to disciplinary action;
 - The committee member resigns by notice in writing to the BAO Board Chair, in which case the resignation shall be effective at the time it is received or at the time specified in the notice, whichever is later;
 - The committee member dies; or
 - In the reasonable opinion of the Board, expressed by resolution of a majority of the Board, the committee member consistently fails to perform the duties reasonably required of a committee member.
- Each Advisory Committee member has one vote. Where there is a tied vote, the Chair of the committee shall cast the deciding vote.

5. Roles and Responsibilities

- The committee is responsible for:
 - Providing sector-based advice to the Board, the CEO/Registrar or other Advisory Committees on such matters as:
 - Licensing;
 - Regulation;
 - Promoting compliance;
 - Education; and
 - Discipline.
 - Making recommendations for individuals to fill vacancies on the committee;
 - Participating on other non-Advisory Committees as requested;
 - Participating in broader stakeholder consultations as requested; and
 - Working with other Advisory Committees as appropriate.
 - Make recommendations regarding education requirements for the sector in consultation with the CEO/Registrar;
 - Respond to any other issue or question of the Board or CEO/Registrar.

- The members of the committee will commit to:
 - Attend all scheduled meetings to the best of their ability, and where attendance is not possible, advance notice be provided to the Chair;
 - Being prepared for meetings by reviewing materials in advance;
 - Notifying members of the committee if a matter arises which may impact their sector;
 - When requested, providing information in a timely manner;
 - Making recommendations to help progress the work of the committee;
 - Actively participating in committee discussions;
 - Treat all information as confidential;
 - Disclosing any potential conflicts of interest in advance of committee discussions, and refrain from discussion or voting on these items; and
 - Abiding by any applicable policies as determined by the Board, including confidentiality, conflict of interest and expenses.

- Members of the committee can expect that they will be:
 - Provided with complete, accurate and meaningful information in a timely manner;
 - Given reasonable time to make recommendations;
 - Alerted to potential risks which may impact the committee; and
 - Participating in open and honest discussions related to the work of their committee.

- The Chair of the committee will:
 - Facilitate meetings by identifying the order of proceedings;
 - Promote active participation by all committee members;

- Encourage respectful and productive discussions of the committee; and
- Provide updates to the Board on the activities of the committee.

6. Meetings

- The committee will strive to meet twice a year, or more frequently if required by the CEO/Registrar or Committee Chair.
- A quorum of a majority of committee members is required for executing the business of the committee.
- Meetings can be held in person, by teleconference or other such communication method that allows all participants equal access to communicate with one another.
- The CEO/Registrar will normally attend meetings but the Chair of the Committee may ask the CEO/Registrar not to attend at his or her discretion to facilitate open discussion on sensitive issues.

7. Deliverables

- The Committee Chair will report on the progress of the committee to the Board as required or as requested by the Board.

8. Minutes

- The minutes of all meetings will be recorded and retained by a designated staff member.
- Minutes will be shared with the CEO/Registrar, committee and Board members in a timely manner.

9. Communication Protocol

- The Chair of the committee is responsible for all communications with the Board and the CEO/Registrar outside of committee meetings.
- The committee may conduct in-camera sessions during meetings to discuss confidential matters.
- Unless approved by the Board Chair or CEO/Registrar, neither an Advisory Committee Chair or Advisory Committee member will speak to the media on behalf of the committee or as a representative of the BAO.

10. Procedures

- BAO staff will assist the Advisory Committee to develop rules of procedure for committee meetings and also a committee member's code of conduct.

11. Access to Bereavement Authority of Ontario Staff Resources

- The committee will be supported by one or more designated BAO staff member(s).
- Designated BAO staff would be responsible for:
 - Providing an administrative or secretarial role to the committee;
 - Advising the committee on applicable BAO policies;
 - Remaining impartial to all committee members;
 - Recording, retaining and filing meeting minutes; and
 - Booking meetings.

12. Expenses

- Other than the Committee Chair, Advisory Committee positions are voluntary and unpaid.
- Eligible expenses, related to travel and committee attendance, will be reimbursed according to the BAO's Expense Policy.
- Requests for any additional resources required to support the committee must be submitted to the BAO Board in writing.

13. Amendment, Modification or Variation

- The committee will conduct an annual review of this Terms of Reference.
- This Terms of Reference may be amended, varied or modified in writing after consultation by the committee members and approval by the Board.
- Best efforts will be made to review this Terms of Reference on an annual basis, at the first committee meeting of each year.