



## **Discipline and Appeal Selection Committee Terms of Reference (Last reviewed January 2021)**

### **Overview**

The Discipline and Appeal Selection Committee (DASC) is an ad-hoc committee that meets as needed to review applications for appointment to the Discipline and Appeal Committees.

### **1. Purpose**

- 1.1 The BAO Board shall appoint members of the Discipline and Appeal Committees, pursuant to Regulation 374/18.
- 1.2 The BAO Board shall also appoint a Chair and two Vice-Chairs for each of the Discipline and Appeal Committees.
- 1.3 The DASC will recommend a slate of candidates to the Board for appointment to the Discipline and Appeal Committees and may recommend individuals to serve as Chair and Vice-Chairs of each committee.

### **2. Membership**

- 2.1 DASC membership will be comprised of:
  - 2.1.1 3 members of the BAO Board of Directors;
  - 2.1.2 the Chair of the Discipline Committee; and
  - 2.1.3 the Chair of the Appeal Committee.

### **3. Procedure**

- 3.1 A call for nominations to serve on the Discipline and Appeal Committees will be advertised as needed to fill vacancies.
- 3.2 The call for nominations will specify the number of individuals and type of license category being sought:

- 3.2.1 Cemetery Operator
  - 3.2.2 Crematorium Operator
  - 3.2.3 Funeral Establishment
  - 3.2.4 Funeral Director or
  - 3.2.5 Representatives who are members of the general public who have never been a licensee or former licensee, a shareholder, officer, director, interested person or employee of a licensee or former licensee an officer, director or employee of a trade association that represents licensees or the interests of licensees, or a member of the advisory committees established by the board of the Authority.
- 3.3 Nominees will apply by submitting a resume of their experience and qualifications to the DASC.
- 3.4 Nominees must acknowledge that they are prepared to:
- 3.4.1 Attend training when required;
  - 3.4.2 Be available for hearings when called; and
  - 3.4.3 Obtain a current-year police clearance if successfully appointed.
- 3.5 When resumes are received, the Manager, Office of the CEO and Board of Directors and the Manager, Compliance will conduct a preliminary review of the applications to ensure that the minimum eligibility requirements are met.
- 3.6 The DASC will meet to review the applications and will assess them regarding each individual's eligibility. Individuals should have the ability to:
- 3.6.1 hear evidence;
  - 3.6.2 make decisions and articulate their reasons;
  - 3.6.3 determine accountability;
  - 3.6.4 provide fair and objective hearings;
  - 3.6.5 use critical thinking and problem-solving to resolve disciplinary situations;
  - 3.6.6 interpret and apply legislation and policy;

3.6.7 assess conflicting verbal and written evidence; and

3.6.8 make decisions in a stressful environment.

3.7 The DASC may also consider differences in geography (rural vs urban), size of operator (corporate vs independent) and individuals who are bilingual (English and French).

3.8 The DASC will provide recommendations to the Board of Directors.

3.9 The Board of Directors will appoint the members of the Discipline and Appeal Committees.

#### **4. Terms of Service**

4.1 DASC members are appointed by the Board of Directors for a term of 1 year and are eligible for reappointment to serve for a maximum of 6 years.

#### **5. Meetings**

5.1 DASC meetings may be held in person, by teleconference or other such communication method that allows all participants equal access to communicate with one another.

5.2 A quorum of the majority of DASC members is required for executing the business of the committee.

#### **6. Deliverables**

6.1 The DASC shall provide a report to the Board of Directors at least annually, or as requested by the Board.

6.2 The DASC will present their recommendations to the Board of Directors for appointment to the Discipline and Appeal Committees.

#### **7. Minutes**

7.1 The minutes of all meetings will be maintained, recorded and retained by a designated BAO staff member.

7.2 Minutes will be shared with all DASC members in a timely manner.

#### **8. Communications Protocol**

- 8.1 Unless approved by the Board of Directors, members of the DASC should not communicate the activities of the committee publicly.
- 8.2 The DASC may conduct in camera sessions during their meetings to discuss confidential matters.

## **9. Access to Bereavement Authority of Ontario Staff Resources**

- 9.1 The DASC will be supported by one or more designated BAO staff members who will be responsible for:
  - 9.1.1 Scheduling meetings and discipline proceedings;
  - 9.1.2 Taking meeting minutes;
  - 9.1.3 Filing all materials of the DASC; and
  - 9.1.4 Providing administrative support.

## **10. Expenses**

- 10.1 Expenses incurred by the DASC will be reimbursed according to the BAO's Expense Policy and Remuneration Policy.

## **11. Amendment, Modification or Variation**

- 11.1 These Terms of Reference may be amended, varied or modified by agreement of the Board of Directors.
- 11.2 The DASC will strive to review this Terms of Reference on an annual basis.