



Access to Records

8-170

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Established: August 2011, October 2011, March 2015

Most recent revision: March 2018

Applicable Category of Registration:

1. General Practising Certificate
2. Provisional Practising Certificate
3. Temporary Certificate

Other

4. Applicants for registration

Type of Requirement: Not applicable

Applicable Regulation:

From *Health Professions Procedural Code (the "Code")* being Schedule 2 to the *Regulated Health Professions Act, 1991*:

Disclosure of application file

16 (1) The Registrar shall give an applicant for registration, at his or her request, all the information and a copy of each document the College has that is relevant to the application.

Exception

(2) The Registrar may refuse to give an applicant anything that may, in the Registrar's opinion, jeopardize the safety of any person. 1991, c. 18, Sched. 2, s. 16.

Process for dealing with request

(3) The Registrar shall establish a process for the purposes of dealing with an applicant's request under subsection (1). 2015, c. 8, s. 38 (2).

Fee for access

(4) The Registrar may require an applicant to pay a fee for making information and documents available to the applicant if the Registrar first gives the applicant an estimate of the fee. 2015, c. 8, s. 38 (2).

Amount of fee

(5) The amount of the fee shall not exceed the amount of reasonable cost recovery. 2015, c. 8, s. 38 (2).



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Waiver of fee

(6) The Registrar may waive the payment of all or any part of the fee that an applicant is required to pay under subsection (4) if, in the Registrar's opinion, it is fair and equitable to do so. 2015, c. 8, s. 38 (2).

Principles(s):

Applicants may, upon request, have access to all documents held by the College related to their application for registration. Only information and/or documents that may jeopardize the safety of any person will be withheld.

Decision Criteria

1. Applicants who make a written request to the College will receive all the information and a copy of each document the College has that is relevant to their application.. The only exception is if the Registrar is of the opinion that release of such documents may jeopardize the safety of any person.
 - Records include all the documents that relate to the application process that were received and/or processed by the College, such as, but not limited to:
 - documents provided by the applicant directly to the College as part of their application;
 - assessment documents provided to the College by third-party assessment service providers (e.g. Substantial Equivalency Assessment System Disposition Reports provided to the College by Association of Canadian Occupational Therapy Regulatory Organizations - (ACOTRO);
 - documents that describe the regulatory body's rationale for its decision;
 - documents related to accommodation requests; and
 - documents related to reviews and appeals.
 - The College may charge a cost recovery fee for photocopying documents and mailing/courier expenses. In these circumstances the College will inform the individual of the approximate cost to provide the documents and proceed upon payment by the individual of the cost.
 - Documents released will be clearly stamped "COPY".
 - The College will make every effort to respond to the request within 30 days of the request being received by the College and to assist the individual with understanding the information.
2. If the Registrar is of the opinion that release of any of an applicant's documents may jeopardize the safety of any person the applicant will be provided only those documents that are not considered to jeopardize the safety of any person. In the event that the College refuses to provide access to all of the applicant's documents it holds, the College will provide reasons for denying access.
3. As the College uses the services of third party assessment providers to complete



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assessments related to language fluency, education qualifications and fieldwork, the College normally holds only the final assessment documents. Applicants wishing to access more detailed information will be required to make a request directly to the agency that completed the assessment. All third-party service providers to the College have policies regarding access to records that are consistent with this policy.