

Information Statement

Public Authority: Council for Allied Health Professions

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Introduction to Your Rights under Public Access to Information

This document is the Information statement for the Council for Allied Health Professions (the Council). 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 Bermuda Health Council 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

- Health Council means the Bermuda Health Council
- Act means the Allied Health Professions Act 2018
- Council means the Council for Allied Health Professions
- 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 governing legislation establishes the membership of the Council: "the Council shall consist of -

- (a) the Chairman, appointed by the Minister;
- (b) one representative elected by the Board of each specified profession for which a Board is established, from among registered persons practicing that profession;
- (c) one representative of each of the specified professions for which no Board is established, appointed by the Minister from among registered persons practicing that profession;
- (d) a medical practitioner appointed by the Minister after consultation with the Bermuda Medical Council; and
- (e) a person appointed by the Minister who appears to him to be qualified by training or experience or both to assist the Council in matters of a legal or ethical nature." [s3(2), AHP Act].

Accordingly, currently there are 12 members as follows:

- (a) the Chair;
- (b) one representative for each of the following 9 Boards:
 - I. Board of Addiction Counsellors (Board established 2003)
 - II. Board of Chiropodists
 - III. Board of Dieticians
 - IV. Board of Diagnostic Imaging Technologist
 - V. Board of Emergency Medical Technicians (Board established 2015)
 - VI. Board of Medical Laboratory Technologists
 - VII. Board of Occupational Therapists
 - VIII. Board of Physiotherapists
 - IX. Board of Speech, Language Pathologists and Audiologists
- (c) One medical practitioner
- (d) One person experienced to assist in matters of a legal or ethical nature

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 Council for Allied Health Professionals.

Legislation

- Allied Health Professions Act 2018

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

Functions of Council under the Act

The functions of the Council are to-

- (a) promote the interests of patients and other members of the public in relation to the performance of Boards, registered persons and specified professions;
- (b) coordinate the activities of Boards and specified professions, determine their relationship with the medical profession and other related health professions and advise the Minister in respect thereto;
- (c) in addition to any statement prepared by an appropriate authority in accordance with section 10,

- establish codes of conduct or professional standards of practice applicable to registered persons, assistants or specified professions and encourage conformity with them;
- (d) direct the registration of persons and the enrolment of assistants;
 - (e) exercise disciplinary control over registered persons and assistants and establish administrative processes for handling complaints received against them;
 - (f) after consultation with the Board of a specified profession, if there is one, establish -
 - (i) qualifications and practical experience required for registration in that profession; and
 - (ii) requirements for the continuing education of registered persons and assistants in that profession;
 - (g) advise the Minister on whether -
 - (i) a health profession should be designated as a specified profession under this Act for the purposes of section 4D; or
 - (ii) a specified profession should be removed from the First Schedule in accordance with section 15 (1)(b);
 - (h) investigate and report to the Minister on the performance by each Board of its functions;
 - (i) where a Board performs functions corresponding to those of another body (including another Board), investigate and report to the Minister on how the performance of such functions by those other bodies compares with the performance of the functions by the Board;
 - (j) recommend to any Board changes in the way in which it performs any of its functions; and
 - (k) carry out any other function assigned to it by the Minister.

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

1. The registration of allied health professionals.
2. Decide actions to be taken in cases of alleged professional misconduct which have been referred for inquiry by the Allied Health Professional Conduct Committee.
3. Verification of good standing of Bermuda registrants for overseas registration bodies.
4. **Programmes.** Not applicable - the Council has no programmes.

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

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

Registration and Re-registration Records

1. *Allied Health Professions Register.* (Published annually). Government of Bermuda. (Public Access). The Register is a list of practitioners authorised to practice in Bermuda. It is an electronic database, an official copy of which is published every year.
2. *Registration and Re-registration Applications.* (Exemption section 23 – Personal Information). Records application information such as qualifications, work experience, and continuing education.
3. *Inquiries into Complaints.* (Exemption section 23 – Personal Information). Council inquiries into complaints against practitioners and relevant correspondence and decision documents.

Activities of the Council

4. *Meeting minutes of the Council.* (2009 to current). Council for Allied Health Professions. (Public Access, with personal identifiers redacted). Records the business addressed and attendance.
5. *Annual Report of the Council.* (2011 to current). Council for Allied Health Professions. (Public Access with personal identifiers redacted). Summarizes the activities of the Council for the preceding year including attendance.

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

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. *Registration and Re-registration Guidelines* (Ed 2, 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]

1. *Standards of Practice for Allied Health Professions* (June, 2016). Council for Allied Health Professions. (Public Access). Describes the standards that all registered practitioners are expected to abide.
2. 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	Shunee Burt PATI Information Officer Bermuda Health Council
Hand Deliver To	Bermuda Health Council Sterling House, 3 rd Floor 16 Wesley Street Hamilton, HM11
Mail*	Bermuda Health Council PO Box HM 3381 Hamilton, HM PX
Email*	healthcouncil@bhec.bm
Telephone	292-6420
Contact	Shunee Burt PATI Information Officer Bermuda Health Council

* 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]

1. **About us** is available on the Bermuda Government's website at: <https://www.gov.bm/alliedhealth>
This includes the list of registered practitioners.

2. Information regarding health professional registration and complaints handling can be found on the Health Council's website: <https://bhec.bm/>.
3. The **legislation** listed may be found at Bermuda Laws Online www.bermudalaws.bm.
4. **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:

- Bermuda Health Council Office: Sterling House, 16 Wesley Street, Hamilton
- The Bermuda National Library
- The Bermuda Archives
- Available electronically at:
 - PATI website <https://www.gov.bm/public-access-information-pati>
 - Authority's website – [PATI - Bermuda Health Council \(bhec.bm\)](http://PATI - Bermuda Health Council (bhec.bm))
 - Information Commissioner's website: <https://www.ico.bm/public-authorities-list>

Date Information Statement was updated:

Date: December 22, 2020

Sign: 

Name: Shawnette Smith

Post: Chairperson, Council for Allied Health Professions

Ends