

**PUBLIC HEALTH AGENCY OF CANADA ADVISORY COUNCIL
FOR
NATIONAL COLLABORATING CENTRES FOR PUBLIC HEALTH**

"TERMS OF REFERENCE"

SCOPE AND PURPOSE

The National Advisory Council for the National Collaborating Centres (NCCs) Program for Public Health is an advisory body to the federal Minister of Health. The National Collaborating Centres Program for Public Health Agency of Canada aims to support the development and implementation of evidence-based decision-making in public health policies, programs and practices by bringing practitioners, policy-makers and researchers together in advancing specific fields within public health through the establishment and support of six regionally based, but nationally focused National Collaborating Centres (NCCs).

Each of the NCCs will be established as legal entities that are separate and independent of the federal government. Each NCC will specialize in a different priority area of public health. The key functions of the NCCs are to ensure that cutting edge research and knowledge in six public health fields is continually translated into useful commodities for public health practitioners, programs and policy makers across Canada.

In the early stages of the NCCs program, the Advisory Council may be requested by the Minister to assist in defining key priorities for the NCCs to address, as they establish their initial workplans. Over time as the PHAC's NCC's Program, the Goals and Targets for Public Health project and the Public Health Network complete their strategic work, it is anticipated that NCCs will discuss and align their priorities with these initiatives.

The responsibilities of the Advisory Council include:

1. Acting as an advisory body to Minister on the priorities for the PHAC's NCC Program;
2. Liaising with and engaging in discussion with the six NCC;
 - a. to clarify NCC approaches that support knowledge translation and exchange activities directed at public health practitioners, program managers and policy makers;
 - b. to discuss best practices and approaches in environmental scanning, knowledge synthesis, translation and exchange (KSTE), and complex user-network development; and
 - c. to discuss best practices, approaches and methodologies to developing priorities in a diverse national and international setting such as public health;
3. Providing recommendations to the Minister on the NCCs workplans, in terms of their underlying science and relevance to national/international public health priorities; and
4. Providing public health expertise to assess and evaluate the quality of NCC's deliverables.
NOTE: The NCCs will have their own Advisory Committees who will be responsible for their respective NCC's thematic priority setting and workplan activities/deliverables.
5. Such others requests as may be made by the Minister.

MEMBERSHIP

The Advisory Council (AC) will consist of no less than 10, or more than 13 members. The AC membership will have between eight to twelve members that will reflect:

Advisory Council for National Collaborating Centres in Public Health
Terms of Reference

- One nationally respected expert in each of the six public health fields represented by the NCC's thematic scope area, namely:
 - o Aboriginal Health, Infectious Disease, Environmental Health, Public Health Methodologies and Tools, Public Policy and Risk Assessment, and Health Determinants.
 - One to two nationally respected public health practitioners or other users of public health evidence for decision-making.
 - One to two public health experts of global standing, from outside Canada.
 - One to two experts in the field of synthesis and knowledge translation.
- (These qualifications can overlap in any given member.)*

Advisory Council members will be appointed by the Minister and will serve an initial term of three years. The Minister may re-appoint at his sole discretion for a second term of three years. Members may not serve more than 2 consecutive terms for a maximum of six consecutive years of service.

It is noted that the initial Advisory Council may exceed the original number to a limit of four persons (i.e. AC may have up to 17 members over the first 3 years of its inception) to provide for the development support required of PHAC's NCC Program and for the eventual staggering of Advisory Committee terms of tenure.

Members of the Advisory Council will serve in their professional and scientific expertise capacity, rather than as representatives of any particular constituencies. Accordingly, members will not request nor receive instruction from any person or organization external to the Minister or the Advisory Council.

Initially, the Chief Public Health Officer will appoint a Chairperson from the Advisory Council membership, to serve a term between one to two years. Prior to termination or expiration of the interim chair's appointment, the Chairperson will be selected by the Advisory Council membership, to serve a term of 3 years. The Chair will be responsible for communicating and liaising with the PHAC's Office of Public Health Practice, the NCC_Advisory Council Secretariat and other PHAC personnel.

The six NCCs will appoint their own lead personnel who may, at the discretion of the Advisory Council, be periodically invited to attend Advisory Council meetings for scientific and educational discussions.

CONFLICT OF INTEREST DECLARATION AND CONFIDENTIALITY AGREEMENT

Prior to participating in Advisory Council activities, all members are required to complete and execute a departmental standard conflict of interest declaration and confidentiality agreement as a condition of serving on the Advisory Council

See attached document in ANNEX C.

MEETINGS

The Advisory Council meets up to four times a year, and members are expected to spend a total of six to eight days a year working on Advisory Council business, including meetings of the Advisory Council.

There must be a quorum of members available 50% + 1 (includes teleconference participants) of regular scheduled membership to constitute a meeting. Any member that misses 3 or more consecutive meetings may have their membership terminated at the discretion of the Minister.

The Advisory Council may establish specialized sub-committees and panels, studies, or liaise with outside organizations with prior approval of the Director General, Office of Public Health Practice. Ad hoc or subcommittee meetings can be held in person, by teleconference, or by other means. All materials prepared for, or on behalf of the Advisory Council, are the property of the federal government.

REPORTING

The Advisory Council reports to Minister through the Office of Public Health Practice where the PHAC's National Collaborating Centre Program is situated.

Any reports produced are considered to be the property of the Crown.

INDEMNIFICATION

Accordingly, it is recommended that members be informed that they are eligible for indemnification as a volunteer pursuant to the Treasury Board **Volunteers Policy** (http://www.tbs-sct.gc.ca/pubs_pol/hrpubs/vp-pb/vp-pb_e.asp). Advisory Council members will read the aforementioned documents¹ to ensure that they understand the scope of the indemnification (ANNEX A).

TB policies (**Volunteers Policy**) does not “completely” indemnify third parties who qualify for indemnification under this policy. Advisory members may be eligible for indemnification provided that they meet the criteria set out in the appropriate policy.

SEARCH FOR BALANCE

No advice provided by the Advisory Council is a result of a single individual's advice, but rather the outcome of significant discussion process resulting with advice that is endorsed by a majority of the Advisory Council, as whole. The Minister has sole decision-making authority respecting the activities of the Advisory Council and his use of its advice.

SECRETARIAT

The Advisory Council is supported by a Secretariat located in PHAC's Office of Public Health Practice. The Secretariat provides support to the Advisory Council, prepares meeting agendas, coordinates the preparation of documents for the meetings, and prepares the meeting summaries and reports for approval by the Council. The secretariat staff may, at its discretion, attend any and all Advisory Council meetings to fulfill its secretariat functions.

COMMUNICATIONS WITH THE MEDIA

Public communications with the media as it pertains to the activities of the Advisory Council or of PHAC will be provided for and conducted by PHAC, not by any Advisory Council member, and will be

¹ Documents in ANNEX A & B respectively.

prepared by or in consultation with PHAC's communications branch unless the Minister otherwise expressly advises, in writing.

TRAVEL and ACCOMMODATION/EXPENSES

Travel and accommodation expenses will be reimbursed at government rates in accordance with the applicable Treasury Board policy. Those guidelines will be provided to each AC member for their information. Any questions regarding travel should be forwarded to the Secretariat support staff.

REVIEW and EVALUATION

These Terms of Reference will be reviewed every two years for relevance and completeness. Changes to the Terms of Reference will be tabled for approval with the Office of Public Health Practice for PHAC and the Advisory Council for the National Collaborating Centres.

ANNEX A – Volunteers Policy



Treasury Board of Canada
Secretariat

Secrétariat du Conseil du Trésor
du Canada

Volunteers Policy

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Policy objective

The objective of this policy is to facilitate the establishment and management of volunteer programs by:

- protecting volunteers against financial and other risks to which they, their property and dependants may be exposed, including their potential liability to the government and to third parties; and
- protecting the Crown against any financial or other risks to which its employees, and property in the care, custody and control of volunteers, may be exposed. This includes risks arising from the potential, assumed or legal liability of the Crown to volunteers and third parties.

Policy statement

It is the government's policy to apply risk management in order to protect volunteers and the Crown against the risks to which they are exposed.

Application

This policy applies to:

- departments and departmental corporations named in Schedules I and II of the Financial Administration Act; any other division or branch of the Public Service of Canada, including a Commission appointed under the Inquiries Act, designated by the Governor in Council as a department; and the

Canadian Forces; referred to in this policy as "departments"; and the National Capital Commission; and

- persons, i.e., volunteers, including individuals serving as volunteer directors, board members or trustees, who provide services directly to or on behalf of departments, without compensation or any other thing of value in lieu of compensation, other than reimbursement for expenses actually incurred. Such persons may serve as individuals or as members of groups such as non-profit organizations (as defined for purposes of the Income Tax Act). However, contractual or fee-for-service arrangements that non-profit organizations have with departments are excluded from this policy.

Policy requirements

As part of assessing the advisability of enlisting volunteer assistance, departments must:

- evaluate the potential liability that volunteer activity could place upon the Crown;
- adhere to good risk management principles and practices in volunteer activity in conformity with the government's risk management policy. This would include provision of adequate materiel and other support to volunteers consistent with cost-effective use of government resources, the needs of the task and attendant risks;
- select the most appropriate means of underwriting volunteers' risks and provide for related costs in their appropriations;
- accept the potential for the Crown to be vicariously liable for the actions of volunteers under certain circumstances; and
- hold volunteers responsible for acting honestly and without malice and not absolve them from exercising due caution and taking care of any Crown property entrusted to them, or from any act that would be a cause for disciplinary action if the volunteer were an employee.

Departments may choose to self-underwrite to insure volunteers' third party liability risks, including liabilities that might result from their use of government-owned or -leased materiel. However, before a department can self-underwrite such risks, there must be: effective risk management; agreement, preferably written, between the department and the volunteer; departmental control of the risks; the necessary volunteer qualifications and training; and, when relevant, a work environment that meets safety and health standards.

In the case of bodily injury, a department must demonstrate at least five years of effective risk management of volunteer activities before the Treasury board will examine the possibility of self-underwriting such risks.

Responsibilities

The Treasury Board Secretariat will co-ordinate interdepartmental consultation, as required, to promote best practices and foster government-wide consistency, economy and effectiveness in volunteer risk management.

Monitoring

The Treasury Board Secretariat will review the effectiveness of this policy in assisting departments to manage the risks to which they and their volunteers are exposed. The impact of the policy implementation on departmental operations and performance will be gauged by how well the department has identified and minimized the risks, contained the effects of any damaging or harmful incident, and achieved adequate and timely compensation, restoration and recovery.

Feedback on the effectiveness and implementation of the policy will be obtained from departmental monitoring information, internal audits, program evaluations and information available from other reports and government organizations.

References

This policy is issued under the authority of Section 7 of the Financial Administration Act and cancels TB Circular Letter 1990-3. It must be applied in conjunction with the Treasury Board Risk Management Policy.

Enquiries

Enquiries relating to this policy should be referred to the responsible officer designated in departmental/organizational headquarters, who in turn may direct questions regarding interpretation to the Human Resources Branch of the Treasury Board of Canada Secretariat.

For fundamental or more complex enquiries, a risk management analysis (see Appendix A of the Treasury Board Risk Management Policy) should first be undertaken.

Appendix A - Guidelines

1. Risk management

In support of the requirement for volunteers to be managed effectively within an appropriate risk management framework, departments should ensure that the Risk Management Policy is followed, and that volunteers (individuals or groups):

- (a) are given risk protection similar to that received by departmental employees when faced with comparable risks;
- (b) are trained in or have the expertise for the volunteer activity;
- (c) have effective materiel support from their own resources or from departmental resources including, if necessary, the use of government vehicles;
- (d) except for unforeseen or emergency conditions, have a written agreement with the department that describes the volunteer activity, risk management (including insurance) provisions, and the related conditions under which departmental resources are made available; and that preparations are made for cases where volunteers are called to respond to emergency situations promptly and without benefit of prior documentation.

2. Underwriting options

To ensure that the best possible means of underwriting is in place, a risk analysis should have considered and planned for the necessary steps to minimize the risks, and identified certain exposures which may still require underwriting consideration. Risk exposures may be broadly categorized as personal property and bodily injury, and third-party liability.

Underwriting encompasses the various ways in which financial protection against the potential consequences of risk can be arranged. It may include any one or combination of, the following options: verifying that appropriate insurance is carried; defraying insurance expenses; purchase of insurance; and self-underwriting.

2.1 Verification of volunteers' personal insurance

To determine whether additional protection of volunteers is required, departments should first assess whether the existing insurance coverage of volunteers (which may include personal or public insurance plans - e.g. hospital, medical, and worker's compensation in some provinces) is adequate in relation to the risks of the volunteer activity. Only then would any inadequacies need to be addressed in terms of the following options.

2.2 Defraying volunteers' insurance expenses

The purchase of additional personal insurance by volunteers should be a reimbursable expense only when the level of such coverage is considered reasonable and when coverage is limited to damage or injury resulting from volunteer activity within the scope of the identified project. This option may be

useful for individual or widely dispersed volunteers, or for well-organized groups that could contract for group coverage.

2.3 Departmental purchase of insurance for volunteers

Commercial insurance can be purchased by departments and must be acquired in conformity with the Contracting Policy. (See the "Contracting" volume of the Treasury Board Manual).

Departments can consider group underwriting options, singly or in combination, for coverages such as accidental death, dismemberment, death benefit, disability insurance, life insurance, and third-party liability.

Types and limits of coverage are at the discretion of departments; however, departments are responsible for ensuring that volunteers are given insurance protection similar to that in place for departmental employees when faced with comparable risks.

2.4 Self-underwriting by departments

This option can be used to insure volunteers' third-party liability risks, including liabilities that might result from their use of Crown-owned or -leased materiel. As provided in the policy requirements, before a department can self-underwrite any such risks, the following conditions must be met:

- (a) effective risk management practices are in place; and
- (b) there is a written or oral agreement between the department and the volunteer; and
- (c) the department is in control of the risks through a managed, collaborative relationship with the volunteer; and
- (d) volunteer qualifications and training for particular specialized activities are adequately screened and certified; and
- (e) when relevant, the volunteer work environment meets health and safety standards.

In a third-party liability claim against a volunteer, the Crown should ensure that the volunteer suffers no financial loss.

If a department is unable to meet all the above conditions, it can procure commercial group insurance protection or, if there are exceptional circumstances or particular economies to be achieved, it should request further guidance from the Treasury Board Secretariat.

As stated in the policy requirements, in the case of bodily injury, a department must demonstrate at least five years of effective risk management of volunteer activities before the Treasury Board will examine the possibility of self-underwriting such risks.

2.5 Special events and risks to volunteers' property

There may be special events at which volunteers are exposed to risks not normally encountered during regular program activities. In those situations, departments should ensure that additional mechanisms are in place as necessary to protect the interests of volunteers.

When authorizing the use of a privately-owned vehicle or other types of transportation, or the use of personal property for the purpose of performing a volunteer activity, departments are responsible for ensuring that volunteers have, or will have, the same protection as departmental employees in similar circumstances.

2.6 Management information

Departments should maintain records of the actual costs of insurance premiums and deductibles, claims and court awards paid by the Crown or to third parties. Minimum recording requirements on claims against underwriting of volunteer activities include: name(s) of volunteer(s); name(s) of other parties involved; the official language used; type of claim (e.g. bodily injury, third party liability, government materiel loss); date of incident; dollar amount claimed; date of payment; legal opinion; authority for payment (if other than this policy); and any other information required for investigation and assessment of incidents (see Risk Management Policy, Appendix B - Guidelines, article 4.2).