



Consumers Advisory Council

Terms of Reference

Purpose

TSSA's bylaws state that the purpose of the Consumers Advisory Council (Council) is "to provide independent, non-partisan advice and guidance on any aspect of TSSA which has an impact on the public or on consumers who are purchasers or users of products and/or devices regulated by TSSA, and affects public safety of activities regulated by TSSA."

Responsibilities

As outlined in the bylaws the responsibilities of the Council are to serve in an advisory capacity to the Chief Executive Officer (CEO) to:

- provide observations, identify gaps and recommend opportunities for improvement with respect to TSSA's services, policies and actions as they impact on the public;
- advocate for the public interest and for public input in safety matters in areas regulated by TSSA;
- provide oversight concerning the administration of TSSA's Safety Education Fund; and
- such other responsibilities as determined by the CEO from time to time.

In addition, the bylaws state that Council members will attend Industry Advisory Council (IAC) meetings, as assigned by the Consumers Advisory Council and may be asked to participate in ad hoc working groups from time to time. If a Council member is unable to attend an IAC meeting they may request that another Council member attend on their behalf to ensure continuity of representation.

The role of Council does not include:

- addressing strategic priorities and governance issues of TSSA, unless such priorities and issues are pertinent to the mandate of the CAC;
- carrying out staff work such as representing TSSA in public or undertaking projects to fulfill TSSA's due diligence for considering the impact of its activities on consumers and the public;
- taking a position on priorities or timetables for addressing issues or allocation of resources (financial, human or capital);
- representing all consumers or even a specific demographic group beyond being reasonably diligent to be observant and to maintain a holistic perspective; or
- representing TSSA to the public, including the press and other agencies.

Structure, Terms and Selection of Members

TSSA's bylaws outline the composition and qualification of Council members as follows:

- There shall be six (6) to ten (10) members on the Consumers Advisory Council, as determined by the CEO and the Consumers Advisory Council, from time to time.
- The Consumers Advisory Council shall include members with a variety of backgrounds in public safety and consumer representation, as identified by the Consumers Advisory Council and the CEO. The Consumers Advisory Council and the CEO will also seek to ensure that Council members include representatives of consumer organizations operating in Ontario and nationally.
- All Council members will be independent of TSSA and its CEO, and will identify any real or potential conflicts to the chair of the Consumers Advisory Council in a timely manner.
- Directors of TSSA shall not be Council members.

The bylaws also state that:

- Council members shall be appointed jointly by the CEO and the chair of the Consumers Advisory Council.
- The term of office for Council members is three (3) years. The terms of the Council members shall be staggered, as determined by the CEO and the chair of the Consumers Advisory Council. There shall be no maximum term of office for Council member and a Council member will be eligible for reappointment on a



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consecutive basis thereafter, provided that such Council member continues to meet the qualification requirements to be a Council member.

New members may be proposed by the Council or the CEO and will be reviewed and approved by existing Council members. In particular, Council members may assess proposed members to determine whether they are and would be perceived to be independent of TSSA's regulated customers.

Term renewal will be at the joint discretion of the Council Chair and TSSA and will be based on member attendance, participation, currency of experience and ability to replace.

Chair Election, Term and Responsibilities

The bylaws require that the "the Consumers Advisory Council shall by resolution elect a chair from among its members." The Chair will serve a three year term. Following the completion of each term as Chair, an election process will be held. Incumbents may serve subsequent terms if elected by their council peers. TSSA will participate in the nomination and election process with one vote. The Council may also select a Vice Chair to act for the Chair, when he or she is unable to address their responsibilities. In addition, the Chair or Vice Chair may attend an IAC meeting when a Council member is unable to attend.

The council chair is responsible for:

- presiding over meetings when present;
- appointing a Council member to act as chair in his/her absence;
- setting meeting agendas in consultation with TSSA;
- representing the Council at official functions;
- serving as a member of the Committee of Council Chairs;
- recommending new members to Council in consultation with TSSA;
- ensuring actions of the Council are in accordance with the Council strategy and the terms of reference;
- reporting to TSSA's CEO on issues of relevance, including the annual advisory council report; and
- addressing issues of non-performance of individual Council members.

Remuneration and Expenses

The bylaws state that:

Council members will receive a per diem remuneration for attendance at meetings as a Council member, including attending meetings of the Industry Advisory Councils as assigned, and be reimbursed for reasonable expenses properly incurred by them in attending meetings. Council members may decline to receive the per diem and TSSA may make a representative contribution of the per diem amount to its Safety Education Fund.

Council members receive meeting fee of \$250 and the Chair received a \$500 meeting fee when acting as the Chair. The level of meeting fees are reviewed on a biennial basis.

Member Expectations

Council members are expected to:

- review all materials provided in advance of each Council meeting such that they can be full participants in the meeting;
- participate as a member in the IAC to which they are assigned;
- keep abreast of community issues pertaining to areas under the jurisdiction of TSSA;
- be sufficiently familiar with TSSA's current and evolving activities such that they can understand such activities and identify consumer issues warranting consideration;
- be responsive to questions posed by TSSA seeking a consumer perspective;



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- raise and explain consumer concerns and potential issues and educate TSSA and industry partners about such consumers from a consumer perspective; members who have expertise to share, are encouraged to extend this educational role to the Council and partners of TSSA when appropriate and advantageous; and
- reiterate or revisit issues that remain of concern after initial presentation, recommendation, consideration and response.

Council members expect that TSSA will:

- consider the consumer and the public interest in its business activities, services and products; and
- utilize its resources to evaluate consumer interests on its own initiative and as raised by Council members, as deemed appropriate and beneficial.

Meetings

The Councils meet three times per year. Additional meetings may be called at the request of the Chair, or four or more of the members of the Council.

Meeting agendas and supporting material will be sent to each member ten business days in advance of the meeting date. Minutes will be distributed approximately three weeks after the meeting following a review by the Chair. Following the Chair's approval, draft minutes of the meeting will be distributed to members and will be posted on the TSSA website.

Council Reporting

As the Council advises the CEO, it will provide the CEO with an annual report to communicate key accomplishments and concerns, if any, of the council that occurred during the fiscal year.

Reports are to be prepared by the Council Chair and submitted to the CEO following the end of the fiscal year. TSSA administrative support is available to mitigate the administrative burden on the Chair. The CEO will present an unedited copy of the report to the Board of Directors for their information.

The purpose of the annual advisory council reporting process is to:

- facilitate comprehensive disclosure;
- reinforce TSSA's commitment to transparency and public accountability; and
- provide the CEO, and where appropriate the Board of Directors, the opportunity to review the relationship with, progress and effectiveness of the Council, and TSSA's ability to support the activities of the Council.

Analysis of the information presented in the reports will be conducted to identify key trends or common issues that require further action.

When appropriate, Council Chairs will have the opportunity to present in person key or critical issues to the Board. Criteria applied to assess the need to escalate issues to the Board include:

- current channels to communicate and effect resolution of key issues have failed; and
- public safety is / will be hindered without issue resolution.

TSSA's Commitment of Support

TSSA will provide the Council with necessary and appropriate information to allow the Council to fulfill its mandate. In particular, TSSA will regularly report on:

- safety trends and incidents;
- specific incidents and responses;
- proposed and ongoing public education initiatives;
- public complaints regarding TSSA and their handling;



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- proposed legislative and regulatory changes; and
- any other matter consistent with their responsibilities, as requested by the Council.

TSSA will provide administrative support to the Council, including scheduling meetings, distributing an agenda and materials, and drafting minutes of meetings. Newly appointed members will be provided with an orientation which outlines the mandate of the Council, the members' roles and responsibilities and a general overview of the issues discussed at the Council. A similar orientation will be provided in relation to Industry Advisory Council membership assignments.

Council Evaluation

TSSA will administer and report on self evaluations of the Council on a biennial basis. The surveys will be conducted so that council members may provide information in confidence.

Confidentiality

Every employee of TSSA is required to safeguard the confidentiality of proprietary or sensitive information, audit findings and industry records. This obligation extends to Council members, and to information or records related to advisory councils. Accordingly, each Council member must maintain confidential all TSSA or third party information of a proprietary, confidential or sensitive nature including information and records relating to the work of the IACs, which is communicated or disclosed to him or her or to which he or she has access in his or her capacity as a member of the Council.