



# Complaints Committee

<b>Approved</b> September 12, 2020 <b>Revised</b> M.D.Y	<b>Authority</b> Board of Directors <b>Committee Support</b> Administrative Coordinator	<b>Status</b> <ul style="list-style-type: none"> <li>• Statutory</li> <li>• Standing</li> </ul>
<b>Policy &amp; Procedures</b>	<b>Supporting Legislation/Regulation/By-Laws</b> <ul style="list-style-type: none"> <li>• <i>CTA 33-42</i></li> <li>• <i>Regulations 24-47</i></li> <li>• <i>By-Laws 24(1)-(6)</i></li> </ul>	

## TERMS OF REFERENCE

### Function

The mandate of the Complaints Committee is to exercise the powers and functions as provided for in the *Counselling Therapists Act*, the *Regulations*, and *By-laws*, including, without limitation, the following:

- Consider complaints and other matters referred to the Committee and take such steps as the Committee considers appropriate within the scope of the authority granted to it in the *Act*, *Regulations*, *By-laws* and policies, including:
  - Dispose of complaints and other matters referred to the Committee within the scope of the authority granted to it in the *Act*, *Regulations*, *By-laws* and policies.
  - Where needed in the performance of its duties, exercise the powers, privileges and immunities of a commissioner under the *Public Inquiries Act*, except the powers of contempt, arrest and imprisonment
  - Consider whether a matter should be referred to another regulatory process as permitted by the legislation or policy
  - Upon request from the Registrar (and/or delegate), provide direction regarding an investigation.
  - Upon request from the complainant, review the decision by the Registrar to dismiss a complaint, and confirm or overturn the dismissal of some or all of the complaint.
  - Consider a proposed Settlement Agreement referred by the Registrar and:

- recommend acceptance of the proposed Settlement Agreement,
    - recommend changes to the proposed Settlement Agreement, or
    - reject the proposed Settlement Agreement.
  - Where permitted by the *Act, Regulations* or *By-laws*, consider whether to impose an interim suspension of a Registrant's licence or ability to obtain a licence, or conditions or restrictions on a Registrant's licence.
  - Issue a written decision where required by the *Act, Regulations* or *By-laws*, and direct its distribution as required or permitted by the *Act, Regulations* or *Bylaws*.
- In addition, the Committee Chair, or Vice-Chair acting as chair in the absence of the Chair,
  - Directs the selection of a panel of committee members.
  - Acts as Chair of the panel, or where the Chair does not sit on the panel, directs the appointment of one of the panel members to serve as Chair.
  - The Chair of the panel is responsible for chairing meetings of the panel, and ensuring any required decisions are complete, and include sufficient reasons.

**Membership** [Terms are for 1-3 years as directed by the Board, and members may be re-appointed]

1. Chair, as appointed by the Board from among the membership of the Committee
2. Vice Chair, as appointed by the Board from among the membership of the Committee
3. In addition to the Chair and the Vice Chair:
  - (a) a minimum of three (3) active practicing Registrants.
  - (b) a minimum of two (2) public representatives.
5. At the discretion of the Chair, a standing roster of pre-qualified members may be established from which to draw a panel.

**Note**

- Not open to members of the Professional Conduct Committee or Registration Committee.
- Registrant members who have a complaint filed against them shall recuse their membership on the Committee unless the Chair determines otherwise.

**Quorum**

- For each matter, a panel of three (3) individuals shall be appointed by the Chair, at least one of whom shall be a public representative.
- Any two (2) individuals appointed to a panel constitute a quorum.
- All decisions require the vote of the majority of the panel.

**Meetings**

The Chair will call a meeting of the Committee on his or her own initiative or upon request of the Registrar. Outcomes of meetings are reflected in individual written Committee decisions.

**Review and Revision**

The Committee, under the guidance of the Policy and Procedures Committee, will review its Terms of Reference every two (2) years. The Board must approve proposed revisions or administrative updates.