

Inquiries, Complaints and Reports Committee Terms of Reference

Approved by Committee: February 7, 2014

Approved by Council: March 19, 2014

1. Authority

The Inquiries, Complaints and Reports Committee (ICRC) is a Statutory Committee as defined in the *Health Professions Procedural Code* (Code), which is Schedule 2 of the *Regulated Health Professions Act, 1991* (RHPA).

2. Mandate

In the transitional phase, the ICRC will develop policies and processes in order to be ready to fulfill its mandate upon proclamation of the relevant provisions of the *Psychotherapy Act, 2007*.

Once the College is fully established, the ICRC will perform the following functions:

- a. through panels selected by the Chair and in accordance with the Code, applicable regulations, By-laws and policies:
 - i. investigate complaints, consider Registrar's Reports, and conduct inquiries into alleged member incapacity, professional misconduct and incompetence;
 - ii. request or approve the appointment of investigators;
 - iii. consider reports of unauthorized practice by non-members; and
 - iv. make fair and reasonable dispositions of all matters brought before it;
- b. consider and make recommendations for changes to applicable legislation, regulations, By-laws, policies, programs, standards and guidelines that fall within the scope and purpose of the Committee; and
- c. submit to Council an annual report on the number of and types of matters dealt with, the dispositions of those matters generally, and activities relating to changes to applicable legislation and policy.

3. Composition

Members of the ICRC shall be appointed by Council.

The Committee shall be composed of at least three (3) persons and shall include at least two (2) members who are members of Council, at least one (1) public member, and one (1) or more members who are not members of Council if Council so wishes.

The number of Committee members who are also members shall, wherever possible, exceed the number of public members.

4. Term

The term of office of a Committee member shall commence immediately after the appointment and shall continue for approximately one (1) year.

5. Frequency and Location of Meetings

Committee meetings shall, wherever possible, be held at a place and on a date set in advance and shall occur at regular intervals and at such frequency as necessary for the Committee to conduct its business.

6. Quorum

The quorum for the committee or a panel of the committee is three (3) members unless otherwise provided in the Code or the By-laws.

Despite anything in the By-laws, a Committee is properly constituted despite any vacancy so long as there are sufficient members to form a quorum of the Committee or a panel of the Committee.

7. Selection of the Chair

The Chair or Chairs of the Committee shall be appointed by Council.

8. Alternate Chair

In the event that the Chair of the Committee is unable or unwilling to preside at the meeting, the Chair shall designate an acting Chair from among the Committee members to preside at the meeting and if the Chair is unable to delegate his or her chairing duties, the Committee shall then select an acting Chair to preside at the meeting from among its members.

9. Voting

Wherever possible, decision-making at the committee level (e.g. adopting Terms of Reference, policies) shall be conducted using a consensus model. When necessary, formal voting will be used.

Unless specifically provided for otherwise under the Code or the By-laws, every motion that properly comes before a Committee shall be decided by a simple majority of the votes cast at the meeting by the Committee members present.

The Committee Chair, as a member of the Committee, may vote.
In the event of a tie vote, the motion is defeated.

10. Panels

Panels are selected by the Chair to perform statute-specific functions once the College is fully operational.

In accordance with the Code, panels shall be composed of at least three (3) Committee members, at least one (1) of whom shall be persons appointed to the Council by the Lieutenant Governor in Council.

Three members of a panel constitute a quorum.

11. Staff Resources

The Registrar acts in an *ex-officio* role as a Committee resource and in a non-voting capacity. Other staff members provide support to the Committee.

12. Committee Records

The Chair of the Committee shall ensure that accurate minutes of all Committee meetings and proceedings are recorded, approved and maintained at the College office.

13. Conflict of Interest

All Committee members have a duty to carry out their responsibilities in a manner that serves and protects the interest of the public. As such, they must not engage in any activities or in decision-making concerning any matters where they have a direct or indirect personal or financial interest. All Committee members have a duty to uphold and further the intent of the Act to regulate the profession of psychotherapy in Ontario in the public interest.

Comprehensive information regarding conflict of interest obligations is included in the By-laws.

14. Public Communications

All media contact shall be channeled and coordinated through the Registrar's office. Any Committee member or any member of a working group (ad hoc committee) asked to be interviewed by media representatives, to respond to enquiries, or to comment on issues concerning the regulation of the profession or the operation of the transitional Council or College, shall not provide any such communication and shall instead refer such requests to the Registrar's office.

15. Parliamentary Authority

Schedule 3 of the By-laws outlines the Rules of Order of Council. The Committee should attempt to work by consensus where possible.