

Inquiries, Complaints and Reports Committee – Terms of Reference

MANDATE

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

The ICRC is mandated to ensure protection of the public interest by:

- 1) Establishing policies and procedures to direct the actions of the College or its staff with respect to complaints received about registrants of the College.
- 2) Appointing panels to review Complaints and consider Reports against registrants of the College.

DUTIES AND RESPONSIBILITIES

The duties and responsibilities of the Committee shall be those set out in the RHPA, the Code, the *Midwifery Act, 1991*, the Regulations under the *Midwifery Act, 1991*, the by-laws, and the Terms of Reference for that Committee, as approved by the Board, where applicable.

The ICRC shall:

- 1) To communicate with registrants of the College and with the public to inform them regarding ICRC policies and procedures.
- 2) By way of panels appointed by the ICRC Chair, investigate complaints, review the submissions from the registrant(s), make reasonable efforts to ensure an adequate investigation has occurred and take appropriate action in accordance with section 26 of the Code.
- 3) Process and dispose of complaints in accordance with timeframes and processes described in the RHPA.
- 4) By way of panels appointed by the ICRC Chair, consider Reports submitted by the Registrar, make reasonable efforts to ensure that all relevant information has been obtained and take appropriate action in accordance with section 26 of the Code.
- 5) By way of panels appointed by the ICRC Chair, inquire into whether a registrant is incapacitated and take appropriate action in accordance with sections 58 to 63 of the Code.
- 6) To consider the need for interim orders and emergency appointments of an investigator where required.
- 7) To issue to the parties a written decision with reasons (with certain exceptions) and the parties with a notice of the right to request a review of the decision through the Health Professions Appeal and Review Board (for complaint matters only).
- 8) To review and update all policies and documents of the College with regard to the process of responding to inquiries, complaints and reports.
- 9) To maintain a handbook to standardize the process involved in the ICRC process.



ADMINISTRATIVE DUTIES

The ICRC shall:

- 1) Meet at such frequency as necessary for the Committee to conduct its business.
- 2) Maintain minutes of its meetings in which all decisions and actions taken by it shall be recorded.
- 3) Report its actions to the Board at each Board meeting or more frequently if needed.
- 4) Submit annually a report of its activities to the Board of the College.

MEMBERSHIP

Committee

Unless stated otherwise in the by-laws, and subject to the Code and Regulations, the Board may constitute the ICRC as it deems necessary or advisable, from time to time. The Board may, at its discretion, appoint members to the Committee who are not Board Directors. The Chair of the Board and the Registrar-CEO shall both be designated as non-voting *ex-officio* members of the Committee.

Any member of any such Committee may be removed from a Committee at any time at the discretion of the Board.

Unless otherwise required by the Code or the by-laws, a simple majority of members of the ICRC that includes at least one (1) member who is a registrant and one (1) non-registrant member (public), shall constitute a quorum for the purpose of a meeting.

Panels

Panels of the ICRC shall be appointed by the Chair and shall be comprised of at least three (3) members of the ICRC and in accordance with the Code, where applicable. The Chair of the ICRC shall, at the time of appointing a panel, designate one (1) member of the panel as the Chair.

Three (3) members of an ICRC panel constitute a quorum,

CHAIR OF THE COMMITTEE

The Board shall appoint the Chair of the ICRC.

DECISION MAKING

The ICRC will endeavour to arrive at decisions by consensus and all members may contribute to the consensus-making process. When a vote is called, the decision will be made by a simple majority.

EQUITY

The Committee's decision-making processes will be evidence-based, equity-informed and address biases in decision-making.



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CONFIDENTIALITY

Every member of the ICRC shall preserve confidentiality with respect to all information that comes to their knowledge in the course of their duties and shall not communicate any information to any other person.

REVIEW

The ICRC terms of reference shall be reviewed every four (4) years and amended where necessary, for example in response to statutory, regulatory or policy amendments. Any amendments to the terms must be approved by the Board.