

Complaint Review Committee Terms of Reference

Purpose

Complaint Review Committees (CRC) have two purposes under the Act.

1. A CRC is appointed by the Hearings Director following an Alternative Complaint Resolution (ACR) process to review the proposed settlement. As part of this review, the CRC may:
 - a) review the records and the proposed settlement; and
 - b) require any of the following to appear before it to answer questions regarding the proposed settlement:
 - i. the Complainant;
 - ii. the Investigated Member;
 - iii. the Regulated Member of the College who participated in or conducted the ACR process.

The CRC may then:

- a) ratify the settlement;
- b) amend the settlement with the consent of the Complainant and the Investigated Member and then ratify the amended settlement; or
- c) refuse to ratify the settlement.

The CRC must notify the Complaints Director of its actions.

2. A CRC is appointed by the Hearings Director if a complainant requests a review of a decision by the Complaints Director to dismiss a complaint. The Hearings Director will provide the application for review and the Investigation Report to the CRC.

The CRC may take submissions in written or oral format from the Complainant and the Investigated Member.

The CRC must, within the time set out in the Act, review the Investigation Report and:

- a) refer the matter to the Hearings Director to schedule a hearing;
- b) direct the Complaints Director to conduct or appoint an investigator to conduct a further investigation; or
- c) confirm the dismissal.

The CRC must provide a written decision with reasons to the Complainant and the Investigated Member.



Authority

The CRC makes decisions as authorized in the Act.

Structure

A CRC is established by the Hearings Director from a roster of Registrants in good standing, as approved by Council. A CRC consists of at least two (2) registrants in good standing from the College roster and the number of Public Members required under the Act appointed from the roster established by the Provincial Government.

Note: Any roster member with previous knowledge of the matter and/or participants in the scheduled CRC may not sit as a member of the CRC for that particular matter.

Expectations

The CRC will:

- respect and honour confidentiality;
- remove themselves if a conflict of interest, real or perceived, may exist;
- consider evidence with a fair and open mind;
- demonstrate excellent understanding of the dental hygiene profession;
- understand legislation; and
- demonstrate clear, reasonable thought processes and excellent written and verbal communication skills.

Meetings

CRCs are appointed as necessary.

Term

CRCs serve until the matter is completed. Registrants in Good Standing may remain on the roster until they choose to remove themselves or fail to maintain Registration and/or Good Standing. The roster will be reviewed annually for eligibility and willingness to continue to serve.

Effective

These Terms of Reference are effective upon Council approval and may be altered or rescinded in whole or in part by Council decision.