




<b>Policy Title:</b> <b>INQUIRIES, COMPLAINTS AND REPORTS COMMITTEE TERMS OF REFERENCE</b>		<b>Policy Section: IV</b> Governance Process		<b>Policy Number:</b> IV-20.06
<b>Approved By:</b>	<b>Date Approved:</b>	<b>Last Revision Date:</b>		<b>Board Chair's Signature:</b> 
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## BACKGROUND

The Inquiries, Complaints and Reports Committee's purpose, mandate, and authority is derived from the [Regulated Health Professions Act, 1991](#), CMLTO By-Law, CMLTO Board Policies, and the Inquiries, Complaints and Reports Committee Terms of Reference.

## PURPOSE

This policy has been created to outline the CMLTO Inquiries, Complaints and Reports Committee Terms of Reference, including the purpose, responsibilities, authority, and structure of this Committee.

The Inquiries, Complaints and Reports Committee (the "Committee") is established as a Statutory Committee pursuant to the [Health Professions Procedural Code](#), Schedule 2 to the [Regulated Health Professions Act, 1991](#). Relevant Board Policy and/or section(s) of the CMLTO By-Law are referenced at the end of policy statements, as required.

## POLICY

### 1.0 PURPOSE AND MANDATE OF THE INQUIRIES, COMPLAINTS AND REPORTS COMMITTEE

The Inquiries, Complaints and Reports Committee is established to investigate all complaints filed with the Registrar & CEO, consider investigation reports received from the Registrar & CEO, and determine the appropriate disposition.

### 2.0 MANDATE OF THE INQUIRIES, COMPLAINTS AND REPORTS COMMITTEE



### **2.1. Statutory Mandate**

The Inquiries, Complaints and Reports Committee protects the public interest by:

- Developing policies and procedures that provide direction to the College and its staff when addressing complaints regarding the registrants of the College, and
- Convening panels consisting of professional and public representatives to review and assess complaints and reports regarding registrants of the College.

### **2.2. Governance Mandate**

The Inquiries, Complaints and Reports Committee supports the Board of Directors by providing input, as necessary, in the development of the CMLTO Ends, Executive Limitations, and Governance Process Policies on matters identified by this Committee and providing guidance on policies and processes pertaining to complaints and investigations.

The Committee, in its decision-making process, will examine all relevant legal or regulatory requirements and evidence-informed guidance while considering the public interest and key risks. Further, the Committee will make recommendations to the Board of Directors, as required.

The Committee conducts its activities through the lens of and with a commitment to equity, diversity, inclusion, and justice principles of the College.

## **3.0 DUTIES AND RESPONSIBILITIES**

### **3.1. Duties**

In fulfilling its responsibilities, the Inquiries, Complaints and Reports Committee will collaborate with the Board of Directors, its Committees, and Registrar & CEO in order to:

- Consider all requests for the appointment of an investigator from the Registrar & CEO.
- Convene panels consisting of professional and public representatives of the Committee to review and consider all information pertaining to complaints, inquiries, or reports made against registrants and determine the sufficiency of the information for the purposes of reaching a decision on the disposition of the complaint, inquiry, or report.



- Decide whether to refer a matter to an inquiry panel to inquire into a registrant's capacity.
- Decide whether to refer a matter to the Fitness to Practise Committee.
- Consider all referrals from the Quality Assurance Committee.
- Consider all investigation reports received from the Registrar & CEO and exercise their authority as described in legislation.
- Decide whether to refer a matter to the Discipline Committee.
- Document all decisions and the reasons for the decisions of the Committee and provide copies to relevant parties.
- Reconsider cases referred to the Committee by the Health Professions Appeal and Review Board.
- Dispose of complaints in a timely manner and in accordance with the expectations of the legislation.
- Administer cautions.

#### Preparation of Committee Work Plan

- An annual Committee work plan is established by the outgoing Committee, prior to the end of the calendar year. This supports the budgeting process.
- The incoming Committee will review the draft work plan and only fine-tune as needed.
- The annual Committee work plan for the Inquiries, Complaints and Reports Committee is approved by the Committee and reported to the Board.

## **4.0 AUTHORITY**

### **4.1. Reporting Relationships**



The Inquiries, Complaints and Reports Committee collectively reports to the Board of Directors through the Committee Chair.

## **5.0 COMPOSITION**

### **5.1. Membership**

#### **5.1.1. Committee Membership**

The Inquiries, Complaints and Reports Committee is composed of:

- At least two (2) Professional Board Members who are not members of the Discipline Committee or Fitness to Practise Committee,
- At least two (2) Public Board Members who are not members of the Discipline Committee or Fitness to Practise Committee, and
- At least five (5) Registrants who are not Board Members, and who are not members of the Discipline Committee or Fitness to Practise Committee.

Inquiries, Complaints and Reports Committee members cannot be members of the Discipline Committee or the Fitness to Practise Committee.

#### **5.1.2. Panel Membership**

Panel members of the Inquiries, Complaints and Reports Committee shall be appointed by the Chair of the Inquiries, Complaints and Reports Committee from among the members of the Committee to investigate a complaint filed with the Registrar regarding the conduct or actions of a registrant or to consider a report made by the Registrar & CEO.

Pursuant to the Code, panels must be composed of at least three (3) Committee members, at least one (1) of whom shall be a person appointed to the Board of Directors by the Lieutenant Governor in Council.

The Chair of the Inquiries, Complaints and Reports Committee, when appointing a panel, shall designate one member as the Panel Chair.

### **5.2 Term of Office**

The term of office of a Statutory Committee member is one (1) year commencing immediately after the appointment at the first regular Board meeting of the year and expiring when a new Committee member's term of office begins. (By-Law Section 5.4.1)



### **5.3 Committee Chair**

The Board of Directors, after considering the Committee compositions proposed by the Executive Committee, appoints the members and Chairs of the committees at its first regular meeting of the year in accordance with the CMLTO By-Law.

## **6.0 MEETINGS**

The Committee meetings are governed by the provisions of the CMLTO By-Law [/ Section - 5.8 Committee Meetings.](#)

### **6.1. Frequency of Meetings**

There will be approximately three regular Inquiries, Complaints and Reports Committee meetings in any one year. Additional meetings can be called by the Committee Chair (CMLTO By-Law [/ Section - 5.8 Committee Meetings.](#))

### **6.2. Quorum**

A majority of the members of the Committee, at least one of whom is a Public Board Member, constitute a quorum for any meeting of the Committee.

Three members of a panel constitute a quorum pursuant to the Code.

## **7.0 MONITORING AND REPORTING**

The Inquiries, Complaints and Reports Committee:

- Reports its regular actions to the Board of Directors at regular Board meetings or more frequently if required,
- Keeps the Board of Directors updated on all achievements related to the mandate of the Committee, and
- Prepares reports and other documents to enable the Board of Directors to carry out its duties.

The Committee Chair, on behalf of the Committee, is required to keep the Registrar & CEO updated on all achievements related to any regulatory mandate held by the Committee.

If a specific Board motion is required on an issue or topic, the President/Committee Chair will submit a request to the Registrar & CEO that the issue or topic be included on the regular Board agenda.

## **8.0 RESOURCES AND BUDGET**



Operations of the Inquiries, Complaints and Reports Committee are conducted within an allocated annual budget.

## 9.0 ADMINISTRATIVE SUPPORT

Administrative support is provided to the Inquiries, Complaints and Reports Committee by:

- Registrar & CEO
- Senior Director, Regulatory Programs
- Coordinator, Professional Conduct
- Other advisors, as requested

## 10.0 REFERENCES

The Inquiries, Complaints and Reports Committee Terms of Reference are in line with the values outlined throughout the CMLTO By-Law and the Board Policies, and must be reviewed and implemented in conjunction with:

- [Regulated Health Professions Act, 1991](#)
- [Health Professions Procedural Code](#) / Schedule 2 to the [Regulated Health Professions Act, 1991](#)
- [Medical Laboratory Technology Act, 1991](#)
- [Ontario Regulation 207/94](#)
- CMLTO By-Law:
  - Article 5 – Committees
  - Article 6 – Code of Conduct
  - Article 7 – Conflict of Interest
  - Article 8 – Confidentiality
- CMLTO Board Policies
  - GP IV-20 Statutory and Board Committee Principles Policy
  - GP IV-22 Role of Committee Chair Policy
- Inquiries, Complaints and Reports Committee Policy Manual