



The College has Received a Complaint in Regard to my Practice (Registrants)

A member of the public, a colleague or an employer can bring concerns about a Registrant's practice to the College's attention.

These concerns usually fall into three categories:

- a) Concerns that an OT has ignored the basic rules of practice (Misconduct)
- b) Concerns that the OT has failed to maintain the standards of practice and/or the care provided was inappropriate (Incompetence)
- c) Concerns that the OT is suffering from a disability or disease which interferes with his/her ability to practise (Incapacity)

What happens after the college has received the complaint?

Once the College receives the complaint and clarifies the concerns of the complainant (if required), the Investigations & Resolutions Associate will contact you to inform you that the College has received concerns about your practice. The I & R Associate will also be able to discuss the process and answer any questions that you may have.

You will be sent a letter from the College, a copy of the complaint and general information about the process. You will be provided with the opportunity to respond to the concerns (in writing) and your response will be shared with the complainant. In some cases, the complainant may submit additional information to the College.

The information is then sent to the Inquiries, Complaints and Reports Committee (ICRC - a screening committee) which is comprised of OTs and members of the public. A group of this committee (a panel) reviews the information and decides if they need to gather additional information before making their decision. Committee members with a conflict of interest will not be able to sit on the panel reviewing the case. As a way of gathering information, they may ask a staff member to obtain the information, ask an expert to comment on the case, or ask that an investigator be appointed to meet with different individuals who could help them understand what happened. If the investigator meets

with the complainant, they will most often also meet with you. At any point during the process, the panel may determine that mediation by a neutral, external third party may be helpful in trying to resolve the concerns. If they are considering mediation, both you and the complainant will be invited to participate. This is a voluntary process.

The panel reviewing the case tries to make their decision within 150 days. If they are unable to meet this deadline, you will be notified by mail regarding this delay. You are also welcome to call the Manager, Investigations & Resolutions at any time during the process if you have any questions or concerns about the process or if you would like a case update.

What are the possible decisions?

The Panel bases their decisions on the information made available to them and may:

1. Refer specified allegations to the Discipline Committee for a hearing;
2. Investigate the member's capacity;
3. Require the member to appear before a panel of the ICRC to be cautioned;
4. Take other appropriate action such as requiring the member to undergo continuing education or remediation; or
5. Take no further action.

The panel does not assess the credibility of the parties or decide if someone is guilty or innocent but does assess if the OT's practice has met the standards of the profession. At the end of the process, you will receive a copy of the panel's decision in writing and a survey seeking your feedback about the process.

If you believe that the panel did not gather enough information before they made their decision or that their decision is unreasonable, you can appeal the decision. The contact information of the Health Professions Appeal and Review Board (appeal board) will be included with the written decision.