

FORM 4 - NOTICE OF HEARING

ONTARIO OCCUPATIONAL THERAPISTS DISCIPLINE TRIBUNAL

College of Occupational Therapists of Ontario

College

- and -

Ashley Whetham

Registrant

NOTICE OF HEARING

On May 22, 2026 a panel of the Inquiries, Complaints and Reports Committee of the College referred specified allegations of the Registrant's professional misconduct and/or incompetence to the Tribunal.

In this proceeding, Registrant means "member" as set out in the *Regulated Health Professions Act, 1991*, the Health Professions Procedural Code (Code), the applicable health profession Act, and the regulations thereto.

The allegation(s) are that the Registrant has committed an act of professional misconduct under:

1. section 51(1)(b.0.1) of the *Health Professions Procedural Code*, being Schedule 2 to the *Regulated Health Professions Act, 1991* (the "Code"); and/or
2. section 51(1)(c) of the Code, and as defined in one or more of the following paragraphs of section 1 of Ontario Regulation 95/07 made under the *Occupational Therapy Act, 1991*:
 - a. **paragraph 34:** Contravening, by act or omission, the Act, the *Regulated Health Professions Act, 1991* or the regulations under either of those Acts, in particular, section 82(1)(e) of the Code, and/or sections 25(2), 27(1) and/or 28(2)(c) of Ontario Regulation 226/96, made under the *Occupational Therapy Act, 1991*; and/or
 - b. **paragraph 45:** Failing to reply appropriately or within a reasonable time to a written inquiry from the College; and/or
 - c. **paragraph 48:** Engaging in conduct or performing an act, relevant to the practise of the profession, that, having regard to all the

circumstances, would reasonably be regarded by members as disgraceful, dishonourable or unprofessional.

Further information about these allegations is set out below:

The Registrant

3. At the material time, Ashley Whetham (the “Registrant”) was a duly registered member of the College of Occupational Therapists of Ontario (the “College”). The Registrant was first registered with the College in 2018.

Failure to Comply with the Requirements of the Quality Assurance Obligations

Quality Assurance Program Requirements

4. Every registrant of the College is required to participate in and comply with the requirements of the Quality Assurance Program which includes participating in professional development activities, keeping records of activities, and cooperating with Competency Assessments. Registrants are required to complete identified professional development activities on an annual basis no later than October 31.
5. Every registrant of the College is required to cooperate with the Quality Assurance Committee (“QAC”) and with any assessor it appoints.

Notification of Failure to Complete 2024 Quality Assurance Program Requirements

6. On or about August 22, 2024, the College wrote to the Registrant and reminded the Registrant of her obligation to complete the identified professional development activities. The Registrant was asked to respond to the College.
7. On or about November 5, 2024, the College left a voicemail for the Registrant and reminded the Registrant of her obligation to complete the identified professional development activities.
8. The Registrant did not complete the professional development activities by any of the deadlines requested by the College and did not respond to any of the written inquiries of the College.

Notification of Requirement to Participate in a Competency Assessment

9. On or about August 18, 2025, the College wrote to the Registrant and advised that as a result of failing to complete the identified professional development activities, she was required to complete a Competency Assessment. The Registrant was asked to respond to the College.

10. On or about August 25, September 3, 10 and/or 12, 2025, the College wrote to the Registrant and reminded the Registrant of her obligation to participate in the Competency Assessment. The Registrant was asked to respond to the College.
11. On or about August 26 and/or September 2, 2025, the College left a voicemail for the Registrant and reminded the Registrant of her obligation to participate in the Competency Assessment.
12. The Registrant did not participate in the Competency Assessment by any of the deadlines requested by the College and did not respond to any of the written inquiries of the College.

The Tribunal will hold a hearing under sections 38 to 56 of the Code, the *Statutory Powers Procedure Act*, and the *Hearings in Tribunal Proceedings (Temporary Measures) Act, 2020*, on a date or dates to be set at a case management conference, to decide whether the registrant has committed an act or acts of professional misconduct and/or is incompetent.

The College will file this Notice with the Tribunal. The Tribunal will then set a date for the first case management conference and send it to the parties with more information about the Tribunal's process.

If the registrant or their representative does not attend the case management conference or the hearing, the Tribunal may proceed in the registrant's absence and the registrant is not entitled to any further notice in the proceeding.

If the Tribunal finds the registrant committed an act or acts of professional misconduct, it may make one or more of the following orders under subsections 51(2) of the Code.

- direct the Registrar to revoke the registrant's certificate of registration.
- direct the Registrar to suspend the registrant's certificate of registration for a specified period of time.
- direct the Registrar to impose specified terms, conditions and limitations on the registrant's certificate of registration for a specified or indefinite period of time.
- require the registrant to appear before the Tribunal to be reprimanded.
- require the registrant to pay a fine of not more than \$35,000 to the Minister of Finance.
- if the act of professional misconduct was the sexual abuse of a patient, require the registrant to reimburse the College for funding provided for that patient under

the program and/or require the registrant to post security acceptable to the College to guarantee this payment.

The Tribunal may, under subsection 53.1 of the Code, require the registrant to pay all or part of the College's costs and expenses.

The Tribunal's website includes the Tribunal's Rules of Procedure, Practice Directions and guides to the process.

Date: May 26, 2026

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