



Discipline Committee – Terms of Reference

MANDATE

The Discipline Committee is mandated to ensure protection of the public interest by establishing and maintaining a framework for dealing with matters referred to it for discipline by the Inquiries, Complaints and Reports Committee.

POWERS

The Discipline Committee has the power to:

- 1) direct the Registrar to revoke a member's certificate of registration;
- 2) direct the Registrar to suspend a member's certificate of registration for a specified period of time;
- 3) direct the Registrar to suspend the suspension of a member's certificate of registration, provided that the member complies with certain conditions;
- 4) direct the Registrar to impose terms, conditions, and/or limitations on a member's certificate of registration for a specified or indefinite period of time;
- 5) require a member to appear before a panel of the Discipline Committee to be reprimanded;
- 6) require a member to pay a fine of up to \$35,000;
- 7) require a member to reimburse the College for funding provided to a patient or to post security to guarantee payment, if the act of professional misconduct was sexual abuse of the patient.

RESPONSIBILITIES

The responsibilities of the Discipline Committee shall be:

- 1) to review and update all policies and documents of the College with regard to the Disciplinary process;
- 2) to select a Panel from the membership of the Committee to conduct a hearing upon a referral from the Inquiries, Complaints and Reports Committee;
- 3) to hear a referral of a member's application for reinstatement of a certificate of registration, from the Registrar, if the certificate was suspended or revoked on the grounds of professional misconduct or incompetence;
- 4) to ensure that the findings of a hearing are made public;
- 5) to ensure that documents and things put into evidence at a hearing are released to the person who produced them, on request, within a reasonable time after the matter has been finally determined.

ADMINISTRATIVE DUTIES

The Committee shall:

- 1) meet at least one (1) time per year to ensure the proper functioning of the Committee;
- 2) maintain minutes of its meetings in which shall be recorded all decisions and actions taken by it;
- 3) report its actions to Council at each Council meeting or more frequently if needed;
- 4) submit annually a report of its activities to the Council of the College;

5) maintain a handbook to standardize the disciplinary process.

MEMBERSHIP

The Council shall appoint members of the Discipline Committee and may replace or remove members from time to time. The Committee shall be comprised of at least three (3) members of the Council, at least one (1) of whom is an elected professional member and at least two (2) of whom are publicly appointed members. The Council may, at its discretion, appoint members who are not members of the Council to the Committee. The President of the Council shall be designated as *ex-officio* member of the Committee.

CHAIR OF THE COMMITTEE

The Council shall appoint the chair of the committee.

QUORUM

A simple majority of members of the Discipline Committee, that includes at least one (1) member of the committee who is an elected professional member and two (2) members of the committee who are publicly appointed members, shall constitute a quorum for decision-making.

DECISION MAKING

The Committee will endeavour to arrive at decisions by consensus and all members may contribute to the consensus-making process. Where a decision cannot be reached by consensus, the decision shall be made by a majority of the votes cast by all members present. The President of the Council, as *ex-officio*, does not have voting privileges.

CONFIDENTIALITY

Every member of the Committee 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.