



Inquiries, Complaints and Reports Committee – Terms of Reference

MANDATE

The Inquiries, Complaints and Reports Committee (ICRC) is mandated to ensure protection of the public interest by:

- establishing policies and procedures to direct the actions of the College or its staff with respect to complaints received about Members of the College;
- appointing panels to review Complaints against members of the College.

POWERS

The ICRC has jurisdiction over allegations of professional misconduct, incompetence, or incapacity involving members and some former members of the College.

A panel of the ICRC, after investigating a complaint or considering a report, considering the submissions of the member and making reasonable efforts to consider all records and documents it considers relevant to the complaint or the report, may do any one or more of the following:

- 1) Refer a specified allegation of the member's professional misconduct or incompetence to the Discipline Committee if the allegation is related to the complaint or the report;
- 2) Refer the member to a panel of the Inquiries, Complaints and Reports Committee under section 58 for incapacity proceedings;
- 3) Require the member to appear before a panel of the Inquiries, Complaints and Reports Committee to be cautioned;
- 4) Take action it considers appropriate that is not inconsistent with the *Midwifery Act*, the *Health Professions Procedural Code*, the regulations or by-laws.

RESPONSIBILITIES

The responsibilities of the ICRC shall be:

- 1) to communicate with Members of the College and with the public to inform them regarding ICRC policies and procedures;
- 2) to appoint panels to review inquiries, complaints and reports and prepare decisions;
- 3) to review and update all policies and documents of the College with regard to the process of responding to inquiries, complaints and reports;
- 4) to maintain a handbook to standardize the process invoiced in the ICRC process.

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 all decisions and actions taken by it shall be recorded
- 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.

MEMBERSHIP

The Council shall appoint members of the ICRC and may replace or remove members from time to time. The ICRC shall be comprised of at least three (3) members of the Council of the College of Midwives of Ontario, at least one (1) of whom is an elected professional member and at least one (1) of whom is a publicly appointed member. 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 ICRC, that includes at least one member of the committee who is an elected professional member and one member of the committee who is a publicly appointed member, 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.