



## Inquiries, Complaints and Reports Committee – Terms of Reference

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### **MANDATE**

The Inquiries, Complaints and Reports Committee (ICRC) is a statutory committee whose role is set out in the Health Professions Procedural Code which is Schedule 2 of the *Regulated Health Professions Act, 1991* (RHPA).

The 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 registrants of the College;
- Appointing panels to review Complaints and consider Reports against registrants of the College.

### **POWERS AND RESPONSIBILITIES**

The responsibilities of the ICRC shall be:

- 1) To communicate with registrants of the College and with the public to inform them regarding ICRC policies and procedures;
- 2) By way of panels appointed by the ICRC Chair, investigate complaints, review the submissions from the registrant(s), make reasonable efforts to ensure an adequate investigation has occurred and take appropriate action in accordance with section 26 of the Code;
- 3) Process and dispose of complaints in accordance with timeframes and process described in the RHPA;
- 4) By way of panels appointed by the ICRC Chair, consider Reports submitted by the Registrar, make reasonable efforts to ensure that all relevant information has been obtained and take appropriate action in accordance with section 26 of the Code;
- 5) By way of panels appointed by the ICRC Chair, inquire into whether a registrant is incapacitated and take appropriate action in accordance with sections 58 to 63 of the Code;
- 6) To consider the need for interim orders and emergency appointments of an investigator where required;
- 7) To issue to the parties a written decision with reasons (with certain exceptions) and the parties with a notice of the right to request a review of the decision through the Health Professions Appeal and Review Board (for complaint matters only);
- 8) To review and update all policies and documents of the College with regard to the process of responding to inquiries, complaints and Reports;
- 9) To maintain a handbook to standardize the process involved in the ICRC process.

### **ADMINISTRATIVE DUTIES**

The ICRC 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**

### **COMMITTEE**

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, and one (1) or more members who are not members of Council, if Council so wishes. The Chair of the Council shall be designated as *ex-officio* member of the Committee.

Unless stated otherwise in the by-laws, and subject to the Code and Regulations, the Council may constitute every Committee of the College as it deems necessary or advisable, from time to time. Any member of any such Committee may be removed from a Committee at any time at the discretion of the Council.

### **PANELS**

Panels of the ICRC shall be appointed by the Chair and shall be comprised of at least three (3) members of the ICRC, at least one (1) of whom shall be a public member of the Council. The Chair of ICRC shall, at the time of appointing a Panel, designate one (1) member of the panel as the Chair of the Panel.

### **CHAIR OF THE COMMITTEE**

The Council shall appoint the chair of the ICRC.

### **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 for meetings.

Three (3) members of an ICRC panel constitutes quorum for panels.

### **DECISION MAKING**

The ICRC 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 Chair of the Council, as *ex-officio*, does not have voting privileges.

### **CONFIDENTIALITY**

Every member of the ICRC 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.



College of  
**Midwives**  
of Ontario

Ordre des  
**sages-femmes**  
de l'Ontario

## **EVALUATION**

The ICRC terms of reference shall be reviewed biannually and amended where necessary, for example in response to statutory, regulatory or policy amendments. Any amendments to the terms must be approved by Council.

*Last approved by ICRC:*  
March 9, 2022