

SASKATCHEWAN COLLEGE OF PHYSICAL THERAPISTS
STATUTORY COMMITTEE

TERMS OF REFERENCE

Professional Conduct Committee (the “PCC”)

STRUCTURE

The PCC is a statutory committee established pursuant to *The Physical Therapists Act, 1998* (the “Act”) and any applicable bylaws (the “Bylaws”) governing the Saskatchewan College of Physical Therapists (the “SCPT”).

PURPOSE

The PCC will review and investigate any and all complaints, against any member of the SCPT, when any such complaint is brought forward to the PCC via the Executive Director of the SCPT in accordance with the SCPT Complaints Management Process.

In accordance with the Act 25(2):

“On completion of its investigation, the PCC shall make a written report to the discipline committee recommending:

(a) that the discipline committee hear and determine the formal complaint set out in the written report; or

(b) that no further action be taken with respect to the matter under investigation because:

(i) the matter has been resolved with the (mutual) consent of the complainant and the member who is the subject of the complaint; or

(ii) no further action is warranted on the facts of the case”.

SELECTION

Members of the PCC shall be appointed by Council of the SCPT pursuant to the Nominations Committee Recruitment and Vacancy Policy.

TERM

Members of the PCC will be appointed for a two year renewable term. Any vacancies will be filled by Council pursuant to the Nominations Policy. Council will appoint one of the members of the PCC as the chairperson (the “Chair”) of the PCC pursuant to the Nominations Policy.

HONORARIUMS AND EXPENSES

Members of the PCC shall be entitled to honorariums and reimbursement of expenses pursuant to Council policy.

ORGANIZATION

Accountability and Reporting Relationship

The Chair is directly responsible to Council. With respect to administrative matters, the Chair will take direction from the PCC members by way of a majority vote.

Composition and Representation

The PCC shall consist of 3-5 SCPT members appointed by Council, the majority of whom must be practicing members.

Council appointed Legal Counsel will be available to provide advice of a legal nature only.

It is recommended, although not required, that members of the PCC shall not be members of Council. (Council may be required to review any subsequent findings of a Discipline Committee as outlined in Section 34 of the Act and this would avoid any perceived conflict of interest at such a review.)

No sitting member of the Discipline Committee shall also be a sitting member of the PCC.

Resignations from the PCC shall be made in writing to the Chair who will forward any such resignation to Council via the Executive Director of SCPT.

Meetings

The Chair shall schedule meetings at least every 4-6 weeks whenever there are open complaints, new complaints or other matters referred by Council to be addressed.

Quorum shall be at least fifty per cent of the members of the PCC. A majority vote of quorum is required to pass all administrative motions.

In conjunction with the Executive Director, the Chair shall ensure that all materials and information are distributed prior to a meeting.

All members of the PCC shall have an equal vote, including the Chair, but not including Legal Counsel.

The Chair shall take notes during each meeting in order to prepare minutes of the meeting. Meeting minutes will be circulated to PCC members after each meeting. The PCC shall not provide to the Executive Director or Council any meeting minutes containing details of the investigation of any complaint in case Council may at a later date be required to review any subsequent findings of the discipline committee.

The Chair shall submit a written annual report at SCPT's Annual General Meeting and provide updates of an administrative nature to Council at such other times as may be requested by the President.

Investigations

Reference can be made to the SCPT Complaints Management Process document for information on the Complaints Process in its entirety.

When a complaint is received by the Chair from the ED of SCPT a meeting of the PCC will be scheduled. At the first discussion of any new complaint the PCC members will be provided with the names of any and all SCPT members and complainants involved, and any PCC member shall declare any conflict of interests that they have with any of the named persons, and any PCC member with a confirmed conflict of interest with any named person in a complaint shall recuse themselves from any and all discussion and decision making of that particular complaint. After this time a complaint shall be referred to by its case number only.

One PCC member shall be appointed as lead investigator of each complaint.

The lead investigator shall conduct the investigation of the complaint, which shall include but may not be limited to:

- Acquiring all necessary documents from the complainant(s) and/or the member(s) to properly investigate the matter of the complaint
- Interviewing both the complainant(s) and the member(s) involved in the case. This may be done in person or by telephone.
- Reporting back to the PCC all details of the investigation.
- All decisions regarding the complaint shall be made by majority vote of the PCC.
- At the conclusion of the complaint the lead investigator shall prepare the written report to the DC. This report shall be approved by the PCC and then forwarded by the Chair.

These Terms of Reference may be amended from time to time by way of a majority vote of quorum of the PCC.

The Terms of Reference shall be reviewed every 2 years.

Revised January 15, 2017