



Regulatory  
Terms of Reference

# Inquiry Committee

## Purpose

The purpose of the CHCPBC Inquiry Committee (the Committee) is to review complaints against registrants made by the public or regulated health professionals, and all matters that the Committee decides to investigate of its own motion.

## Authority

The Committee is established by section 19(1)(t) of the *Health Professions Act* (the HPA), RSBC 1996, c 183 and Bylaw 4.1. The Committee derives its authority from the HPA and the bylaws.

## Responsibilities of the Committee

The Committee has the responsibility to:

- (a) receive complaints regarding a registrant's conduct, competency, and fitness to practice and once received, oversee and direct the investigation of those complaints;
- (b) where appropriate, initiate investigations of its own motion;
- (c) where appropriate, take action to resolve the complaint between the complainant and registrant or take no further action;
- (d) where required in order to protect the public during an investigation of a registrant or pending a disciplinary hearing, meet to consider taking, where appropriate, extraordinary action either to suspend the registration of, or impose limits or conditions on the registrant's practice;
- (e) direct the Registrar to issue citations;
- (f) accept or reject proposals from registrants under s.37.1. of the HPA. Where a proposal is accepted by the committee, enter into a consent resolution with the registrant and issue the appropriate orders;
- (g) appoint inspectors in consultation with staff;
- (h) review and approve policy relating to inquiry-related functions;
- (i) at least every two years, review and assess the Committee's terms of reference and make any appropriate recommendations to the Board.



Everything the Committee does must comply with the HPA, the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c 165 (FIPPA), the bylaws, any applicable Board policies, and the principles of administrative law.

## Committee Membership

### Recruitment and appointment

The Governance Committee recommends a composition matrix to the Board for each College committee. This matrix identifies the ideal collection of skills, backgrounds, and experience for each College committee and includes individual and collective commitment and capacity in cultural safety, cultural humility, and Indigenous-specific anti-racism.

When a vacancy needs to be filled, the Governance Committee will, in consultation with staff and the Committee chair, compare current Committee competencies, backgrounds and experience against the competency matrix for the Committee and identify and prioritize needs to be filled. These prioritized needs will support the recruitment and assessment of potential candidates for the Committee. When considering committee and Board composition, the Governance Committee will ensure there is a minimum expectation of two Indigenous members in every setting.

Appointments will be made by the Board with consideration given to the recommendation of the Governance Committee. In certain cases, the Board may make appointments directly. The Board will designate the Committee chair and vice chair from among the Committee members.

### Composition

The Committee will be composed of a sufficiently large number of both registrant members from each Designated Health Profession and public Committee members to form a number of panels. There will be a sufficiently large number of Committee members to meet the skills, background, and diversity requirements outlined in the Committee's composition matrix and the *Guidelines - Regulatory Committee Panels*.

The bylaws set out the minimum Committee composition of at least 21 members. There must be at least two registrants from each of the nine Designated Health Professions in the College and at least three public Committee members.

### Terms of office

Each member of the Committee will be appointed for a term of up to three years, unless otherwise specified by the Board. Committee members may be reappointed to the Committee but may not serve as a Committee member for more than six consecutive years. A person who completes six consecutive years on the Committee will be ineligible



for reappointment to the Committee until three years have elapsed since the end of their service.

The term of office for the chair and vice chair is one year, renewable by the Board.

## Compensation

Compensation for Committee members' time will be paid in accordance with the *Policy - Board and Committee Compensation (Honoraria)*.

## Responsibilities of All Committee Members

Expectations of all Committee members are set out in the *Board and Committee Code of Conduct*. All Committee members have a responsibility on an annual basis to read and sign the *Confirmation of Understanding and Acceptance of the Code*, and to always comply with the expectations set out within it.

## Responsibilities of the Committee and Panel Chair

In addition to the general responsibilities of Committee members, the role of the chair includes:

For the Committee chair:

- appointing Committee members to panels and designating the Panel chair in accordance with the *Guidelines - Regulatory Committee Panels*;
- where a panel is created for a specific task or is established as a standing, long-term panel and the chair deems it necessary, approving Terms of Reference for the panel.;
- supporting Committee and Committee member evaluations when required;
- providing oversight, feedback, and mentorship to panel chairs as required with respect to chair issues.

For the Committee chair and panel chairs:

- setting meeting dates in consultation with the Committee or panel members and staff;
- developing and/or approving the agenda in consultation with staff;
- encouraging and maintaining a culturally safe environment for any Indigenous members and Indigenous participants;
- creating an agile mechanism to raise harm alarms and identify/untie colonial knots;
- taking a believing stance when Indigenous Committee or panel members raise concern or comment and expecting the same of other Committee and panel members;
- committing to mounting a timely and active response when an issue of Indigenous-specific racism is raised;
- presiding at and conducting all Committee or panel meetings in a manner that



promotes meaningful discussion and rational, defensible decisions and/or recommendations;

- being aware of and facilitating meetings in accordance with principles of Indigenous cultural safety including when relevant any local First Nations customs, laws or protocols, and any other guidelines set out by the Board or Committee (e.g., Committee Meeting Guidelines);
- encouraging Committee and panel member participation in discussion;
- using facilitator, coaching, and other interpersonal skills to ensure meaningful discussions occur;
- encouraging meeting attendance, including speaking with Committee or panel members not attending;
- monitoring Committee or panel member compliance with *the Board and Committee Code of Conduct*;
- ensuring relevant Board directives are followed; and
- ensuring timely communication with the Board on extraordinary situations as they occur, including any concerns with the functioning of the Committee or panel.

## Responsibilities of the Committee Vice Chair

In addition to the general responsibilities of Committee members, the vice chair will assist and support the chair in the execution of their responsibilities as determined by the chair and will assume the responsibilities of the chair if the chair is unable to for any reason.

## Panels

While the Committee may meet as a whole when needed for purposes such as orientation, education, and consultation, the Committee will usually meet in panels.

### Duties

A panel may exercise any power and perform any duty of the Committee under the Act and bylaws, subject to any procedures, policies, or rules established by the Board.

### Selection and composition

Each panel consists of at least three Committee members, including one public Committee member. Members of a Panel are appointed by the Committee chair from among Committee members, in consultation with staff using the *Guidelines - Regulatory Committee Panels*.

If an issue, decision, or exercise of power or duty of the Committee relates to a particular registrant, all panels must include at least one Committee member who is a registrant from the same Designated Health Profession of the registrant to whom the matter relates.



In practice, panel chairs will be designated by the Committee chair from among Committee vice chairs appointed by the Board, however any Committee member can be appointed a panel chair if required.

## Committee/Panel Meetings

### Frequency

The frequency of meetings will be determined by the chair in consultation with staff. Members can expect to review meeting-related materials both prior to and following each meeting. The Committee will usually meet in panels and rarely meet as a whole.

### Method of meeting

The Committee and its panels may meet and conduct business in person, by telephone, by videoconference or in a hybrid manner.

### Voting

Each member has one vote. Committee and panel decisions will ideally be achieved through consensus whenever possible. Should consensus not be reached, a vote will be held. Committee and panel decisions are made by majority vote. The Committee may make a decision by email by majority vote if quorum is met; panels making decisions via email require a unanimous vote.

### Attendance

Members are expected to participate actively and regularly in meetings. If a member is absent for three consecutive meetings or is absent on a regular basis, the Committee chair will discuss the absence with the Committee member and determine whether it is appropriate for the Committee member to resign.

### Quorum

A majority of Committee members constitutes quorum, as long as at least one third of the members in attendance are public Committee members.

Quorum for a meeting of a panel consists of all members if the panel has three members and three quarters of panel members, including at least one public Committee member, if the panel has four members or more.



## Minutes

It is the responsibility of the chair to ensure that minutes are taken at each meeting of the Committee, retained on file, and approved. In practice, the chair delegates the responsibility of note taking and retention to support staff.

## Removal

The Board may by Special Resolution remove a Committee or panel member and appoint a replacement for any person removed. Special care must be taken when removing a Committee or panel member when the Committee or a panel on which the person sits is in the process of considering a matter.

## Reporting

The Committee must report to the Board annually or at a frequency determined by the Board, outlining the Committee’s activities as well as the activities of its panels in a manner prescribed by the Board, in consultation with staff responsible for Board governance and committee reporting.

## Resourcing and Staff Liaison

The Committee and its will be supported by one or more members of staff, as determined by the Registrar. The Committee may engage outside cultural, legal or other professional advice, in accordance with budget allocation.

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