

Complaints Committee Report to PAM's

AGM, April 2017

Procedures of the Committee: The complaints process begins when a member of the public or a psychologist contacts the Registrar, Dr. Slusky about their concerns. This does not necessarily result in a formal complaint: sometimes the matter does not proceed any further. However when a formal complaint is received, then your Complaints Committee opens an investigation. So the Committee's purpose fulfills one of the major functions of the regulatory mandate of the Psychological Association of Manitoba (PAM).

The process always includes providing the member of PAM with the opportunity to respond. There are several ways for the Committee to obtain further information, including writing or calling individuals with questions, or appointing an Investigator for interviewing and fact-finding, or seeking an Expert Opinion from a psychologist on a report.

The Committee is regulated by our By-law #1. It is also guided by the same 2 documents that our members use in their daily work: PAM's Code of Conduct: and the Canadian Code of Ethics for Psychologists.

Nature of Complaints: We have found that members of the public complain about issues that are very important to them, such as their access to their children; and their finances (such as disability insurance or pensions or tax forms, etc). More than half of the complaints in 2016 were related to psychological assessment in contested venue situations (e.g. custody/access assessments and insurance-based independent assessments). Other complaints were related to boundary issues, office practices, fees charged, inter-professional communication, bias in assessment, and possible impairment in functioning. We are seeing a modest increase over the past few years in complaints related to professionalism and office practices.

Membership: The Committee is composed of the following PAM members: Drs. Lois Edmund, Steven Feldgaier, Adrienne Leslie-Toogood, and Linda Rhodes. Dr. Val Holms completed her time with the Committee early in 2016. We have 3 public representatives: Dr. Neil Arnason, Mr. Glenn Matsumoto, and Ms. Val Stanowski. Our public members are very active on the Committee, and have the same workload as the PAM members. The committee then has its legal counsel, Mr. Blair Graham, Q.C. of Thompson Dorfman Sweatman LLP. He has assisted PAM for over 30 years. This year he is joined by one of the Associates with his firm, Ms. Andria Doyle. The Committee's administrative support is from Doreen Phimister. Lastly, after I retired from the Committee in December 2015 after 20 years, I was asked by PAM's President Dr. Arnett to return to the Committee in the role of Chair, beginning in May of 2016.

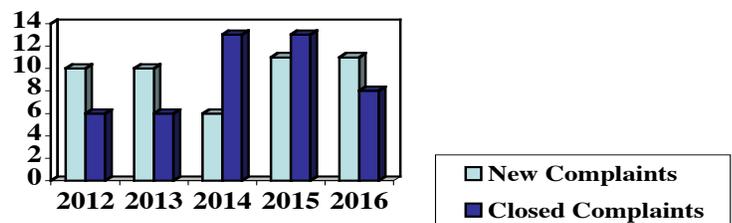
Other Assistance: Other members of PAM support the review of complaints by agreeing to undertake very important roles as Investigators, Consultants, Experts, and remediation Supervisors. The Committee would like to acknowledge and thank the following psychologists who have assisted in 2016: Drs. Liz Adkins, Matthew Decter, Dell Ducharme, Leonard Greenwood, Ed Johnson, Cathy Moser, Daniel Rothman, and Vivienne Rowan. We could not complete our mandate without the assistance of our members in these roles.

Committee Costs: The Committee’s primary costs are for: (1) legal support and (2) our Committee’s part-time assistant. Our legal costs for 2016 are 40% less than 2015, while our administrative support costs are 30% less than 2015. Our reduced costs are due to several factors. For the legal costs, a more junior lawyer has joined the senior lawyer we have, for some savings. There was less complexity in some complaints for 2016, and we have strived for greater efficiency overall with the cooperation of our Committee’s assistant and our legal counsel.

Activity Levels: The monthly logs from our Committee’s assistant Ms. Phimister indicates that the Committee is completing tasks every few days. This includes frequent consultations between our legal support, myself, our Registrar and our Committee’s assistant. The major decision-making body is the full Committee which typically meets monthly, and which may also meet on an “emergency” basis as well. Committee members are required to review submissions that are often lengthy and present complex professional issues. Sometimes the documentation can run to hundreds of pages (e.g. reports, emails, letters, etc).

Number of Complaints: The graph below indicates that the number of new complaints has been relatively stable across the past several years, (except for fewer in 2014). Then, when we examine the number of closed complaints, this was greater than in 2012 and 2013 but lower than in 2014 and 2015. This number partly depends upon whether the timeframe was longer, because of using Investigators or Expert opinions on the complaints in a particular year.

Number of Complaints



Year

Outcome of Complaints: Many complaints are dismissed. Of the 8 complaints closed in 2016, only one resulted in charges being drafted. However, in some situations, the Committee provided comments for the psychologist to consider, where the member's conduct did not reach the level of being either unprofessional or unethical.

Some of the individuals who make complaints have unrealistic expectations from PAM. Or they may submit large volumes of information that is not directly relevant. One person recently expected direct intervention from PAM into their insurance claim, and psychotherapy (which is outside of our mandate). Some people with complaints expect a psychologist to receive very harsh penalties. So one of the questions on the Complaint Form asks the person what they expect from PAM. And if this is unrealistic, we can try to advise them of this early in the complaints process. And, at 2 points on the first page of the Complaint Form, it is stated that PAM cannot award financial compensation.

Online Resources: PAM's website has the following information to help both our members, and a person who is making a complaint:

- Complaints Process
- Complaints Form (which was developed to help focus a complaint)
- Appeal Process
- Appeal Form

In addition, members can access on our website PAM's Code of Conduct and the Canadian Code of Ethics for Psychologists.

Thank you: Our Committee thanks the many members that served as our Investigators, Expert Opinions and Supervisors. The Committee continues to request that all PAM members consider any requests that they may receive in these roles.

Sincerely,

Daryl Gill, Ph.D., C. Psych.
Chair, Complaints Committee