

APPEAL BY COMPLAINANT

As outlined in By-Law #1, Section 27 (1) of The Psychological Association of Manitoba, complainants may appeal to the Executive Council of PAM, decisions made by the Complaints Committee, on a complaint. Should you, as a complainant, decide to exercise this right, we would ask that you do so by completing the Appeal Form available either on our website (www.cpmb.ca) or through contacting the Registrar (pam@mts.net ; 487-0784). An appeal is to be made in writing to the Registrar within 30 days after you have been notified of the Complaints Committee Decision on your complaint.

Within the context of receiving an Appeal, Executive Council acts as a review body. It does not reinvestigate complaints. Its mandate is to review information submitted to it by an Appellant with an eye specifically to how an Appellant believes that the Complaints Committee may have erred in the process by which it initially adjudicated a complaint, how its decision may have been unreasonable, and to review information submitted to it by an Appellant which may not have been available to the Complaints Committee in its original disposition/adjudication of a complaint.

If Executive Council believes that the information submitted to it by an Appellant is relevant, was unavailable to the Complaints Committee, and may in some way have affected the ultimate disposition by the Complaints Committee, it has power under By-Law #1, Section 27 (3) to either (a) make any decision that in its opinion ought to have been made by the Complaints Committee, (b) quash, vary, or confirm the decision of the Complaints Committee, or (c) refer the matter back to the Complaints Committee for further consideration in accordance with any direction that the Council may make. The Council will give the Psychologist Member and Complainant a written notice setting out its decision and the reasons for the decision.

Under Section 27 (5) please be advised that Executive Council is not required to hold a hearing or to give any person an opportunity to appear or to make oral submissions before making a decision under this section. It must however give Psychologist Members and the Complainant an opportunity to make a written submission and again Executive Council requests that Appellants complete the Appeal Form when filing an appeal.

Should you wish to file an Appeal, please do not hesitate to contact the Registrar with any questions or concerns you may have.