

What If I Don't Agree with the Decision?

The Complaints Committee must advise both the complainant and the member in writing what the decision is and the reasons for the decision.

Decisions of the Complaints Committee to refer a complaint to mediation (which requires the agreement of both parties) or to the Inquiry Committee for a hearing can not be appealed. All other decisions about the complaint resolution may be appealed by the complainant to the Council of PAM.

To appeal a decision of the Complaints Committee, you must mail a written notice of appeal to the Registrar of PAM within 30 days of your notification of the decision.

How Long Does the Complaint Process Take?

The complaint process allows for response times for both members and complainants before the Complaints Committee reviews the complaint file and determines what, if any, additional information is required to make a decision about a complaint. In some cases, investigative procedures and other circumstances protract the process of resolution of complaints. The complaint process can take a number of months.

Referral to the Inquiry Committee

If the Complaints Committee concludes that a complaint is serious and has substance, the Complaints Committee will usually refer the matter to the Inquiry Committee for a hearing. The hearing proceeds on the basis of charges against the member as formulated by the Complaints Committee. The hearing is formal. At the hearing, the Complaints Committee, represented by a lawyer, presents evidence in support of the charges, and the member, represented by a lawyer, if the member so chooses, presents evidence in support of his or her position. After hearing the evidence, and the submissions of both the Complaints Committee and the member, the Inquiry Committee will make its findings and will determine whether or not the charges have been proven.

If the Inquiry Committee finds that some or all of the charges have been proven, it may make one or more of various orders, including, but not limited to, reprimanding the member, imposing conditions on the member's entitlement to practice psychology, requiring the member to take counselling or treatment, and/or cancelling the member's Certificate of Registration.



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Complaint Process

Information about *The Psychologists Registration Act*, *PAM By-laws*, and *Canadian Code of Ethics for Psychologists* can be found at <http://www.cpmb.ca>

What to Do If You Have a Complaint About a Psychologist

If you have a question or a concern about any service received from a registrant of the Psychological Association of Manitoba, the first approach, if possible in the circumstances, is to address your question or concern to the Psychologist or Psychological Associate. Most registrants will be pleased to respond to any questions or concerns you may have.

Psychologists and Psychological Associates are ethically required to conduct themselves and respond to you in a professional manner. *The Canadian Code of Conduct for Psychologists* lists in detail the standards of conduct to which registrants must adhere. A copy of the *Code* is available on the PAM website (<http://www.cpmb.ca>) or by written request to PAM.

If you are not satisfied that your concern has been addressed, you may file a complaint with the Psychological Association of Manitoba (PAM). PAM is the legally constituted regulatory body under *The Psychologists Registration Act (1988)* for all branches of Psychology in Manitoba.

Making a Complaint

The Psychologists Registration Act requires that complaints be made in writing to the Registrar of PAM, who refers complaints to the Complaints Committee. The Complaints Committee is made up of Psychologists, public representatives and a Psychological Associate.

What Happens When a Complaint Is Made

The Complaints Committee advises members when a complaint is made about them and provides an opportunity for a response to the complaint. In most cases, the member's reply is sent to the complainant for their comment. After this initial documentation is compiled, the Complaints Committee reviews the complaint and determines what other steps, if any, are needed before a decision can be made about resolution of the complaint. The Committee may investigate a complaint by asking for further information or documentation from either the member or the complainant, directing fact finding inquiries, appointing an investigator, or taking whatever other steps are needed to obtain sufficient information to allow the Complaints Committee to make a decision about the complaint. The Committee may also investigate any other matter related to the professional conduct or skill in practice of a member that arises during the investigation of a complaint.

The Complaints Committee is not required to

give any person an opportunity to appear or make a formal submission. during investigation of a complaint.

The complaint mechanisms do not provide for refund of fees.

What Happens After a Complaint is Reviewed

After review or investigation of a complaint, the Complaints Committee may proceed with a number of resolutions to the complaint, including:

- An informal resolution of the complaint and/or mediation
- Referral to the Inquiry Committee of PAM for a hearing
- No referral to the Inquiry Committee, which means that the complaint is dismissed
- Acceptance of voluntary surrender of a member's registration
- Censure of the member, with the consent of the member
- An agreement with the member, which can include a fitness to practice assessment, counseling or treatment of the member, monitoring or supervision of the member, remedial training, or conditions on the member's right to practice psychology.
- the complaint mechanisms do not provide for refund of fees