

Psychological Association of Manitoba: Complaints Process

The purpose of this information sheet is to inform complainants and members alike of the procedures followed by the Complaints Committee of the Psychological Association of Manitoba (P.A.M.) in reviewing and adjudicating complaints against P.A.M. members. A summary of this information is available as a downloadable brochure on our website (www.cpmb.ca). The By-law that governs this process is also available on our website (By-Law #1) and in cases of discrepancy between this document and said By-Law, the wording of the By-Law shall prevail.

The Complaints Committee consists of nine members: six registered psychologists and three members of the public, along with legal consultation.

The Complaints Committee deals with complaints relating to the professional conduct, competence and ethical behavior of P.A.M. members. The following is a brief summary of the procedures followed in reviewing complaints:

1. Concerns are received initially by the Registrar of the Psychological Association of Manitoba. The Registrar determines whether or not PAM has jurisdiction in the matter. If so, the Registrar informs the member of the public of two possible courses of action:
 - (a) the individual can speak directly with the member in an attempt to address concerns informally, or
 - (b) a formal complaint to the Complaints Committee can be made by putting the concerns in writing and mailing them to the PAM office.
2. Upon receipt of a formal, written complaint, the Complaints Committee:
 - (a) acknowledges receipt of the complaint in writing to the complainant;
 - (b) notifies the PAM member by letter that a formal complaint has been made against them and forwards relevant information re: said complaint to the member;
 - (c) informs the PAM member that he/she may respond to the complaint in writing to the Complaints Committee within a specified time frame; and

- (d) after reviewing all material, determines whether or not further investigation is warranted.

In most cases, the member's response to the complaint is shared with the complainant.

3. In the early stages of investigating the matter, the Complaints Committee may at times request further information from either the complainant or the PAM member.

At times, and depending on the nature of the materials reviewed, a more formal investigation may be deemed necessary and in such cases, the Complaints Committee appoints a member of the Association (or another health professional) with specific and related expertise, to act as an Investigator for the complaint.

4. The Investigator conducts a thorough and comprehensive review of the complaint under the guidance of the Complaints Committee. This investigation may include:
 - (a) meeting with the complainant in person;
 - (b) meeting with the P.A.M. member in person;
 - (c) reviewing any client records pertinent to the complaint;
 - (d) and consulting with legal counsel to the Complaints Committee should any clarification of legal issues be needed.
5. The Investigator may investigate any additional matters concerning the professional conduct or competency of the P.A.M. member that arises in the course of the investigation.
6. At any time during the progress of the investigation, the P.A.M. member and the complainant may submit in writing to the Investigator any additional information that he or she would like to have on record.
7. Upon completion of a formal investigation, the Investigator submits a written report to the Complaints Committee for their consideration, the contents of which typically will include:
 - (a) the key issues of the complaint and how these correspond to the Canadian Code of Ethics for Psychologists, common Standards of Practice, and P.A.M. By-Laws and;

- (b) whether or not there may have been any breaches of ethics or professionalism on the part of the P.A.M. member.
8. In the case of a formal investigation, the Investigator's findings then are considered by the members of the Complaints Committee. If no outside investigation has been conducted, the processes of investigation utilized by the Complaints Committee are concluded and the Committee, which determines the disposition of the complaint, renders a decision on the matter. The potential dispositions available to the Committee include:
- (a) the laying of charges of professional misconduct and the subsequent referral of the matter to the Inquiry Committee for the purposes of conducting a disciplinary hearing;
 - (b) dismissing the complaint;
 - (c) accepting the voluntary resignation of the PAM member;
 - (d) agreement by the P.A.M. member to accept a Censure;
 - (e) referring the matter for mediation; if both parties agree
 - (f) entering into an agreement with the P.A.M. member that allows for one or more of the following: assessing the member's fitness to practice, counselling for the member, monitoring of the member's practice, supervision of the member, requiring the member to complete some form of academic training or remediation, placing conditions on the member's right to practice psychology.
 - (g) taking any other action it deems appropriate that is not inconsistent with either the By-Laws/Regulations or the Psychologist's Registration Act.
9. The complaint mechanisms do not provide an option for refund of fees.
10. Formal feedback by letter is provided by the Complaints Committee regarding its decision to both the complainant and the P.A.M. Member.
11. If the complainant is not satisfied with the outcome of the complaint process, the complainant may appeal the decision of the Complaints Committee by filing a Notice of Appeal with the Registrar (within 30 days of notification of the initial disposition) requesting reconsideration of their decision. A review then is conducted by P.A.M. Executive Council. Details of this process are available on the P.A.M. website (www.cpmb.ca).

12. When the Complaints Committee directs that charges of professional misconduct be laid, the matter then is referred to the Inquiry Committee, a body completely separate and independent from both the Complaints Committee and P.A.M. Executive Council. Specifics regarding the Inquiry Committee and Disciplinary Hearings can be found in By-Law #1 Sec. 30-44.

***The Registrar
Psychological Association of Manitoba
208-584 Pembina Highway
Winnipeg MB R3M 3X7***

Please do not send complaints by e-mail. We require an original signature from the complainant.

If you have questions or wish to discuss your concerns, you may e-mail the Registrar at pam@mts.net, or call (204) 487-0784.

The Registrar

January, 2009