

POLICY TYPE: GOVERNANCE PROCESS

4-12 Discipline Committee Terms of Reference and Mandate Policy

Committee Composition and Meetings

1. The Board shall appoint the members of the Discipline Committee for the following year at the last Board meeting of the year in accordance with the by-laws.
2. The Discipline Committee shall be composed of:
 - a. at least four Directors who are members of the College;
 - b. all Directors appointed to the Board by the Lieutenant Governor in Council;
 - c. and at least four members of the College who are not Directors; and
 - d. if the Board so decides, and the by-laws so permit, up to three individuals who are not registrants of the College and who are not Directors.
3. The chair and vice-chair of the Discipline Committee shall be elected from among the members of the Discipline Committee and the election may take place at or before the first Committee meeting of the year.
4. No one may serve as chair and vice-chair of the Discipline Committee while they are also a member of the Inquiries, Complaints and Reports Committee.
5. When required, panels of the Discipline Committee shall be selected by the chair of the Discipline Committee from among the members of the Committee and each panel shall be composed of at least three and no more than five persons, at least two of whom shall be persons appointed to the Board by the Lieutenant Governor in Council.
6. Panels of the Discipline Committee, and the committee as a whole, shall meet as required.
7. All Discipline Committee members are required to attend such training sessions as may be deemed appropriate by the chair of the Discipline Committee and/or the Board.

Authority and Accountability

8. The Discipline Committee is a statutory committee of the College as set out in section 10(1)4 of the Health Professions Procedural Code (the “Code”).
9. The Discipline Committee is accountable to the Board for:
 - a. Acting in accordance with the Regulated Health Professions Act, 1991 (the “RHPA”), including the Code, the Opticianry Act, 1991, the regulations under those acts, the by-laws and any other laws that apply to its processes and decision making.

- b. Fulfilling any other duties and responsibilities assigned to it by the Board.

Responsibilities of the Discipline Committee

The Discipline Committee Shall:

10. Perform such functions as are assigned to it under the RHPA, Code, regulations, by-laws, and policies of the College including providing a fair hearing and rendering a decision in cases of alleged professional misconduct or incompetence in accordance with applicable legislation, and established rules and procedures.
11. Consider and make recommendations to the Board for changes to applicable legislation, regulations, and by-laws, as well as programs that fall within its mandate and/or support the discipline process.
12. Submit an annual report to the Board. The report will include information on the number of hearings, the types of matters dealt with, and the dispositions of those matters generally.

The Discipline Committee may:

13. Submit a report to Board in between annual reports.