

PROFESSIONAL CONDUCT HISTORIES

POLICY NUMBER: PC-010-01

DATE APPROVED: November 13, 2020

DATE TO BE REVIEWED: November 13, 2023

DISTRIBUTION: NSCMIRTP Board and Staff

COMMITTEE: Professional Conduct Pool

DATE(S) REVIEWED (REVISED):

ISSUING AUTHORITY: NSCMIRTP Board

APPROVAL: 

POLICY

The College will maintain a Professional Conduct History of all complaints received and all referrals to the Fitness to Practise process. The Professional Conduct History may be used in any subsequent regulatory process involving the registrant.

The Professional Conduct History is not generally available to members of the public.

PROCEDURE

1. The College will maintain an ongoing professional conduct history specific to individual registrants, for all complaints and referrals to the Fitness to Practise process received after the proclamation of the College's original enabling legislation.
2. The Professional Conduct History shall include the following:
 - the date of the complaint or referral
 - the name of the complainant
 - the nature of the complaint (professional misconduct, incompetence, incapacity, conduct unbecoming) and a brief summary of the allegations
 - a procedural summary of the matter, including the disposition, date of the disposition, and if applicable, the disposition of any further reviews (e.g., by the Hearing Committee, Reinstatement Committee, etc.)
3. Where a respondent has an existing Professional Conduct History and a new complaint or referral is received, a copy of the existing Professional Conduct History will be provided to the respondent at the time that they are notified of the complaint, and to the Investigation, Reinstatement and/or Fitness to Practise committees prior to their consideration of the matter. Based on the Professional Conduct History, these committees may request further information regarding previous complaints or referrals.
4. Where a matter is before the Hearing Committee, the Professional Conduct History of the respondent shall not be provided to the Committee unless and until the Committee is considering a sanction.
5. The Professional Conduct History shall be retained indefinitely
6. The Professional Conduct History shall only be disclosed as follows:
 - a. to the respondent at the time that he or she is notified of the complaint, as set out in Policy PP-001 receipt of Letter of Complaint;



- b. to College-appointed investigators for the purposes of conducting an investigation into a registrant;
 - c. to statutory committees as described in paragraphs 3 and 4;
 - d. to comply with a legal requirement; or
 - e. pursuant to a committee direction, consistent with the objects of the College.
7. Nothing in this Policy shall prevent a Committee from including details of a registrant's Professional Conduct History in their written decision and reasons.