

Complaints Committee – Terms of Reference

Policy Number:	Next Review Date:
Approved by: NSRDDA Board	Approval Date:

1. Purpose

The Complaints Committee is a statutory committee established under the authority of the *Regulated Health Professions Act, 2023 (NS)(RHPA-NS)*. Its primary function is to consider complaints and dispose of complaints made against registrants of the Nova Scotia Regulator of Dentistry and Dental Assisting (NSRDDA) in accordance with applicable legislation, regulations, and bylaws.

The Committee operates in a manner that reflects the NSRDDA's commitment to EDIRA (equity, diversity, inclusion, reconciliation and accessibility), by recognizing diverse cultural experiences and removing barriers to participation to support fairness for all.

2. Mandate

Subject to the *Act*, regulations and bylaws, the mandate of the Complaints Committee generally includes the following:

- Receive, review, and investigate complaints referred to it by the Registrar regarding the conduct, competence, or capacity of registrants
- Review decisions of the Registrar to dismiss a complaint, where such matters are referred to it by the Registrar
- Determine whether a complaint warrants a direction to the Registrar to suspend the registrant's license or suspend the ability of the registrant to obtain a license until a fine is paid, together with any reinstatement fee ordered by the committee
- Determine if any interventions are required prior to the disposition of a complaint by the Committee
- Dismiss complaints when appropriate or issue advice, cautions, or take other non-disciplinary actions within its jurisdiction
- Upholding the objects of the NSRDDA

3. Authority

The Committee derives its authority from the *RHPA-NS* and related Regulations and is accountable to the Board of the NSRDDA.

4. Membership and Terms

- The Committee shall be composed of at least the following:
 - Two public representatives
 - Four Dentists in good standing, and each having at least five years' experience as a Dentist; and
 - Two Dental Assistants in good standing, and each having at least five years' experience as a Dental Assistant
- Members shall be appointed by the Board in accordance with applicable legislative requirements.
- In appointing members to the Committee, the NSRDDA strives to reflect a diversity of professional backgrounds, lived experiences, and perspectives that support equitable and inclusive decision-making.
- None of the members of the Complaints Committee shall be a member of the Professional Conduct Committee.
- The term of a member of the Complaints Committee shall not exceed three years. The Board may reappoint a member of the Complaints Committee for further terms.
- The Registrar is not a member of the Committee but may attend Committee meetings in an ex officio, non-voting capacity.

5. Chair and Vice-Chair

- The Board shall appoint a Chair and a Vice-chair of the Complaints Committee, both of whom must be Dentists. The term of the Chair and Vice-Chair of the Complaints Committee shall not exceed three years. The Board may reappoint a Chair or Vice-Chair of the Committee for further terms.
- The Chair is responsible for presiding over meetings and coordinating decision-making processes.
- The Vice-Chair acts for the Chair in the absence of the Chair.
- The Chair shall be entitled to vote on all matters before the Complaints Committee and in the event of a tied vote, the Chair shall have an additional casting vote.

6. Panel Appointments

- Upon receipt of a complaint, the Chair of the Complaints Committee shall appoint a Panel to consider the complaint in accordance with the Act. The Panel must be composed of at least three members of the Committee, and include a public representative and at least one member from the same profession as the registrant in question.
- If the Chair or the Vice-Chair of the Complaints Committee is not appointed to a Panel, the Committee Chair must appoint a licensed Dentist, who is also a member of the Complaints Committee, to act as the Chair for the Panel.
- The Panel Chair shall be entitled to vote on all matters before the Panel and in the event of a tied vote, the Panel Chair shall have an additional casting vote.

7. Meetings and Quorum

- Meetings may be held in person, virtual, or hybrid.
- Committee or Panel proceedings shall be held in accordance with the Act, regulations, by-laws, applicable Board policies or procedures determined by the Committee.
- The quorum for a meeting of a Panel of the Complaints Committee is all of the Panel members.

8. Decision-Making

- The Committee's decisions shall be guided by principles of procedural fairness and informed by the NSRDDA's commitment to EDIRA.
- The Committee shall provide written reasons for its decisions.
- Decisions shall be rendered within a reasonable timeframe in accordance with any standards set by the Board in this regard.

9. Confidentiality

Deliberations and all documents related to matters before the Committee are confidential. Public access to complaint-related outcomes is governed by statute and applicable regulations, bylaws or Board policies. Confidential information must be protected in accordance with the Act and applicable privacy legislation.

10. Conflict of Interest

Members must disclose any real or perceived conflicts of interest and recuse themselves from proceedings where such conflicts exist.

11. Reporting and Records

- The Committee shall ensure that the NSRDDA maintains confidential records of all of its proceedings and outcomes.
- An annual report summarizing anonymized activity, trends, and outcomes shall be submitted to the Board.
- The Committee may recommend changes to the Board regarding NSRDDA standards, policies, or education based on its findings.

12. Review and Amendment

These Terms of Reference shall be reviewed by the Board periodically and updated as required to reflect changes in legislation, best practices, or organizational needs.

13. Accountability

The Chair of the Complaints Committee is accountable for ensuring the Committee's compliance with these Terms of Reference and any requirements under the *Act*, its regulations or the NSRDDA's Bylaws.