



# Terms of Reference for the Fitness to Practise Committee

## Policy 2.4

<b>Section:</b>	Governance		
<b>Approved By:</b>	Council	<b>Public:</b>	Yes
<b>Approved Date:</b>	March 28, 2014	<b>Review Schedule:</b>	Every 3 Years
<b>Effective Date:</b>	June 19, 2014	<b>Last Reviewed:</b>	September 2020
<b>Amended Date(s):</b>	September 17, 2020	<b>Next Review Date:</b>	September 2023

### Policy: Terms of Reference for the Fitness to Practise Committee

#### Purpose

A panel of the Fitness to Practise Committee of the College adjudicates allegations of incapacity referred by the Inquiries, Complaints and Reports (ICR) Committee in order to determine if a member is incapacitated. The Committee makes independent decisions within its legislated mandate, and prepares reports for Council on its activities.

#### Responsibilities

1. At a hearing:
  - a. panel members consider evidence from the College and from the member
  - b. after determining the facts, the Committee makes a finding on whether or not the member is incapacitated and then makes an appropriate order
2. Evaluates and measures performance against any College plan or policy
3. Makes recommendations and provides advice on any discrepancies or areas that need improvement
4. Brings forward to Council any matter that the Committee deems relevant within its mandate

## **Composition**

- At least one (1) Professional Councillor
- At least one (1) Publicly-Appointed Councillor
- At least two (2) Non-Council Committee Members

The Chair shall be appointed by the Council. Panel members for each hearing are selected by the Chair from the Fitness to Practise Committee members.

Each panel must be composed of at least three persons: at least one each of a Professional Councillor, a Publicly-Appointed Councillor and a Non-Council Committee Member.

A majority of the members of the Committee and a panel shall constitute a quorum.

The Committee and the panels are supported by the Professional Conduct Director.