

# Manitoba College of Social Workers



## Complaints Committee Terms of Reference

### Purpose

The Manitoba College of Social Workers (MCSW) Complaints Committee has the legislative responsibility under *The Social Work Profession Act (the Act)*, the Social Work Profession Regulation and the MCSW Bylaw to evaluate complaints about the conduct of current and former members of MCSW.

### Functions

The evaluation of complaints is guided by *The Social Work Profession Act*, Social Work Profession Regulation, the MCSW Bylaw, MCSW administrative policies and all Codes of Ethics, Standards of Practice and/or guidelines for ethical practice adopted by the College.

*The Social Work Profession Act* provides the Complaints Committee the authority to take any of the following actions:

- resolve the matter informally;
- dismiss the complaint;
- accept the voluntary surrender of the MCSW Member's registration;
- censure the MCSW Member (formal reprimand);
- refer the matter to mediation;
- enter into an agreement with the MCSW Member
- direct the matter to the Inquiry Committee for a disciplinary hearing against the MCSW Member.

### Membership and Terms

The Complaints Committee is appointed by the MCSW Board of Directors. The Complaints Committee consists of:

- a MCSW Member as the Chair of the Complaints Committee;
- one or more other MCSW Members or former MCSW Members; and
- at least one or more public representatives.

The Chair shall be a MCSW member selected by committee members. The committee is supported in its work by the MCSW staff, including the Registrar, designated staff and/or investigators appointed by the Committee.

Each member shall be appointed for a term of three (3) years and the term may be renewed once for a total period of six (6) years.

The Complaints Committee shall strive to ensure appropriate representation from Indigenous peoples, which may include bringing in persons when needed on an ad hoc basis, particularly when dealing with a matter that predominately affects the interests of Indigenous peoples.

### **Meetings**

The Chair of the Complaints Committee will convene meetings as determined to be necessary to conduct the business of the committee. MCSW Staff shall issue a notice of the meeting to all members of the committee, at least seven (7) calendar days prior to the date of the meeting and shall include an agenda of the matters to come before the committee.

Minutes of all meetings shall be recorded by a designated person acting as Recording Secretary. A copy shall be provided to the MCSW Regulatory Practice Assistant as soon as possible after each meeting of the committee.

### **Decision Making**

Decisions of the Complaints Committee will be determined by consensus whenever possible. Where a consensus decision is not possible, a motion shall pass with affirmative vote of majority of Committee members present at a Committee meeting.

### **Quorum**

Quorum for a meeting of the Committee shall be three (3) voting members.

### **Reporting and Accountability**

Members of the Complaints Committee shall adhere to the MCSW Code of Conduct. The Complaints Committee has direct accountability and reporting responsibility to the Board of Directors through the chair of the committee.

### **Confidentiality**

All matters which come before the Committee are considered internal to the organization and treated as confidential. Attendance at meetings is not open to persons who are not members of the Complaints Committee unless expressly invited by the Committee Chair. Discussion and decisions occurring in a meeting of the Complaints Committee may be disclosed to the Board of Directors in a manner that respects confidentiality.