

## General Information

The College takes steps to ensure confidentiality of complaint information. Hearings are open to the public unless otherwise ordered. Patient names are not usually released in hearing decisions. Meetings of the Investigation Committee are not public; written copies of the decisions of the Investigation Committee are delivered to the Complainant and the member. People seeking financial compensation should seek legal advice, as that matter is for the courts, not the College.

The Nova Scotia College of Physiotherapists (NSCP) investigates all complaints concerning the conduct of physiotherapists registered with the NSCP.

To practice physiotherapy in Nova Scotia, physiotherapists must be registered with the College (NSCP). The NSCP Board regulates the practice of physiotherapy to ensure that the public receives quality care from competent professionals.

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Toll Free 1-866-225-1060 (O); 454-0158 (O); 84-6381 (F)

Information in this brochure is provided as a general information resource tool for the public. For more detailed information consult related authorities or seek your own legal advice. Refer to the Physiotherapy Act S.N.S.1998. c.22.

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NOVA SCOTIA COLLEGE OF PHYSIOTHERAPISTS

# Filing a Complaint

## A Complainant's Guide



## Should I make a complaint?

If there is a problem concerning communication, records or questions about your care, you should first attempt to discuss your concerns with the physiotherapist<sup>1</sup>, or the manager. If the matter is not resolved you should call the College for assistance at (902) 454-0158 or toll free at 1-866-225-1060.

## Who can make a complaint?

Complaints can come from anybody including patients, patient's families and physiotherapists. Complaints arise from concerns about inadequate care, poor communication, or the conduct of the physiotherapist. It is preferable that the complaint come from some one directly involved with the matter.

## How do I make a complaint?

Forms and information for filing a complaint can be obtained from the Nova Scotia College of Physiotherapists' office. Although you can file a complaint in writing without using the form, it must be typed or legibly written. A signed consent form, for release of records and information, is required before the complaint can be investigated. The complaint you submit should contain the physiotherapist's name, a description of the events that led to the complaint, dates, witnesses, and any other pertinent information. Be sure to add your contact information. There is no time limit on complaints, but the earlier a complaint is filed the better. This reduces potential risk to the public, and it is easier to obtain the

<sup>1</sup>Physiotherapy, physiotherapist, physical therapy, physical therapist, physiothérapeute, physiothérapeute, PT, and pht are official marks used with permission.

information required to investigate the complaint while memories are fresh. (S.N.S.1998. c.22 s.41)

## Who Investigates my complaint?

The Registrar receives the complaint at the College Office and forwards it to the Investigation Committee. A Committee consisting of at least two physiotherapists and a public member investigates each complaint received. The Committee begins by examining the written complaint received, the physiotherapist's response and the relevant information collected. They may take further steps such as reviewing records, and conducting interviews or consulting with experts. You may be asked to meet with the Committee if the members require additional information or clarification. If this should happen, a family member, friend or other support person of your choice, may accompany you. The physiotherapist will not be present at that time.

## What are the possible outcomes of my complaint?

The possible outcomes of the investigation are that the committee may:

- decide that there is no evidence that the care was below acceptable professional standards or there is not enough evidence to proceed with further investigation and they may dismiss the complaint.
- based on their findings, attempt to resolve the matter informally, or refer the matter in part or in whole to mediation with the consent of both parties.

- counsel (advise) the member on how to improve their practice,
- caution (warn) the member that serious disciplinary action may be considered if conduct recurs,
- with the member's consent, reprimand the member or require the member to undergo treatments or re-education; A reprimand is entered on the physiotherapist's formal discipline record. If the member does not consent, the complaint is referred to a Hearing Committee.

Both complainant and member will be advised in writing of the disposition.

*Note: Counsels and Cautions may be shared with a future committee if a similar complaint is filed against the same member.*

## What happens if the complaint is referred to a hearing committee?

Charges are filed against the member and the role of the committee is to consider all the facts of the case and determine whether or not the charges are supported by the facts. The hearing process is similar to a trial with sworn evidence and legal representatives for the College and the physiotherapist. The complainant may be called to testify. In some cases the matter may be resolved prior to the hearing by reaching a negotiated settlement.

The Hearing Committee decisions may range from dismissal of the charge, to removal of license to practice. A copy of the Hearing decision is forwarded to the Registrar for publication.