

Investigation Committee

Terms of Reference

BCCOHP's committees are established by and accountable to the Board. Each committee has specific duties and responsibilities that help the Board meet its responsibility for ensuring that the organization's mandate – regulation of oral health care in the public interest – is carried out effectively and efficiently on behalf of British Columbians. Committee members collaborate with professional staff to achieve this.

Committees comprise members who reflect the importance of diversity, gender equality, professional experience, knowledge, and skill.

Mandate

The Investigation Committee is accountable to the Board in overseeing BCCOHP's investigations program in accordance with Part 3 and 5 of the *Health Professions and Occupations Act (HPOA)* and Part 12 of the BCCOHP bylaws.

Composition

The Investigation Committee consists of at least 15 members who can meet in panels. The recommended composition is:

- At least 10 licensees
- At least five public members

At least 1/3 of the total membership must consist of public members.

A person who is a member of the Investigation Committee cannot simultaneously be a member of the board or any other BCCOHP committee.

The Board appoints committee members for terms of two or three years, to a maximum of six consecutive years.

Panels

The Investigation Committee meets in panels of at least three committee members appointed by the committee chair. A panel has the same powers as the committee.

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The panels meet to direct investigations, review and assess complaint investigations, dispose of regulatory complaints, and review or reconsider administrative matters and certain orders. If a panel is making a decision regarding a designated health profession, at least one member of the panel must be of the same designated health profession.

Panel composition will consist of members with the necessary expertise and competencies to deal with the matter being considered. Reasonable efforts are made to appoint at least one Indigenous person to a panel that will make a decision on a matter involving Indigenous-specific racism or discrimination, Indigenous practices, and/or a complainant or respondent who is an Indigenous person.

Composition Matrix

To effectively fulfill their roles and responsibilities, committee members should possess a diverse set of competencies that align with the organization's mission and strategic objectives. More information about the various competencies can be found in the Guide for Committee and Advisory Working Group Members.

In addition, committee members should possess or be willing to learn the following competencies:

Lived experience

Lived experience navigating disability, health, culture, identity, or systemic barriers, the knowledge of which can enhance relevant, thoughtful decisions that protect the public.

Standards/scope of practice

Understand the standards and scope of practice that guide oral health practice in British Columbia and be able to determine where a breach or potential breach might occur.

Committee and panel leadership

Experience in facilitating committee or panel meetings, developing a positive culture, conflict resolution, and fostering effective decision making.

Trauma-informed decision making

Experience in, understanding of, and sensitivity to the effects or stress or potential stress on individuals involved in a complaint process, and experience in creating safe spaces and trust- building processes.

Health care terminology

Know and understand the common terminology, acronyms and phrases used in health care.

Authority

The authority of the Investigation Committee derives from Part 3 (Practice of Designated Health Professions) and Part 5 (Investigations and Discipline Generally) of the HPOA and Part 12 of the BCCOPH bylaws (Public Protection).

Duties and Responsibilities

In accordance with Parts 3 and 5 of the HPOA and Part 12 of the bylaws, the Investigation Committee:

- (a) reviews and authorizes the investigation of regulatory complaints;
- (b) initiates its own investigations;
- (c) provides direction to the Registrar or an investigator on how to proceed with ongoing investigations;
- (d) reviews information and records obtained during the course of an investigation to make an assessment for the purposes of directing the Registrar to dispose of a regulatory complaint by making disciplinary orders, requesting a citation and proposing disciplinary orders after a citation has been issued;
- (e) make identity protection orders;
- (f) directs the Registrar to order capacity evaluations, make summary dismissal orders, summary protection orders, suspension orders or termination orders, and orders for investigation expenses;
- (g) addresses issues with compliance with disciplinary orders;
- (h) directs the disclosure and publication of certain information; and
- (i) reviews disciplinary orders for administrative matters, and reconsiders summary protection orders, identity protection orders and termination orders.

Meetings and Expectations

Meeting Schedule

The Investigation Committee typically meets in panels every three weeks, but this cadence may vary based on need.

Committee meetings may be up to three hours in length and members are required to review committee meeting materials and be prepared for meetings. Meeting schedule and length are dependent on member availability and committee workload.

One to two training sessions are conducted each year and are mandatory for all members.

Quorum Requirements

Under the bylaws, a majority of the committee must be present and at least 1/3 of the members present must be representatives of the public. Committee members are expected to attend all meetings in order to have quorum.

For panel meetings, all members of the panel must be present if the panel has fewer than four members. At least 1/3 of the panel must be public members.

Decision-making

Committees will come to decisions by consensus or by majority vote if, despite reasonable efforts, the committee is unable to arrive at a decision by consensus.

Remuneration

Committee members are compensated for attending meetings in accordance with BCCOHP's Remuneration and Expense Policy. This policy is currently being updated.