



INFORMATION SHEET

The College of Alberta Psychologists is the governing body for psychologists and provisional psychologists in the province of Alberta. The College's mandate is to serve the interests of the public and guide the profession of psychology. The College registers, issues practice permits and regulates its members in accordance with provincial legislation, the *Health Professions Act*. The Act also sets out specific steps that the College must take when dealing with complaints that are received by members of the public. Prior to lodging a formal complaint, as outlined in Part 4 of the *Health Professions Act*, members of the public are encouraged to outline their concerns and discuss these with a College staff member. Possible resolutions that could be considered without making a formal complaint will be discussed. Alternatively, information will be provided regarding the lodging of a formal complaint.

What types of concerns can the College deal with?

The College can consider any concern that alleges that a member of the College has engaged in "unprofessional conduct." This may include a breach of the Code of Ethics or Standards of Practice that apply to members of the College, lack of knowledge or skill in the provision of services, or other conduct that is harmful to the profession.

Problems the College Cannot Address

The College can only address concerns that are within its authority, as set out in the *Health Professions Act*. The College cannot address the following types of concerns:

Concerns About Members of Other Colleges

If there are concerns about members of other professions, it is appropriate to contact that professional's own College. At times, the College of Alberta Psychologists receives complaints about Psychiatrists. Psychiatrists are medical doctors who are regulated by the College of Physicians and Surgeons of Alberta. Their telephone number is (780) 423-4764 or (800) 561-3899.

Concerns About Unregulated Practitioners

The College has no authority to deal with concerns about individuals who are not registered members. The titles that regulated members can use are: psychologist, registered psychologist, provisional psychologist, or registered provisional psychologist. If services were provided to you by an individual who does not use one of those titles, the individual may not be regulated by the College. If this is the case, the College cannot take any action with respect to your concerns. You may check whether an individual is a registered member through our online member register at www.cap.ab.ca.

Concerns related to matters the College does not have legislative authority to address

The College's authority comes from the *Health Professions Act*. The College does not have authority to address the following types of concerns:

- Employment or labour relations difficulties not addressed by professional standards or laws governing the profession.
- Compensating individuals who feel they have been wronged by the actions of a regulated member.
- Directing a regulated member to change a particular professional opinion or report.

Some of these matters may be addressed by the Courts.

Advising the College of my concerns

Before lodging a formal complaint against a regulated member, you may wish to outline your concerns in writing first and discuss them with the Complaints Department of the College of Alberta Psychologists. College staff may be able to provide you with important information about how to proceed in resolving your concerns without the necessity of filing a formal complaint. You may provide your concerns directly to the College through our website at www.cap.ab.ca; or by contacting the College and requesting a "Concerns Outline Form" be sent to you.

Many concerns arise as a result of a breakdown in communication between the client and the regulated member. In some circumstances, a regulated member is unaware of your concerns until a complaint has been lodged. You may wish to discuss your concerns with the regulated member to see if you can resolve the matter directly with the regulated member before lodging a formal complaint with the College.

Lodging a formal complaint

If you decide to lodge a formal complaint against a regulated member or former member, a Complaint Reporting Form may be obtained by either writing or telephoning the College and requesting a complaint package. All complaints must be submitted in writing and signed. A complaint against a former member must be made within two (2) years from the time he/she ceased to be a member of the College. Apart from this, there is no time limitation for filing a complaint.

What happens after the College receives a complaint?

Upon receipt of the complaint, the Complaint Director will review your complaint to establish whether the College has authority in regards to the matter complained of, and to assess any immediate public protection issues. The Complaints Director may contact you for further information before initiating action that might be taken to deal with your complaint.

If the College has jurisdiction with respect to your complaint, the Complaints Director will review the complaint to determine what action will be taken. The Complaints Director has a number of options, including:

- attempting to resolve the matter informally;
- requesting an expert to assess and provide a written report on the subject matter of the complaint;
- conducting or appointing an investigator to conduct an investigation; or
- dismissing the complaint.

You will be notified what action the Complaints Director has decided to take within 30 days after the Complaints Director receives your complaint.

Can my concerns be resolved informally after I decide to make a complaint in writing?

The College is unable to “undo” past transgressions. Complaint processes are therefore focused on preventing future occurrences of unprofessional conduct through education, ethics review and/or remediation of practice shortcomings.

The College endeavours, whenever appropriate, to resolve complaints informally to achieve results that would be consistent with what might be expected following the completion of a formal process. Resolving complaints informally is preferable, in appropriate circumstances, since informal resolutions can usually be achieved more quickly.

What if my concerns cannot be resolved informally?

If the concerns cannot be resolved informally, it may be referred for investigation.

The College will request that the regulated member, who is the subject of the complaint, provide a written response. The regulated member will be provided with your letter of complaint and other documents related to the complaint. A copy of the response from the regulated member is for the purpose of investigation only, and is not made available to the complainant. This response, along with the complaint materials forms the basis of the investigation.

During the course of investigating your complaint, the assigned investigator may contact you for further information and/or clarification of your perspective of the regulated member’s response. The investigator may also contact other individuals and institutions, who may have information or records relevant to the complaint.

If an investigation is conducted, once it is completed, the Complaints Director then reviews the information gathered. A variety of outcomes are possible, ranging from dismissal of the complaint, if it is determined that there is insufficient or no evidence of unprofessional conduct, to referring the matter to a Hearing Tribunal for a hearing.

If the complaint is dismissed against the regulated member, the Complaints Director will advise you within 30 days, in writing, that no further action will be taken. Similarly, the regulated member will be advised of this decision. You have the right to request a review of the decision, by providing written reasons for your request (within thirty (30) days).

How long will it take to process my complaint?

Staff and Committee members are committed to avoiding any unnecessary delays in the complaints process; however delays may occasionally occur. The formal complaints process generally extends over a time frame of six to twelve months after a complaint is lodged, until a

decision is made. The time frame for the complaint process varies depending on a number of factors, including:

1. the complexity of issues involved in the complaint; and
2. the availability and volume of materials to be reviewed.

Will my complaint be kept confidential?

Information about complaints is confidential to the complaints process. Materials gathered in the complaints process are obtained solely for the purpose of investigation under the *Health Professions Act* and can be protected as such under privacy legislation, the *Personal Information and Protection Act*.

Your personal information will only be shared with College representatives who require the information in order to process your complaint. Individuals who may be involved in the complaints process include: the Complaints Director, Investigator, and the expert hired by the College.

The information you provide will also normally be provided to the member whom you are complaining about.

If a decision is reviewed by the Complaints Review Committee, or the matter is referred to a Hearing Tribunal for a hearing, the information relied upon in the complaints process will be made available to these committees. The hearing would be open to the public unless it is determined that the hearing be held in private. The *Health Professions Act* describes when this would apply. Therefore, despite the College's commitment to treating complaint information as confidential, if the matter is referred to a hearing, the information may become public.

Please check our web site (www.cap.ab.ca) for other information about the College, including the Health Professions Act, Standards of Practice, Code of Ethics and Professional Guidelines for Psychologists.

If you have any other questions, please do not hesitate to contact the College.

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