



COLLEGE AND ASSOCIATION OF NURSES of the Northwest Territories and Nunavut

Professional Conduct Committee

Terms of Reference

The Professional Conduct Committee is a standing Committee established by the *Nursing Profession Act, SNWT 2023, c 32* (the “Act”) and the *Nursing Professions Act, SNU 2023, c 16* (the “Nunavut Act”).

Purpose

The purpose of the Professional Conduct Committee (the “Committee”) is to review complaints against registrants of the College and Association of Nurses of the Northwest Territories and Nunavut (the “College”) that are referred to or made directly to the Committee. The Committee may act on a complaint and make orders in accordance with the *Act* and *Nunavut Act*.

Authority and Decision Making

The Committee may exercise the powers and functions as provided for in the *Act, Nunavut Act, regulations* and bylaws, including without limitation the following activities:

- Review a decision of the Complaints Officer to dismiss a complaint.
- Review and inquire into complaints referred to or made to the Committee.
- Dismiss a complaint.
- Take any steps it considers appropriate in accordance with the *Act, Nunavut Act, regulations, or bylaws*.
- Suspend a registrant's practice permit or put limitations, terms, or conditions on the registrant's entitlement to practice while the complaint is under review in accordance with the *Act, Nunavut Act, regulations, or bylaws*.
- Order an investigation.
- After considering an investigation report:
 - o Censure the respondent;
 - o Accept a voluntary surrender of the respondent's registration and certificate;
 - o Accept an undertaking from the respondent;
 - o Refer the complaint in whole or in part, to a Board of Inquiry to conduct a hearing; or

- o Take any other action the Committee deems appropriate.
- Impose costs of the investigation or costs of monitoring compliance with limitations, terms, or conditions on the respondent.
- Order a Board of Inquiry.

Committee Membership Structure

The Board of Directors of the College (the “Board”) shall appoint a Professional Conduct Committee in accordance with the requirements of the *Act* and the Nunavut Act and the bylaws made thereunder.

The Committee shall be comprised of:

- a minimum of three people appointed by the Board from among the registry of the College;
- at least one person who is a member of the public; and
- subject to recommendation, a member of the public in Nunavut who is recommended by a Minister responsible for a statute of Nunavut regulating the profession of nursing.

The Board shall designate a Chairperson and a Deputy Chairperson of the Committee.

The Deputy Chairperson may act as chair in the absence of the Chairperson.

Panel Members

A power or duty of the Committee may be carried out by a panel designated by the Chairperson. The panel must be composed of at least three members of the Committee, one of whom may be the Chairperson.

The Chairperson shall designate the panel members based on availability and confirmation there is no conflict by the panel member.

The Chairperson shall act as Chair of the panel, or if not on the panel, direct the appointment of one of the panel members to serve as Chair.

Criteria for Committee Membership

For a registrant of the College to be eligible for Committee membership, the member must hold a practicing license in good standing with the College at the time of the initial appointment and at the time of any reappointment.

Members of the College whose licenses expire while serving on the Committee, who do not renew those licenses, remain eligible to serve on the Committee until the expiry of their term.

The Executive Director and the Registrar are not eligible for membership on the Committee.

All potential members must submit an application along with two letters of reference which will be reviewed and considered by the Board.

The Board appoints members of the Committee based on interest, ability, and availability.

Duration of Term and Eligibility for Reappointment

Committee members are appointed for a term of three years.

At the end of a term, a Committee member may be:

- reappointed for three years or
- discontinued.

Where a proceeding is commenced before a panel of the Committee and the term of a Committee member expires, that Committee member may remain part of the panel until the proceeding is concluded.

The maximum term a Committee member may serve is nine years.

If a Committee member who is a registrant of the College has a complaint filed against them, they shall recuse their membership on the Committee unless the Chairperson determines otherwise.

Quorum

A quorum of the panel shall consist of three Committee members and may include the Chairperson.

All decisions require the vote of the majority of the panel.

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Approved by: Amelia Manuel

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The department responsible for review: Professional Conduct