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Discipline Committee Terms of Reference



CDSBC

College of Dental Surgeons
of British Columbia

Discipline Committee

Terms of Reference

Mandate

The Discipline Committee adjudicates disciplinary matters when the investigation of a complaint identifies a serious problem, or when the complaint cannot be resolved through alternative dispute mechanisms or remediation.

Composition

The committee consists of at least 15 members, and must include at least

- 10 registrants or certified dental assistants
- 5 public members

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

A person cannot simultaneously be a member of the Discipline Committee and the CDSBC board or any other CDSBC committee.

Panels

The committee may meet in panels of at least 3 committee members appointed by the committee chair. A panel has the same powers as the committee. The panel must be 1/3 public members. Panel composition varies according to whether the respondent is a registrant or certified dental assistants.

A person must not sit on a panel hearing a matter in which the member was involved in the investigation or had any other prior involvement.

Composition Matrix

In addition to the core competencies for all committee members, the college will aim to appoint individuals with the following competencies to join the Discipline Committee:

Adjudication and hearing Knowledge and experience of participating in and/or chairing hearings within a legislative framework, and an understanding of administrative law principles and procedural fairness.	Standards/Scope of Practice Understand the standards and scope of practice that guide dental 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.	Dentistry practice Familiarity with dentistry/practice, and domains of practice (clinical, education, research, and administration)

Writing/Editing

Experience in professional and academic writing and editing

Systems Perspective

Knowledge of practice overlap, including diverse experience with, for example, other health professions, health care employers.

Authority

The authority of this committee derives from Part 3 (Inspections, Inquiries and Discipline) of the *Health Professions Act* (HPA), specifically sections 38 to 40, and CDSBC Bylaw Part 10 (Investigation and Discipline).

Duties and Responsibilities

In accordance with the HPA and the bylaws, the committee:

- (a) holds disciplinary hearings on the terms and conditions set out in the HPA and bylaws;
- (b) orders fines, if any, to a maximum of \$50,000;
- (c) awards costs, if any;
- (d) reviews and monitors CDSBC's implementation of the HPA and Bylaws relating to disciplinary hearing policies and procedures to ensure they are transparent, objective, impartial and fair, and makes recommendations, as necessary; and
- (e) reviews and assesses, at least every two years, Part 10 of the CDSBC Bylaws and the committee's terms of reference and makes recommendations to the board for amendment of the same.

Meetings and expectations

Committee members are required to complete one full day of training every year, usually in the month of January. Committee members must attend this training session before they can sit on a disciplinary panel.

The Discipline Committee meets in panels when required.

Expectations:

In addition to the expectations for all committee members, members of the Discipline Committee are expected to:

- Be available to sit on a panel that may last for 2-3 weeks

Each committee member has a personal responsibility to be aware of real or perceived conflict of interest they may have and to declare any conflicts of interest during meetings. Committee members must recuse themselves from any discussions or decision in which they have a conflict. (Refer to Part 5 of the Guide for Applicants)