

# Progress Report on Implemented Recommendations

last updated 03/05/2023

## COMPLAINT PROCESS ACCESSIBILITY

1. Complete
2. Additional information has been added to the public web page to clarify the formal complaints process. A diagram of the complaint process has also been added. All individuals wishing to file a complaint can speak directly to SVMA staff to ensure any questions or concerns regarding the process can be answered.
3. See # 2 above - additional information and infographic added to the complaints web page.
4. The revised website content is reviewed annually at minimum. To date the information on the SVMA public website has been well received and individuals contacting the office to file a formal complaint have indicated the information available to them has helped with understanding the complaint process.
5. Although definitions have been added, they are not able to fully or simply convey all examples of professional misconduct or incompetence. This recommendation has in fact been applied to the communications undertaken between the PCC and individuals that have filed a complaint as it pertains a final decision. This suggestion remains under active consideration as we regularly update our public information and website.
6. Clarification has been added to reflect that the complaint process applies to both veterinarians and veterinary technologists.
7. *The Veterinary Act, 1987* is clear as it states that "any person" may make a written complaint, and that an individual who is subject to a complaint was a member of the SVMA within 2 years of the date of such a complaint being received by the professional conduct or discipline committee. Matters of unauthorized practice and complaints filed with the regulator regarding non-members must proceed through Kings Court, as the SVMA has no jurisdiction over members of the public.
8. That the PCC has developed a template outlining examples of professional misconduct or professional incompetence as per the SVMA Bylaws Section 15.2 and Sections 24 and 24.1 of *The Veterinarians Act, 1987*. This document is useful in both identifying and tracking concerns outlined in a filed complaint.
9. If additional matters arise during the course of an investigation they are managed in the same fashion as an original complaint. The member is made aware of any additional concerns and provided an equal opportunity to respond to the PCC. This ensures that all identified concerns are documented and addressed appropriately.
10. Efforts have been undertaken to provide education, directed communications but it is difficult to gauge the success of these activities. The SVMA continues to review this recommendation.

## PRIORITIZATION OF SERIOUS COMPLAINTS

11. The SVMA has developed and implemented a risk assessment process for every complaint filed with the association and those identified as placing animal health or public protection at risk will be prioritized.

## APPROPRIATE COMPLAINT INVESTIGATION

12. A comprehensive training and process manual for PCC members was created in 2021 and scheduled for review in 2023. Additional training seminars and presentations are planned to introduce new committee appointees to the role and responsibility each member assumes upon joining. This remains an action item for the SVMA.
13. New members of the PCC are paired with more seasoned members of the PCC when they are first introduced to committee activity. The PCC acts as a team and its members are supportive of the process and each other.
14. During the time of in-person training restrictions on-line courses and webinars pertaining to complaint investigation and committee training were explored. These did not meet expectations and in-person training opportunities for late-summer of 2023 are being planned.
15. See # 11 above.
16. PCC procedures have been written and are subject to annual review and updating. The PCC consists of a group of veterinarians, veterinary technologists, and members of the public, all of whom contribute to fair and impartial complaint reviews. Any conflicts of interests are declared and documented, with the individual(s) declaring such recusing from participating in that case. A complaint review tool has been designed and put into use which helps the PCC ensure that sufficient information pertaining to the complaint has been gathered and considered prior to a final decision being made. The risk assessment tool serves to provide the PCC with guidance regarding the cumulative severity of the components of a complaint. This helps in the decision to pursue an alternative dispute resolution path versus referral to a discipline committee. The PCC strives for consistency in its decisions and refers to previous complaints to ensure continuity of process.
17. A decision-tree has been designed to assist in determining when the appointment of an external investigator is warranted. PCC-member led investigations are limited to those matters deemed to be of lowest risk. SVMA staff assist in the administrative processes of the PCC but are not involved in the investigative or decision process. Although the position of a complaints director exists in other jurisdictions the current complaint case load does not currently warrant the expansion of office staff. The addition of a para-legal or similar role to assist in association activities remains under review.
18. The PCC makes recommendations regarding continuing education and mentorship opportunities when warranted even in the absence of an ADR or referral of a complaint to the discipline committee. Such recommendations are not enforceable yet often the member completes the proposed coursework or professional development on their own. The increased adoption of the ADR process for complaints over the last 24 months has demonstrated that this is a valuable tool for supporting both veterinarians and veterinary technologists prior to a situation arising that warrants a referral to the Discipline Committee. However, the use of ADR poses the risk of not meeting the demands of some complainants who are of the opinion that nothing short of disciplinary action against the member is an acceptable outcome of a complaint review.
19. The SVMA continue to recruit members of the public as members of the PCC and DC.

## **EXPEDIENCY**

20. The complaint process map has benchmarks to ensure complaints are handled in a timely and efficient manner. Although rare, extended timelines are indicated when interviews or gathering of evidence do not proceed as anticipated. A 150-day timeline has been established between the presentation of a complaint to the PCC and a decision being rendered. In most cases this is being successfully met. It is important to note that the pursuit of an ADR for any given complaint adds significant time to reach a conclusion. For example, this could be due to a member having to complete mandatory continuing education course or enhanced practice/ clinic inspections scheduled over a period of months.
21. The backlog in 2020 and 2021 appear to have been an aberration and such delays are not evident from 2022 and after. The complexity of a complaint and /or the number of individuals involved in the matter are significant factors in the time taken to conclude a complaint. As such this is unpredictable and can lead to periods where the process appears to not be keeping up.
22. The number of complaints received in 2022 and into 2023 appear to be lower than the 2020-21 period. The trends in complaint numbers are being monitored and appear to be trending back to levels seen pre-COVID.

## **FAIRNESS & TRANSPARENCY**

23. The SVMA communicates clear timelines both to its members and complainants at the outset of a complaint investigation. This occurs verbally between the registrar and those involved, as well as within the written documentation sent to each party. When delays occur the PCC does its best to communicate updates to everyone involved.
24. This recommendation has been implemented.
25. Decision letters are provided to both parties and clearly indicate the case outcome. In addition, all parties receive a case summary which provides details on the findings of the PCC and its investigation.
26. See # 25 above.

## **APPROPRIATE, REASONED DECISIONS**

27. Trends in complaints across the membership are now tracked. Such information as it applies to an individual member is another tool the PCC or DC can use when deliberating on the outcome of a complaint case.
28. See responses # 24 and 25 above.
29. The creation of an appeal mechanism for non-members is under consideration.

## **PUBLICATION OF DECISIONS**

30. The Discipline Committee case summaries and orders are posted on the website.
31. Expansion of the contents of the published summaries and/or the decision with reasons of a Discipline Committee has been requested and will be monitored.

## DATA COLLECTION AND ANALYSIS

- 32. The SVMA now tracks complaint trends, and this will be used to help guide the education and regulatory activity of the association.
- 33. See #32.
- 34. Formal post-complaint follow-up surveys have not been adopted. Anonymous, electronic survey methods are being considered as a tool to compile feedback that may be useful to further refining the complaints process.

## Secure Information Storage

- 35. All mail related to complaint matters is subject to a standard handling procedure. A corresponding council approved policy is under development.
- 36. Physical file security is in place. A corresponding council approved policy is under development.
- 37. Complaint files follow a standard organization. A corresponding council approved policy is under development.
- 38. Electronic / digital file access permissions are managed appropriately. A corresponding council approved policy is under development.
- 39. Evidence gathered through the course of an investigation is time and date stamped upon entry into the secure data file. Digital / electronic access to the files is restricted. A corresponding council approved policy is under development.
- 40. A corresponding council approved policy is under development.