

# Terms of Reference



## Complaints Resolution Committee

Date approved by ABCFP Council: February 24, 2016

### 1.0 Membership

- The Complaints Resolution Committee (CRC) will consist of not less than five (5) members, all of whom are appointed by council as required by Bylaw 13.7.
- The majority must be registered members (RPF's, RFTs) and at least one (1) shall be a lay member.
- Council will appoint one council member to serve on the CRC.
- The committee chair is selected by the committee and serves a term at the pleasure of the committee.
- The term of office for non-council members will be four years. Non-council members of the CRC may serve for a maximum of two consecutive terms, or eight years. Upon completion of two terms, and after a waiting period of two years, members may apply to sit again on this committee. Council or CEO may approve an extension of terms or term length for any committee member under special and extenuating circumstances. Lay member's terms will be renewed on a case by case basis.

### 2.0 Meetings

- The CRC will generally meet once every month, at the request of the chair or registrar, or as the need arises pursuant to the resolution of complaints and the requirements of the bylaws. In no case will the CRC meet less than once per calendar year.
- All reasonable travel and accommodation expenses relative to CRC business will be borne by the association in accordance with association policy/procedures in place.
- A quorum is set at three (3) members.
- Motions require a two-thirds (2/3) majority to pass on matters requiring the committee's decision. The CRC chair is entitled to vote on all matters, but will not have a second or casting vote. In the event of a tie, the motion is defeated.
- The CRC is free to adopt its own meeting procedures for all matters not specifically addressed in this document or described by the bylaws or council.
- All meetings and information concerning complaints and the work of the CRC are confidential.
- The CRC will approve a set of minutes from each meeting. The minutes will record the deliberations and decisions of the CRC. ABCFP staff will take the minutes unless directed otherwise by the committee chair.
- An agenda will be developed and circulated prior to each meeting.
- Meetings may be held by teleconference or face-to-face at the call of the chair.

### 3.0 Duties

- The duties and obligations of the CRC are described in ABCFP Bylaw 13.
- CRC members must maintain the confidentiality of information presented at the meetings.
- For each complaint referred to them by the registrar, the CRC will clarify that the matter involves the practice of forestry. Following this, the CRC will consider the manner in which the complaint should be resolved. The CRC will then refer the matter back to the registrar with their recommendations. This may include recommendations to pursue alternative complaint resolution (ACR), to pursue an investigation or to issue a citation. The CRC may include a recommendation for specific expertise to be used in the course of investigation.
- If an investigation takes place, the registrar will send the investigation report to the CRC. After receiving an investigation report from the registrar and the comments on this report if any from the subject member, the CRC will recommend to the registrar whether the matter should be subject of a discipline hearing under Section 27 of the *Foresters Act*.
- The CRC shall have regard to the public interest in the practice of professional forestry at all times and may consider without limitation such further factors as:
  - a) The relative severity of the matter;
  - b) The novelty of the issue;
  - c) Whether the issues raised are of general importance to the profession as a whole;
  - d) The need to develop consistent practices in the area under consideration;
  - e) Whether the matter can be resolved through alternative complaint resolution (ACR) proceedings; and
  - f) The likelihood of success in obtaining or finding a breach of the *Foresters Act*, Bylaws, or Code of Ethics.
- Working with the registrar, the CRC has a general oversight function for the complaint resolution procedures of the ABCFP and may report back to council on the working effectiveness of the process and procedures.
- The CRC may draft its own processes/procedures and decision making criteria but these are required to be approved by council.
- Except in extra-ordinary circumstances referred to under the heading “Reference to Council” below, the CRC will not report details of any individual cases to council.

### 4.0 Reference to Council

If an issue arises on which the CRC feels it needs further advice and/or direction, it may refer that issue in confidence to council for such advice and direction.