



**College of Licensed Practical Nurses
of British Columbia**

*If you require further information or would like to discuss
your concerns, please contact the College at:*

Suite 260 - 3480 Gilmore Way, Burnaby BC, V5G 4Y1

Tel: 778 373 3100, Fax: 778 373 3102

Toll free: 1 877 373 2201

Website: www.dpnbc.org

Email: info@dpnbc.org

A Guide *to the* **Complaint Process**

*Ensuring safe, ethical, and
competent nursing practice*



**College of Licensed Practical Nurses
of British Columbia**

1) Public Protection

The College of Licensed Practical Nurses of British Columbia (the 'College') is the regulatory organization for the profession of Licensed Practical Nursing in British Columbia. The mandate of the College is to regulate the profession in the public interest.

The Health Professions Act (the 'H PA') of BC gives the College the mandate to 'serve and protect the public' through its registration of all Licensed Practical Nurses (LPNs) in BC. Part 3 of the HPA – Inspections, Inquiries and Discipline, describes the process for investigating complaints against registrants that are reported to the College.

3) Our Responsibility

The College has a responsibility to ensure that all Licensed Practical Nurses practice safely and competently within the Standards of Practice and the Code of Ethics for LPNs.

2) Administrative Fairness

The College is committed to ensuring that the rights of individuals involved in the complaint process are protected. Thus, the College has incorporated and adheres to the principles of natural justice, procedural fairness and impartiality in the handling and disposition of complaints. The person or facility complaining ('Complainant') and the registrant are advised of each stage of the complaint process.

4) Initiating the Complaint Process

A complaint must be received in writing. Only complaints regarding practice issues, conduct and/or competence and incapacity of a registrant are within the jurisdiction of the College. Formal written complaints should be forwarded to the attention of the College Registrar at:

College of Licensed Practical Nurses of British Columbia
Suite 260 - 3480 Gilmore Way
Burnaby BC V5G 4Y1

5) What details should I include in my Complaint?

When submitting a letter of complaint, please:

1. Provide the following information regarding the registrant:

- Name
- Registration number
- Dates of employment at facility
- Category of employment (eg. full-time, part-time and/or casual)
- Dates of transfers; dates of leaves of absence; and current employer (if known and/or applicable)

2. List and number the significant incidents that prompted your complaint. Include the following details:

- Date of incident
- Time of incident
- Where incident occurred
- Full name of patient (if possible)
- Description of incident(s)

5. List the full names of any witnesses involved.

4. Indicate your full name, title, telephone number and extension number where you can be reached.

3. Attach copies of any supporting documentation that may assist the investigation process.

If you have any questions or concerns regarding the above instructions, the Inquiry & Discipline department is available to assist you.

6) Complaint Investigation

The Inquiry Committee conducts the formal investigation of all complaints that are within the jurisdiction of the College. They may also initiate an investigation if necessary.

The College may appoint an investigation inspector to investigate the complaint if necessary. During the course of the investigation relevant information will be collected from various sources. The registrant under investigation will also be asked to provide any information relevant to the investigation.

At the conclusion of the investigation, a report is forwarded to the Inquiry Committee.

7) Extraordinary Action to Protect the Public

If, during the course of an investigation or pending a discipline hearing, the Inquiry Committee considers that the public may be at risk if the registrant continues to practice, the Inquiry Committee may take extraordinary action under s.35 of the HPA, such as suspension from the Register, to ensure that the public is protected. The registrant may appeal this action to the BC Supreme Court.

8) What happens after a complaint is received by the College?

The complainant will be sent written confirmation that the College has received the complaint. The complaint will then be evaluated and referred to the Inquiry Committee, with recommendations if warranted. If the evidence does not support the allegations, the complaint will be dismissed. No further action will be taken if the conduct or competence of the registrant is satisfactory or it is the Committee's view that the matter is trivial, frivolous and vexatious. However, if the complaint is investigated and is found to be valid, the Inquiry Committee has the authority to resolve a complaint in the following manner:

- a) Informally resolve the complaint between the complainant and the registrant. This may include, but is not limited to, mediation between the parties.
- b) The Inquiry Committee can request that the registrant consent to remedial action, which could include educational upgrading, accepting

a written reprimand, and any other action specified by the Inquiry Committee.

c) If the registrant does not agree to the remedial action, or fails to comply with the remedial action, or if the complaint is of such a serious nature, the Inquiry Committee may direct the Registrar to issue a citation to the registrant to appear at a hearing of the Discipline Committee.

9) Remedial Agreements

A registrant who refuses to sign a recommended Agreement of Undertaking, or is non-compliant with an Agreement of Undertaking once signed, may be subject to the Inquiry Committee directing the Registrar to issue a citation for a disciplinary hearing.

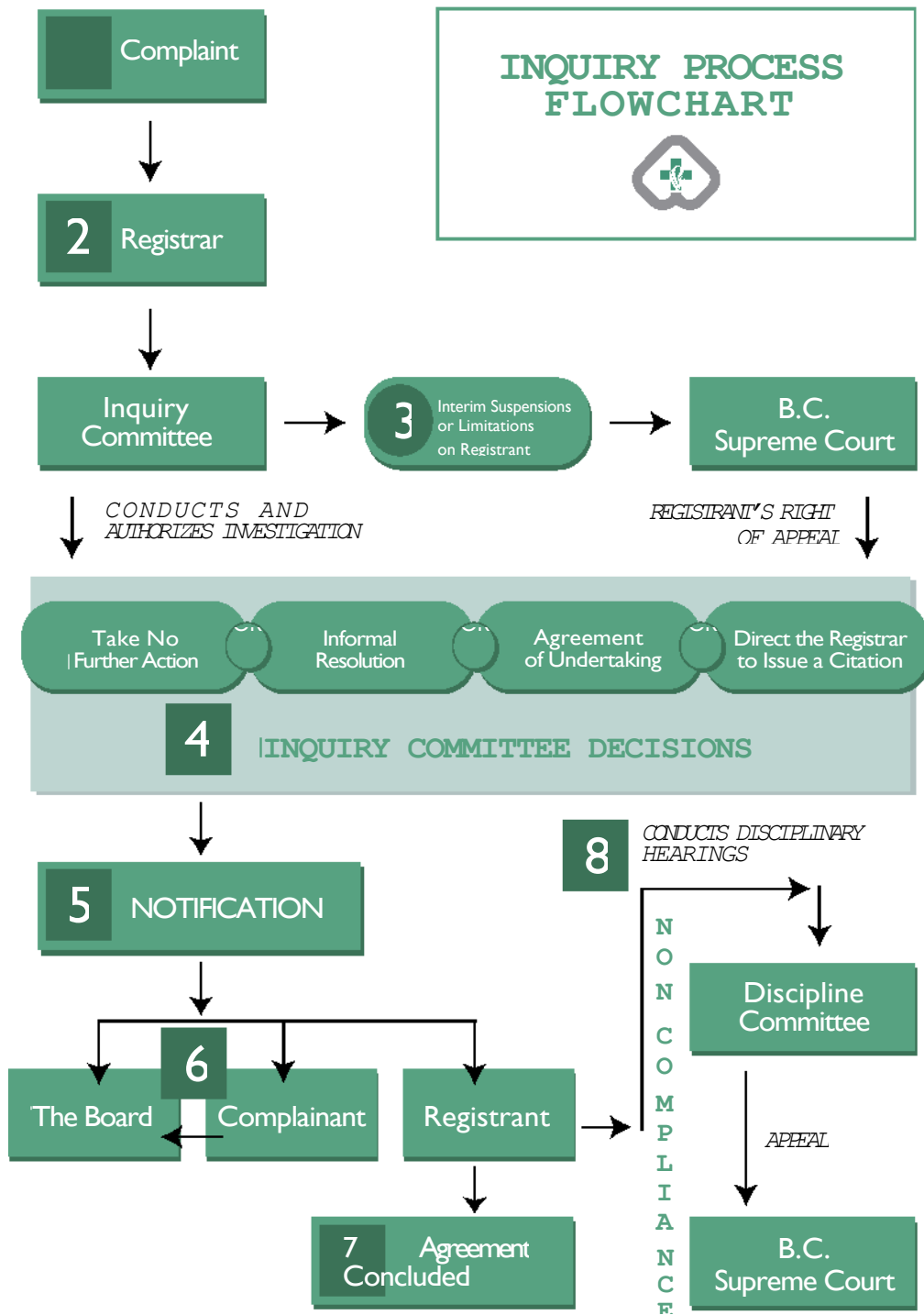
10) Notification of the Inquiry Decisions

All decisions made by the Inquiry Committee are disclosed to the registrant, the complainant and the College Board of Directors.

1 1) Disclosure of Inquiry Committee Decisions

The College must disclose in the public's interest the terms of the Agreements consented to by the registrant. This release of information is in accordance with the College's Bylaws and Policy on disclosure.

Bylaw S.44(c)(d)



1 **Written complaint received by College** (Administered by Registrar of the College)

- Receives all written complaints submitted to the College
- Conducts a preliminary assessment of the complaint
- Makes recommendations for disposition of the complaint to the Inquiry Committee

2 **Investigation of the Complaint** (Administered by Inquiry Committee)

- Conducts all complaint investigations and can also initiate its “own motion” investigations
- May appoint an investigation inspector to investigate the complaint
- Completes and investigation interview with the registrant, the complainant, and the witnesses
- May impose interim suspensions or limitations on the registration of the registrant

3 **Right of Appeal** (Administered by Registrar)

- May appeal an Inquiry Committee’s decision to impose interim suspensions/limitations to the BC Supreme Court.

4 **Authority** (Administered by Inquiry Committee)

Once the Inquiry Committee reviews the complaint and the investigation materials, they have the legal authority to resolve a complaint as follows:

- Take no further action
- Informal resolution (ie: mediation)
- Agreement of Undertaking from the registrant
- Direct the Registrar to issue a citation for a Disciplinary hearing

5 **Notification** (Administered by Inquiry Committee)

The decisions of the Inquiry Committee are disclosed to:

1. The Registrant
2. The Complainant
3. The Board

6 **Registrant’s Refusal or Non-Compliance with Agreement of Undertaking** (Administered by Inquiry Committee)

The Inquiry Committee may direct the Registrar to issue a citation for a Disciplinary hearing.

7 **Agreement Concluded** (Completed by Registrant)

The Inquiry Committee may direct the Registrar to close a file.

8 **Conducts Disciplinary Hearings** (Administered by the Discipline Committee)

If the Registrant fails to comply with the Agreement of Undertaking, the Inquiry Committee may direct the Registrar to issue a citation to the Registrant to appear at a hearing.

