

## CONDUCT COMMITTEE TERMS OF REFERENCE

The Conduct Committee is a standing committee of Council. It manages the investigation of a matter if a written complaint is received in accordance with Article 16.04 about a breach(es) to [By-Law No. 3: Council and Committee Code of Conduct](#) (the Code) and will submit a report to Council regarding the investigation with recommendations if the matter is not resolved at the investigation stage. The Conduct Committee only meets if a written complaint is received from any person with a concern that a Council or committee member has breached the Code.

### 1. Specific Terms of Reference

- a. The Conduct Committee receives complaints filed under Article 16.04 of the Code.
- b. In accordance with Article 16.05, once a written complaint is received, the Conduct Committee Chair will constitute a panel of three persons to manage the investigation of the matter.
- c. In accordance with Article 16.07, the Conduct Committee provides a copy of the complaint to the Council or committee member who is the subject of the complaint and receives any submissions during the investigation.
- d. At any time during the investigation stage, if the parties<sup>1</sup> come to a resolution of the matter, then the matter is concluded in accordance with Article 16.08.
- e. The Conduct Committee identifies if external resources (e.g. legal, mediation, external investigator with expertise in the area) are needed to support the management of the investigation.
- f. The Conduct Committee receives and reviews the complaint, including any submissions, and may undertake any additional investigation it deems appropriate. On review of all the facts, the Conduct Committee shall identify its proposed recommendations. In accordance with 16.10, the outcome of the review and recommendations (if applicable) shall be shared with the parties. The parties may resolve the matter at this point and the final report may not be needed for Council.

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<sup>1</sup> Referred collectively as the person who has a concern about the conduct of a Council or committee member and the person who is the subject of the concern.

- g. Where the matter cannot be resolved informally, the Conduct Committee submits a report to Council regarding the investigation and their recommendations which may include sanctions as outlined in 16.14. A copy of the report is provided to the parties.
- h. Where, at any time during the process, the Conduct Committee believes that the integrity and reputation of the College are at risk, in accordance with Article 16.09 it can make an interim direction by majority vote to direct the Council or Committee member who is the subject of the complaint to be suspended from their positions or duties until the matter is resolved or concluded. In the event of an interim direction, the procedure set out in the Code will be expedited recognizing the risk to the reputation of the College and fairness considerations.

## **2. Membership**

Four Council members (two nurses and two public members) will be appointed to the Conduct Committee, on recommendation of the Nominating Committee.

A convening Conduct Committee panel shall be composed of two Council members, selected from the Committee's membership, and the Chair.

The President of Council is not eligible to serve on the Conduct Committee.

### **Chair**

A legal firm shall be appointed by Council as the Chair of the Conduct Committee and the duties of the Chair will be carried out by a person designated by the firm.

The Chair appointment shall be reviewed every three years.

## **3. ACCOUNTABILITIES**

### **Role of the Chair of the Conduct Committee**

- Receives all matters at the informal stage. If the parties are unable to resolve the matter independently, the Chair will refer the matter to the Council President.
- Manages the President's duties in the informal stage to provide support and guidance to the individuals involved if the President has a conflict of interest or is unavailable.
- Constitutes a panel to investigate a matter when a written complaint is received by the Conduct Committee under Article 16.04 and screens Council members on the committee for potential conflicts.
- If the Conduct Committee provides a report to Council, the Chair shall be invited to attend the meeting of Council held to address this matter and may participate

in introducing the report and recommendations and answering questions during the Council's deliberation of the matter.

- Oversees the secret ballot vote at Council, which includes reviewing the results of the vote and announcing the results of the vote.

## **4. Meeting Expectations and Duties**

### **Meetings**

The Conduct Committee will meet if there is a written complaint filed under the Code. In those circumstances, it will meet as frequently as required to fulfil its accountability to address the complaint.

## **5. Resources**

The Registrar/Executive Director & CEO will provide staff resources to the Conduct Committee.

In the addition to appointing an external expert as Chair of the Conduct Committee in accordance with Article 16.05, if required, the Conduct Committee can access external experts such as legal counsel.

## **5. Evaluation**

The Conduct Committee will self-assess and report to Council whether it met the specific terms of reference above and requirements under the Code to address a complaint regarding breaches of the Code.

## **6. Revision Process**

These terms of reference are approved by Council. To maintain currency, a review of these terms of reference takes place every three years, with the exception noted below.

Where there is a substantive legislative change or change in regulatory or societal expectations, a review will be undertaken to determine if the terms of reference need interim amendment.

Approved by Council: December 2017

Revised: March 2025

Next Review: March 2027