

THE COMPLAINTS PROCESS

MANDATE

The Government of Manitoba has given the profession of Registered Psychiatric Nurses the privilege of self-governance. The *Registered Psychiatric Nurses Act* proclaimed in 2001 requires that the College of Registered Psychiatric Nurses of Manitoba (CRPNM) ensure safe, effective psychiatric nursing practice. The *Act* states that the CRPNM must review all written complaints made against its members. All complaints are reviewed by the Investigation Committee of the CRPNM.

HOW TO FILE A COMPLAINT

A complaint must be sent to the Executive Director at the CRPNM, 1854 Portage Ave, Winnipeg, MB, R3J 0G9, in writing.

The complainant must indicate the full name of the Registered Psychiatric Nurse (RPN) or Graduate Psychiatric Nurse (GPN) against whom a complaint is being made. The complaint should describe each incident in detail. Details include date, time, place, names of persons involved and actual details of the incident(s). The complainant should retain a copy of the complaint and the original should be forwarded to the CRPNM.

WHAT HAPPENS WHEN A COMPLAINT IS MADE

Upon receipt of a complaint, the Executive Director or designate ensures that the basic information required is received. The following actions then would normally occur:

- a) A letter is sent to the complainant acknowledging receipt of the complaint and advising that the complaint is being sent to the RPN for reply.
- b) A letter is sent to the RPN, enclosing a copy of the complaint. The RPN is asked to respond in writing to the complaint no later than 14 days after receiving the CRPNM notice.
- c) The initial complaint and the RPN's response are placed before the Investigation Committee.

THE INVESTIGATION COMMITTEE

The Investigation Committee of the CRPNM is formed of three RPNs and two public representatives. The Committee's mandate is to review the complaint and determine which option would be the most appropriate. The Investigation Committee's options are identified in *The Registered Psychiatric Nurses Act* and include:

- ◆ an informal resolution of the complaint to which all parties agree
- ◆ refer the matter to the discipline committee
- ◆ direct that no further action take place
- ◆ censure the member
- ◆ enter into an agreement with the member that provides for one or more of the following:
 - ◆ assessing the member's capacity or fitness to practice psychiatric nursing
 - ◆ counselling or treatment of the member
 - ◆ monitoring or supervising the member's practice of psychiatric nursing
 - ◆ the member's completing a course of remedial study
 - ◆ placing conditions on the member's certificate of registration
 - ◆ accepting the voluntary surrender of the member's certificate of registration
 - ◆ any other action that the Committee considers appropriate in the circumstances and that is consistent with the legislation

The member and complainant must agree to any option. If the complainant does not agree with this action, he/she can appeal the Committee's decision to the Board of Directors. If the member does not agree with this action, the matter may be forwarded to the Discipline Committee of the CRPNM for a full hearing into the matter.

- ◆ The Investigation Committee will use the following reference materials to review the complaint.
- ◆ The Registered Psychiatric Nurses Act & its regulation
- ◆ The CRPNM Code of Ethics
- ◆ The Standards of Psychiatric Nursing Practice
- ◆ The Psychiatric Nursing Competencies
- ◆ Guidelines for RPNs in Independent Practice

These materials can be found on the CRPNM website.

IF A COMPLAINT IS FILED AGAINST YOU

You will receive a copy of the complaint. Only special circumstances would prevent this from happening. Document everything that you remember about the incident(s). Do not speak to the complainant about the matter. Do not speak to any potential witnesses about the matter. Trying to influence the complainant or any potential witnesses could be construed as professional misconduct.

The CRPNM does not usually involve legal counsel at this stage. If you are called to an interview by the Committee, you may bring someone with you. Some members bring a friend, a union representative or their lawyer. The Committee will want to hear from you rather than from a representative.

The Committee will let you and the complainant know its decision, in writing, within two weeks of the Committee's meeting.

IF YOU WANT TO FILE A COMPLAINT

Section 65(1) of *The Registered Psychiatric Nurses Act* states that

“a member who believes that another member is suffering from a physical or mental condition or disorder of a nature or to an extent that the member is unfit to continue to practice or that the member's practice should be restricted, shall inform the executive director of that belief and the reasons for it.” Employers also have a responsibility under section 66 of the *Act*.

There may be a time when you observe a colleague demonstrating unprofessional behaviour. If you are unsure of the process to file a complaint or wish to discuss the matter, you may call the CRPNM where either the executive director or the practice consultant can assist you.

A complaint identifies what happened, the date and time at which it happened, where it happened, who was involved in the behaviour and as witnesses, who was affected and how, who this was reported to and when.

**THE COLLEGE OF REGISTERED PSYCHIATRIC NURSES OF MANITOBA PROTECTS THE PUBLIC
OF MANITOBA BY PROMOTING SAFE, EFFECTIVE PSYCHIATRIC NURSING PRACTICE.**

EACH REGISTERED PSYCHIATRIC NURSE SHARES THAT RESPONSIBILITY.