



College of Dental Technologists of Ontario

Ordre des technologues dentaires de l'Ontario

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March 27, 2015

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The Honourable Roy McMurtry, Professor Marilou McPhedran and Ms. Sheila Macdonald
c/o Laura Niles, Task Force Administrative Coordinator
Task Force on the Prevention of Sexual Abuse of Patients and the *Regulated Health Professions Act, 1991*
(Sexual Abuse Task Force)
Ministry of Health and Long-Term Care
Health System Labour Relations and Regulatory Policy Branch
12th Floor, 56 Wellesley Street West
Toronto, ON M5S 2S3

Dear Sir and Madams,

Subject: Sexual Abuse Task Force – Response to Request for Information

As we indicated in our recent letter to the Minister on January 23, 2015, the Council of the College of Dental Technologists of Ontario (the “College” or the “CDTO”) wholeheartedly affirms and reinforces Ontario’s ongoing commitment to a zero tolerance policy approach to sexual abuse of patients by regulated health professionals. To date the College has participated in two evaluations of the effectiveness of health regulatory college patient relations programs conducted by the Health Professions Regulatory Advisory Council (HPRAC) which resulted in reports to the Minister of Health and Long-Term Care in May 2001 and May 2008. We appreciate this new opportunity to support the work of the Sexual Abuse Task Force regarding this very important area of public policy.

The Council of the College is pleased to respond to your letter dated February 6, 2015 and provide you with information to support the mandate of the Task Force.

Background

Since 1995, the CDTO Patient Relations Program has included measures to enhance the relationships of dental technologists with patients, clients and co-workers, beyond the mandated sexual abuse prevention requirements of the Regulated Health Professions Act (the “RHPA”).

It has done so even though, to date, the College has not received any complaints from patients or non-patients (clients and co-workers) regarding sexual abuse by a member. Most RDTs practice in dental laboratories and work closely with dentists and other health care practitioners to supply dental appliances. Dental technologists

only provide occasional “shade matching” or visual assessment services to patients referred by dentists and other prescribing health-care professions. Accordingly, they only rarely have direct contact with patients.

Complaints and Outcomes

As specified in your request the CDTO has compiled the information, where available, on complaints and outcomes from 2004 to February 28, 2015.

1. a) The College has reviewed its files and has not identified any complaints related to sexual abuse, boundary violations of a sexual nature or other matters that pertain to the mandate of the Sexual Abuse Task Force in relation to patients.

b) From the annual reports and records available, the College has received seventeen (17) formal complaints since 2004/5. Of these, two (2) or 12% of the complaints are open and will be reviewed by the Inquiries, Complaints, and Reports Committee (the “ICRC”) in March 2015. Twelve (12) or 76% of the complaints were resolved within 210 days, and three (3) or 12% of the complaints required the College to notify the Health Professions Appeal and Review Board (HPARB) and were resolved after one year of formal receipt of complaint.

c) Where a member of the profession has resigned or is no longer available following the submission of a complaint, the College still follows the process laid out in the Code. In other words, if the complaint relates to a time when the member was a member of the College it is still provided to a panel of the Inquires, Complaints and Reports Committee to make a decision on.

Complaints about the College

2. The College is not aware of any complaints from 2004 to present where the complaint was against this College or its processes (such as governance complaint, human rights proceeding or application for judicial review).

All parties to a complaint are made aware that they have the right to appeal College decisions, including delays and process related issues, to HPARB. Although the College does not have a formal process in place for individuals to provide feedback and/or complaints about the College and its programs and processes, individual concerns are responded to individually and escalated to the Registrar and to Council as appropriate.

In addition, as part of its Transparency Initiative project conveyed to Minister Hoskins on December 1, 2014 the College identified that an overhaul of the By-Laws was necessary to establish clearer and more expansive rules for good governance. The College’s draft by-laws now include provisions that would allow anyone, including College staff and the public, to make complaints against Council and Committee members. The College anticipates that these by-laws will be ratified by Council by the end of the year.

In those cases where a person does not have a right to appeal to HPARB, they can make an application to the Divisional Court for judicial review of the College’s decision.

Information on How to Make a Complaint

3. Last Fall, the College embarked on a significant project to increase the transparency and accessibility of all of its communications to members of the public, professional members of the College and numerous stakeholders. Its primary communication tool is the CDTO website where individuals are guided on the Complaint Process including:
 - a. How to file a complaint, the steps involved in the process and the timeframe in which complaints must be dealt with;

- b. What to do if the complainant or the professional member is not satisfied with the ICRC's decision;
- c. Complaints referred to the Discipline Committee and possible outcomes; and
- d. Answers to frequently asked questions.

The College also has a Complaints Process brochure that is available online and can be mailed out on request. A list of contacts at the College, phone numbers and e-mail addresses are provided on the website to enable individuals making a complaint to access staff easily. College staff are trained to provide front-line assistance to individuals making a complaint. If a staff member cannot guide the individual making the inquiry he/she is directed to the Registrar or ICRC Coordinator for further assistance. The College accepts complaints in writing or recorded on an audio or video tape and other acceptable forms, so long as the complaint complies with the legislative requirement that it must be in writing or recorded. In cases where the individual inquiring about or wanting to file a complaint requires special assistance to do so, as in the case of the visually impaired or where English is not a first language, College staff will meet directly with the individual to ensure he/she has fair access to the complaints.

During 2015, the College will revisit its Complaints Process and the information provided to ensure currency and that user friendly forms are available online to assist individuals who wish to make a complaint.

Information for Complainants

- 4. The College encourages all individuals who may wish to make a formal complaint about a member of the College to start the process by contacting the College first, if they are unsure of the complaint and/or the process. When a written or recorded complaint is received, regardless of the nature of the complaint, the College issues a notice of the complaint to the member with a request for response. In most cases the College shares the members' response with the complainant and invites a reply.

ICRC Panel Selection and Training

- 5. The College By-Laws require Council to appoint at least two (2) elected members, one (1) publicly appointed member and one (1) non-Council professional member to the ICRC annually. Prior to the first Council meeting, held in January of each calendar year, College staff solicit Council members' expression of interest to serve on the ICRC, which includes a brief explanation of qualifications and experience and how their appointment will benefit the College's activities provided by the ICRC. Executive Committee reviews the relevant criteria of professional experience outside of the College and prior experience with the College's ICRC activities and recommends a slate of members to Council that has a balance of experienced and new professional and public members. The entire ICRC (as opposed to a panel within it) investigates every complaint.

Training to investigate complaints of sexual abuse or boundary violations of a sexual nature concerning a patient, of which the College has not had one instance in the last ten years, will be provided on an as needed basis to ensure the training is current, relevant and useful to the ICRC panel.

Feedback

- 6. Currently, the College does not solicit formal feedback on complainants' level of satisfaction or individuals who make inquiries about the complaints process. Informally, however, the College endeavours to address all concerns with respect to how staff handles communications with either party to a complaint.

Process Improvements

7. Last year, the Council of the College decided to undertake a significant program of development in both its governance and operational roles to ensure the College continues to meet its mandate to protect the public interest in a sustainable way. This year, the Patient Relations Committee will develop an annual work plan to ensure the College is prepared to handle complaints of a sexual nature and that preventative measures are in place and communicated in a clear and user friendly manner to the public, professional members, clients and staff. An area of focus will be the updating of our practice standards, Jurisprudence & Ethics handbook and quality assurance program to better educate our members to deliver safe, ethical and competent services and specifically address prevention of sexual abuse.

Alternative Dispute Resolution (ADR)

8. The College has not had a sexual abuse complaint in more than a decade.

Annual Reports

9. Because the College has not had a sexual abuse complaint since at least 2004, its annual reports have not included information about these types of cases.

Admission Requirements and Continuing Competency

10. George Brown College (GBC) offers a Jurisprudence and Ethics (J&E) course to students in their final year of studies which encompasses patient relations, members' responsibilities, sexual assault, sexual abuse of patients and boundary violations. Approximately two (2) hours of class time is spent on the topic of sexual assault, sexual abuse of patients and boundary violations. Students are examined on the relevant material. All applicants to the College, with the exception of students graduating from GBC after 2007, are required to pass a jurisprudence and ethics examination before qualifying as an applicant for registration. The "Guide to Dental Technology" course material and the jurisprudence and ethics examination include the topics of prevention of sexual abuse of patients, boundary violations and harassment of patients, as well as professional conduct and the complaints process.

Demographics

11. The 2013/14 membership for the CDTO is as follows:

Total numbers of members	<u>563</u>	
General Certificate of Registration (Practising)	526	93.4%
Inactive Certificate of Registration (Non-Practising)	37	6.6%

Of the total number of members 450 (80.0%) are male and 113 (20.0%) are female.

Research and Program Development

12. Currently our College does not have research or program development planned, in progress, published or implemented since 2004 on the "prevalence or incidence of sexual abuse by health professionals".

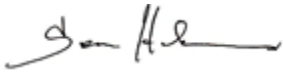
Contact Information

13. Judy Rigby, Registrar and CEO
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Our Commitment

The College of Dental Technologists of Ontario is committed to its mandate to protect the public and the public's interest and fully supports the work of the Sexual Abuse Task Force. We look forward to the final report submitted to the Minister and recommendations on how our College can improve in this area.

Sincerely,



Sean Hanrahan, RDT
President



Judith (Judy) Rigby, CPA, CGA
Registrar and CEO