



## Discipline Committee

### Terms of Reference

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**Mandate:**

To adjudicate specified allegations of professional misconduct and/or incompetence referred to it by the Inquiry Committee or the Executive Committee.

**Membership:**

The committee consists of 5 members: 1 appointed board member, 1 elected board member and 3 registrants.

**Nature of Committee Work:**

At a hearing, members consider the allegations (charges) set out in the Notice of Hearing, hear evidence and ascertain the facts of the case; determine whether the allegation has been proved and the member has committed an act of professional misconduct or is incompetent; and determine the penalty to be imposed as provided in the legislation, in the case of a finding of misconduct or incompetence. The decision may be appealed to the Supreme Court by the college or the respondent.

**Reporting Relationships:**

The Committee makes independent decisions within its mandate, and prepares regular and annual reports to the Board.

**Time Commitment:**

Variable. Depends on the availability of the Committee Members, and the number, complexity, and length of the hearings. Average Committee Member may be expected to sit as a panel member for 2 - 3 consecutive days in a typical hearing, including deliberating and writing decision(s) and reason(s). As hearing schedules may change at the last minute, it is helpful if Committee Members have flexible schedules. There are funds available for training relating to the nature of the Committee's work, and members are encouraged to submit their training proposals to the Board of Directors for approval.

**Staff Support:**

Registrar and staff

**Legal Support:**

Independent legal counsel provides advice to the Committee, especially during hearings.

**Resource Materials:**

- Committee Correspondence
- Committee Resource Materials Binder
- Training is undertaken by the Registrar and independent legal counsel. There are funds available for training relating to the nature of the Committee's work, and members are encouraged to submit their training proposals to the Board of Directors for approval.

**Statutes:**

- BC Health Professions Act, 1996
- Opticians Regulations, 2002
- COBC Bylaws, 2006
- Standards of Practice, 2004