



Complaint Review Management Procedure

1. Introduction

The College of Acupuncturists of Alberta (College) regulates the acupuncturists profession in accordance with the *Health Professions Act (Act)*. As part of this mandate, the College must ensure that complaints dismissed by the Complaints Director undergo a fair, transparent, and impartial review process after a written request for review is received. The Complaints Review Committee is responsible for evaluating the Complaints Director's decision based on the evidence available at the time of dismissal.

2. Purpose

The purpose of this procedure is to outline a clear and structured process for how the Complaints Review Committee conducts reviews of complaints dismissed by the Complaints Director under section 68 of the Act.

3. Definitions

Complainant: means the person, organization, or group who makes a complaint.

Complaint: means a formal written and signed expression of dissatisfaction about the conduct or practice of a regulated member, or former regulated member where less than two years as elapsed since they became a former member.

Complaints Review Committee: means a complaint review committee established under Part 1 of the Act.

Complaints Director: means the person appointed by the Council and responsible for the management of complaints under the Act.

Hearings Director: means the person appointed by the Council and responsible for the management of hearings under the Act.

Independent Legal Counsel: means a lawyer who provides neutral legal advice to a hearing tribunal or complaint review committee, assisting with process and decision-making, and who is separate from the parties involved in the matter.

Investigated member: means a current or former regulated member against whom a complaint has been made.



Regulated member: means an individual registered on the general, provisional, or courtesy register with the College of Acupuncturists of Alberta.

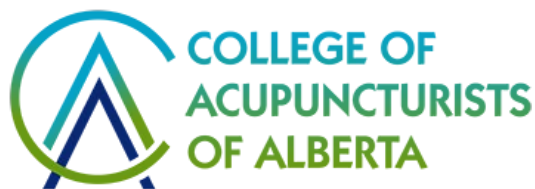
4. Procedure

Complaint Review Overview

- 4.1 The **complainant** may submit a written request, including reasons, to the Hearings Director to review a dismissed **complaint**. The request must be received within thirty (30) days of the complainant being notified of the dismissal decision. Late requests will not be accepted unless required by legislation.
- 4.2 Upon receipt of a valid request, the Hearings Director will notify the **investigated member**.
- 4.3 The Hearings Director appoints a **Complaint Review Committee** consisting of four (4) individuals, of which two (2) are public members and two (2) are **regulated members**.
- 4.4 The Hearings Director provides the Complaint Review Committee with the request for review, the **Complaints Director's** dismissal decision, and the investigation report. The investigation report is also shared with both the complainant and the investigated member.
- 4.5 The Complaint Review Committee must commence its review within sixty (60) days of receiving the investigation report.

Standards of Review

- 4.6 The Complaint Review Committee's role is not to re-investigate the complaint or conduct a new hearing. Rather, the committee:
 - Reviews the Complaints Director's written decision
 - Considers the evidence that was before the Complaints Director at the time of dismissal
 - Does not consider new evidence or information not available during the original decision-making process
 - Applies the appropriate standard of review, reasonableness or correctness, based on the nature of the issues



- 4.7 If either the complainant or investigated member wishes to submit new evidence, the party is required to make an application to the committee, which will determine whether to accept the new evidence or proceed with the review based on the record.
- 4.8 When conducting a review, the Complaint Review Committee will apply one of the following standards of review:
- Reasonableness: Applies to most issues, including factual findings and assessments of evidence. The committee will defer to the Complaints Director unless the decision falls outside a range of acceptable outcomes.
 - Correctness: Applies to questions of law, procedural fairness, or issues of jurisdiction. The committee may substitute its own decision.

Submission Format

- 4.9 Under section 68(4) of the Act, the Complaint Review Committee must determine whether submissions will be written, oral, or a combination of both. In making this determination, the committee considers factors such as:
- Preferences of the complainant and investigated member
 - Reasons provided by either party for the preferred format
 - Fairness and accessibility (e.g., language, disability)
 - Timeliness and potential for delay
 - Complexity of legal or factual issues
- 4.10 If written submissions are required, the deadlines are typically staggered. The complainant is generally given two weeks to provide their submission, followed by a two-week period for the investigated member to submit their response. Extensions may be granted at the discretion of the committee. All submissions are confidential and are shared only with the committee, **independent legal counsel**, and the other party, as appropriate.
- 4.11 If oral submissions are required, the Complaint Review Committee will schedule a review meeting where both the complainant and the investigated member are provided time to present their submissions. The complainant may also offer a brief rebuttal. Following the presentations, committee members may ask questions to clarify any points raised.



Conducting the Review

- 4.12 The Complaint Review Committee begins the process with an initial meeting, held either virtually or in person. During this meeting, the committee reviews the complaint materials, receives guidance from independent legal counsel, and determines the type of submissions required. The committee also establishes timelines for any submissions and confirms the date and time of the formal review meeting.
- 4.13 The Hearings Director is responsible for coordinating the scheduling of the formal review meeting and issuing all related meeting invitations.
- 4.14 During the formal review, the Complaint Review Committee reviews the evidence that was before the Complaints Director at the time of the dismissal, assesses whether the decision was reasonable or correct based on the applicable standard of review, and deliberates privately after considering all submissions.

Decisions and Record Retention

- 4.15 Under section 68(5) of the Act, the Complaint Review Committee must make one of the following decisions:
- Refer the matter to the Hearings Director for a hearing;
 - Direct the Complaints Director to conduct or appoint an investigator to conduct a further investigation and provide a report; or
 - Confirm that the complaint is dismissed if, in the opinion of the committee, the complaint is trivial or vexatious, or there is insufficient or no evidence of unprofessional conduct.
- 4.16 Within sixty (60) days of the review, the Complaint Review Committee must issue its written decision, including clear and transparent reasons, and outline any next steps required under the Act.
- 4.17 Once the decision has been finalized, the Hearings Director must provide a copy to the complainant, the investigated member, and the Complaints Director.
- 4.18 All information regarding a complaint review file, including written submissions and committee decisions, will be retained for ten (10) years. After ten (10) years, all documents will be shredded, except for an electronic version of the Complaint Review Committee's written decision, which will be retained permanently.



5. Authority

This procedure is established under the authority of G.1.2 Delegation to the CEO/Registrar Policy, which delegates authority to the Chief Executive Officer to establish policies and procedures for the management and operation of the College regarding corporate operations, and operating programs.

6. Scope

This procedure applies to the complainant, regulated members, and former regulated members of the College.

7. Related Policies and Procedures

- R.1.4 Complaints Management Policy
- R.1.4.1 Complaints Management Procedure
- R.1.5 Hearings Management Policy
- R.1.5.1 Hearings Management Procedure
- R.1.6 Complaint Review Management Policy

8. Version History

Date	Notes
April 24, 2026	New Policy