

# Navigating a complaint from the College of Veterinarians of Ontario (CVO): A practical guide for veterinarians

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From time to time, a veterinarian may receive notification of a complaint from the College of Veterinarians of Ontario (CVO) on behalf of a client. Under the *Veterinarians Act* (Act), the CVO is responsible for receiving, investigating, and acting on complaints made against veterinarians, whether they practise in a veterinary clinic, mobile practice, or provide care for farm animals.

For a veterinarian, receiving a complaint can be stressful, but a high-level overview of the process can help make the complaint easier to navigate.

## Overview of the complaint process: Five stages

When a complaint is filed, it will move through five stages:

1. The filing of the complaint, initial review, and issuance of a confirmation letter;
2. The Mediated Resolutions Program (MRP) window, if applicable;
3. The veterinarian's written response;
4. The Complaints Committee (Committee) review and decision; and
5. Possible next steps, including a discipline hearing and a Health Professions Appeal and Review Board review.

The process may take anywhere from two to three years.

### **1. Complaints must be filed with the CVO; if verified, both parties will receive a letter of confirmation**

The process usually starts with the [complainant submitting a letter to the CVO](#). The College's Registrar then conducts an initial review to determine if there is any merit to the complaint or whether it should be disregarded immediately.

If the complaint is not vexatious or inappropriate, the veterinarian and the complainant will receive a letter of confirmation.

## **2. A complaint may be selected for the Mediated Resolutions Program, but both parties must consent**

Certain complaints may be flagged by the Registrar as suitable for MRP, which allows the parties to reach a resolution with an independent facilitator. While it is not appropriate for all complaints, [MRP offers a consensual and low-cost process](#).

Both parties must agree to participate, and the CVO assumes all costs associated with the mediation. All complaints resolved through MRP must also be approved by the Committee.

Complaints involving the misuse of drugs, fraud, animal abuse, misrepresentation, sexual impropriety, or falsification of records do not qualify for MRP.

The possible outcomes of the MRP process are:

- A letter of acknowledgement;
- Policy changes in a facility;
- An agreement to undertake further education; or
- An apology to the affected party.

## **3. The veterinarian must provide a written response**

If MRP is not undertaken, the veterinarian is required to submit a written response to the complaint.

Under the Act, [a veterinarian has at least two weeks](#) from the time they are notified to submit a written explanation to the Committee. As part of the investigation, a veterinarian is generally required to provide additional documents, such as medical records or witness statements.

After the veterinarian has responded, the complainant may comment on the response if they choose to do so. That comment will also form part of the investigation record.

## **4. Once the investigation is finalized, a panel will examine the written record of the complaint and make a decision**

A panel of ten members of the Committee (nine veterinarians and one member of the public) will review the complaint and make a decision. The panel must make reasonable efforts to examine all written records and documents relating to the complaint.

The veterinarian and the complainant receive a copy of the decision. The [possible outcomes](#) are:

- **No further action:** If the Committee has no or low concerns about the veterinarian's conduct, the case is closed, subject to an appeal.
- **Recommendation or remediation:** If the Committee identifies a low-to-moderate risk, it may provide recommendations to the veterinarian, or require that they undertake additional education or training. If the veterinarian cannot

fulfil the undertaking, the case will be referred to the Executive Committee of the CVO. Appeals may also be possible.

- **Discipline hearing:** If the Committee identifies a serious concern, it may refer the veterinarian to the Discipline Committee for an oral hearing.

Note that the Committee cannot order that the veterinarian pay damages or compensation to the complainant.

## **5. Possible next steps**

### ***a. A discipline hearing***

If the complaint is referred to the Discipline Committee for a hearing, a panel made up of three to five members, including one member of the public, will review the veterinarian's conduct and determine whether they are guilty of professional misconduct.

The hearing process involves the review and admission of written and documentary evidence, oral evidence, and expert reports.

If the veterinarian is found guilty, [the Discipline Committee may order](#) :

- The revocation of their licence;
- The withdrawal of their specialist recognition;
- The suspension of their licence;
- The imposition of a condition, limitation, or fine.

### ***b. A review by the Health Professions Appeal and Review Board***

If a party is dissatisfied with certain written decisions of the Committee, they may appeal to the [Health Professions Appeal and Review Board](#) (the Board). **The appeal must be made within 30 days of the Committee's written decision.** The Board may consider whether the Committee's decision was reasonable, and whether the investigation was adequate in the circumstances.

Importantly, this review is not a completely new hearing and does not involve retrying the complaint from the beginning. Instead, the Board reviews the record before it to assess the adequacy of the Committee's process and the reasonableness of its outcome. Depending on the circumstances, the Board may confirm the Committee's decision, send the matter back to the Committee for further consideration, or direct that further investigation be undertaken.

For a veterinarian, this review process can be an important safeguard where there are concerns about the fairness, thoroughness, or outcome of the complaints process.

By

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