

Type of policy: Regulatory	Approved by: Registration, Council
Date approved: May 26, 2022	Next Review date: May 2025
Amendment dates:	

Suitability to Practise Policy

Purpose

To provide clarity as to whether conduct is relevant to one's suitability to practise psychotherapy.

Legislation

Health Professions Procedural Code, being Schedule 2 to Regulated Health Professions Act, 1991, S.O. 1991, c. 18

Section 23(7):

The Registrar may refuse to disclose to an individual or to post on the College's website information that is available to the public under subsection (5), if the Registrar has reasonable grounds to believe that the information is obsolete and no longer relevant to the member's suitability to practise.

Section 23(11):

The Registrar shall refuse to disclose to an individual or to post on the College's website information required by paragraph 10 of subsection (2) if, ... (c) the member has made an application to the relevant committee for the removal of the information from public access because the information is no longer relevant to the member's suitability to practise...

Section 51(1):

A panel shall find that a member has committed an act of professional misconduct if, (a) the member has been found guilty of an offence that is relevant to the member's suitability to practise

O. Reg. 317/12: PROFESSIONAL MISCONDUCT

1. The following are acts of professional misconduct for the purposes of clause 51 (1) (c) of the Health Professions Procedural Code: ... 43. Contravening, by act or omission, a law in Canada if, ... ii. the contravention is relevant to the member's suitability to practise.

O. Reg. 67/15: REGISTRATION

4. An applicant must satisfy the following requirements for the issuance of a certificate of registration of any class: ... 2. The applicant's previous conduct must afford reasonable grounds for the belief that he or she will practise psychotherapy in a safe and professional manner.

CRPO By-laws

21.08 In addition to the information set out in subsection 23(2) of the Code, the register shall contain the following information with respect to each Member: ... (xviii) a summary of any currently existing conditions, terms, orders, directions or agreements relating to the custody or release of the Member in provincial or federal offence processes, of which the College is aware and the Registrar believes are relevant to the Member's suitability to practise

Scope

This policy applies to all decisions made by the Registrar and committees as to whether an applicant's or registrant's conduct is relevant to their suitability to practise psychotherapy.

Policy

The mandate of the College is to regulate Registered Psychotherapists (RPs) in the public interest, striving to ensure that practitioners are competent, ethical, and accountable. In several situations, the College needs to consider whether an applicant's or registrant's conduct is relevant to their suitability to practise psychotherapy. These situations include:

- Determining whether an applicant for registration has provided reasonable grounds for the belief that they will practise psychotherapy in a safe and professional manner.
- Determining whether the College ought to investigate a report about a registrant's conduct.
- Deciding whether to publish, withhold, or remove information about a registrant's conduct on the public register.

The following conduct goes against professional standards and ethics and will likely be considered relevant to an applicant's or registrant's suitability to practise psychotherapy:

- Dishonesty, including fraud or plagiarism.
- Breach of a position of trust or authority, including sexual misconduct.
- Harassment; disruptive, rude, or disrespectful behaviour towards clients, healthcare professionals, or others.
- Neglecting professional obligations.

- Providing services that are not in a client's best interest, including unnecessary, inappropriate, or incompetent treatment.
- Discrimination, disregard, or disrespect for people based on a ground protected by the Human Rights Code (race, colour, ancestry, creed (religion), place of origin, ethnic origin, citizenship, sex (including pregnancy, gender identity), sexual orientation, age, marital status, family status, disability, receipt of public assistance).
- Violence, which refers to threats, attempts to use force, or actual use of force, that may cause injury to another individual.

CRPO will consider the following factors in determining whether conduct is relevant to suitability to practise, and what action to take in response:

- Whether the conduct in question occurred while practising the profession of psychotherapy, or in an analogous field.
- Whether the conduct would undermine public trust in the profession.
- Whether the conduct resulted in harm or a risk of harm.
- Whether the conduct is part of a pattern of behaviour or an isolated event.
- The intent behind the conduct, e.g., accident, negligence, purposeful.
- Passage of time since the conduct occurred and the absence of more recent concerns about the applicant's or registrant's conduct.
- Any remorse, insight, and remediation demonstrated since the conduct occurred.
- Whether any safeguards, e.g., additional training or clinical supervision, can resolve the concerns identified.

In applying these criteria, CRPO will consider available information from the applicant or registrant, as well as from third parties.