



CANADIAN COUNSELLING AND
PSYCHOTHERAPY ASSOCIATION

L'ASSOCIATION CANADIENNE DE
COUNSELING ET DE PSYCHOTHÉRAPIE

CCPA Procedures for Processing Inquiries and Complaints of an Ethical Nature

Approved by the CCPA Board of Directors on May 24, 2003
Revised by the CCPA Board of Directors, November 27, 2004
Revised by the CCPA Board of Directors, January 12, 2006
Revised by the CCPA Board of Directors, November 4, 2007
Revised by the CCPA Board of Directors, July 22, 2011
Revised by the CCPA Board of Directors November 24, 2019
Revisions approved by the CCPA Board of Directors xxxx

The purpose of this document is to outline the procedures adopted by the Canadian Counselling and Psychotherapy Association (CCPA) for submitting and processing ethical inquiries and complaints.

Please note that the terms “counsellor” and “counselling” are used consistently as general, umbrella terms that encompass the breadth and depth of the myriad titles and professional helping actions encountered across Canada that belong to the CCPA. These terms reflect a variety of specific counselling-related roles such as career counsellor, clinical counsellor, conseiller d’orientation, counselling therapist, guidance counsellor, mental health therapist, psychotherapist, school counsellor, etc. This document pertains to all members of the CCPA in managing complaints.

Table of Contents

A. THE ETHICS COMMITTEE.....	3
B. ETHICAL INQUIRIES	3
WHO MAY SUBMIT AN INQUIRY OF AN ETHICAL NATURE?	3
WHAT STEPS SHOULD BE TAKEN BEFORE SUBMITTING AN ETHICAL INQUIRY? ...	3
WHAT ARE THE PROCEDURES FOR SUBMITTING AN ETHICAL INQUIRY?	3
C. ETHICS COMPLAINTS	4
WHO MAY SUBMIT AN ETHICS COMPLAINT?	4
AGAINST WHOM MAY AN ETHICS COMPLAINT BE MADE?	4
WHAT IS THE TIMELINE FOR SUBMITTING AN ETHICS COMPLAINT?	4
WHAT ARE THE PROCEDURES FOR SUBMITTING AN ETHICS COMPLAINT?	5
WHAT ARE THE PROCEDURES AND TIMELINES FOR PROCESSING AN ETHICS COMPLAINT?	6
STRUCTURE OF THE CCPA ETHICS COMMITTEE – COMPLAINTS DIVISION.....	8
PROCESS OF THE CCPA ETHICS COMMITTEE – COMPLAINTS DIVISION.....	9
ETHICS COMMITTEE REVIEW WITH PREJUDICE.....	11
ETHICS COMPLAINT RECORD REVIEW.....	11
LEGAL CONSIDERATIONS IN PROCESSING AN ETHICS COMPLAINT.....	11
PARAMETERS OF CONFIDENTIALITY.....	11
PHILOSOPHY AND VALUES OF THE ETHICS COMMITTEE.....	12
D. Public and Organizational Access to Complaint Information.....	12
E. APPEAL.....	12
WHEN A DECISION IS APPEALED	12
F. RECORD KEEPING.....	14
G. SUMMARY OF COMPLAINTS PROCESS AND TIMELINES.....	14
H. CRIMINAL RECORD REVIEW.....	15
I. ANNEX.....	17

A. The Ethics Committee

The Canadian Counselling and Psychotherapy Association (CCPA) promotes professional conduct practices for counsellors that are consistent with its *Code of Ethics* and *Standards of Practice*. Through its by-laws, CCPA has established an Ethics Committee comprised of two divisions. The Inquiries and Education Division is tasked with responding to ethical inquiries, while the Complaints Division handles third-party complaints. The procedures for processing ethical complaints are based on the principles of natural justice.

B. Ethical Inquiries

Who May Submit an Inquiry of an Ethical Nature?

Ethical inquiries may be submitted by CCPA members as well as members of the public who wish to augment their knowledge about counselling ethics. It could involve seeking a clarification or fuller understanding of an article in the Ethics Code or a particular standard of practice. This avenue is not intended for discussion of current or potential ethics complaints.

What Steps Should Be Taken Before Submitting an Ethical Inquiry?

When seeking clarification about an ethical issue, members of the public and CCPA members are asked to first review the following resources to see whether the question is already addressed. CCPA members are further encouraged to consult with professional colleagues when seeking an explanation or interpretation of the application of the CCPA *Code of Ethics* and/or *Standards of Practice* to a particular circumstance.

CCPA *Code of Ethics*

<https://www.ccpa-accp.ca/wp-content/uploads/2020/05/CCPA-2020-Code-of-Ethics-E-Book-EN.pdf>

CCPA *Standards of Practice*

<https://www.ccpa-accp.ca/wp-content/uploads/2021/10/CCPA-Standards-of-Practice-ENG-Sept-29-Web-file.pdf>

CCPA Frequently Asked Questions webpage

<https://www.ccpa-accp.ca/faq/>

CCPA Notebook on Ethics

<https://www.ccpa-accp.ca/ccpa-publications/>

What Are the Procedures for Submitting an Ethical Inquiry?

If the question has not been answered after review of the ethics resources identified above or through consultation with professional colleagues, then members may submit a written inquiry detailing the ethical question may be forwarded to the Chairperson of the CCPA Ethics Committee, Inquiries and Education Division, through the Ethics Queries Coordinator, at the following address:

Chairperson

<http://www.ccpa-accp.ca/>

CCPA Ethics Committee – Inquiries and Education Division
Canadian Counselling and Psychotherapy Association
202-245 Menten Place
Ottawa, ON K2H 9E8

The Ethics Committee, Inquiries and Education Division, will develop and forward a response to the question.

C. Ethics Complaints

Who May Submit an Ethics Complaint?

An ethics complaint may be submitted by any individual (e.g., current client, former client, supervisor, supervisee, colleague, employer, CCPA member, or concerned member of the public) who has reasonable grounds and direct evidence to support a belief that a CCPA member has not acted in accordance with the CCPA *Code of Ethics* (<https://www.ccpa-accp.ca/wp-content/uploads/2020/05/CCPA-2020-Code-of-Ethics-E-Book-EN.pdf>) and *Standards of Practice* (<https://www.ccpa-accp.ca/wp-content/uploads/2021/10/CCPA-Standards-of-Practice-ENG-Sept-29-Web-file.pdf>) in connection to their work as a counsellor, a supervisor in a professional counselling arrangement, or in some cases a counsellor educator to counselling student relationship. A complaint may also be filed by a member of the CCPA management team or the Ethics Committee – Complaints Division if information becomes available through other means (e.g., through an on-going complaint investigation, through information found in the public forum, information provided by another association or regulatory college).

Against Whom May an Ethics Complaint Be Made?

An ethics complaint may be made against an individual who was a CCPA member at the time of the alleged ethical violation. An ethics complaint may also be submitted if the individual was not a CCPA member at the time of the alleged ethical violation but currently is a CCPA member.

Please note that the CCPA Ethics Committee, Complaints Division, is able to process ethics complaints involving CCPA members only. CCPA does not have jurisdiction over members of other professional associations or regulatory colleges, unless the individual named in a complaint was a member of CCPA at the time of an alleged ethical violation or currently is a member, and the submission of the complaint meets the timeline requirement for submitting a complaint, outlined in the next section below. Should the Ethics Committee learn of an ongoing legal investigation or proceeding on a complaint from another association or college, after initiating the processing of a complaint, it may use its discretion to stay any further processing of the complaint until after the investigation and, any related proceeding, has concluded.

What is the Timeline for Submitting an Ethics Complaint?

An ethics complaint must be submitted within three years of the most recent incident of

alleged ethical misconduct or violation. If circumstances warrant, this time frame to submit a complaint can be extended at the discretion of the Complaints Committee Chairperson (for example issues of sexual assault, etc.)

What are the Procedures for Submitting an Ethics Complaint?

Whenever feasible and appropriate, a complainant is encouraged to approach the respondent directly to attempt to seek resolution of the ethical concerns. If a collaborative attempt at problem solving is not successful or is not advisable due to: the disposition of the client, or the nature of the complaint, then a formal complaint should be submitted.

An official [CCPA Ethics Complaints Form](#) must be completed, dated, and signed by the person making the complaint (unless it is a report by a member of the public who is only drawing attention to something in the public domain, which the Ethics Committee or CCPA Management staff may then use to commence a Complaint). There are four types of forms for different types of complaints based on whether the complainant is:

- An individual who is a member of the public or the counselling profession
- A member of CCPA self-declaring as per CCPA's Ethics Pledge
- A CCPA staff member reporting information or documentation received during the course of their employment (in addition to any statutory obligations to report)
- CCPA's Ethics Committee – Complaints Division itself, filing a complaint in prejudice due to additional information that arises during the investigation or deliberation process, or becomes aware through other means (for example, information in the public domain, information provided by a regulatory college or association)

The official Ethics Complaint Form will require the following information:

- Name of the CCPA member against whom the complaint is being made
- Details about the nature and timeline of the alleged ethical misconduct, including all evidence and supporting documentation in separate appendices. This will allow for informed decision-making regarding the processing of the complaint.
- Any prior attempts to discuss and resolve the concerns, if appropriate
- What outcome the complainant is seeking (i.e., What would lead to a sense of satisfactory resolution?)
- The signature of the complainant

The CCPA Ethics Complaint Form should be marked “confidential” and mailed to the Ethics Complaints Coordinator at the following address, or submitted electronically with a digital signature:

Ethics Complaints Coordinator
CCPA Ethics Committee – Complaints Division
Canadian Counselling and Psychotherapy Association
202-245 Menten Place
Ottawa, ON K2H 9E8
complaints@ccpa-accp.ca

What are the Procedures and Timelines for Processing an Ethics Complaint?

When an ethics complaint is received at CCPA's National Office, the Ethics Complaints Coordinator will contact the complainant to acknowledge receipt of the complaint and to provide information about the processing of ethics complaints. The complainant will be informed of the CCPA document outlining ethics complaints procedures.

The Ethics Complaints Coordinator will forward the complaint to the Chairperson of the Ethics Committee - Complaints Division, within ten (10) business days. The Chairperson, or Chair and up to two other members of the Committee as necessary, will review the initial complaint, within ten (10) business days. This initial review will determine whether the complaint (a) falls under the purview of the Ethics Committee, (b) meets criteria for processing, and (c) warrants investigation.

The outcome of the initial review will be either dismissal of the complaint, or authorization of the complaint for review by the Ethics Committee – Complaints Division.

The Chairperson can dismiss the complaint if it does not fall under the purview of the Ethics Committee, meet criteria for processing, or warrant investigation (e.g., the individual is/was not a CCPA member, more than three years have elapsed since the alleged ethical misconduct, the concerns outlined do not constitute an ethical infraction, the concerns outlined are outside of a counselling/supervisory/counsellor educational professional relationship, or a 3rd party is reporting the complaint without personally observed direct evidence). This timeline may be extended at the discretion of the Ethics Committee Chairperson (for e.g. in cases of sexual assault). The complainant will be notified of this decision in writing. Grounds to appeal an ethics complaint decision are limited to the three circumstances outlined under Section D – Appeal.

If the Chairperson authorizes the complaint and deems additional exploration warranted, both the complainant and the subject of the complaint (the respondent) will be informed of this decision in writing. Typically, the respondent will receive (a) an official letter of notice of the ethics complaint, (b) a copy of the official Ethics Complaint Form submitted by the complainant, and potentially (c) a phone call notifying them of the ethics complaint by the Ethics Complaints Coordinator. The respondent will additionally be provided with a copy of all attachments and supporting documentation, along with notification of the identity of the individual who has submitted the complaint. This official letter of notice will request that the respondent submit a written response to the content of the complaint within thirty (30) business days of the date the letter was mailed (approximately six weeks), or at the discretion of the Chairperson.

If the Ethics Committee – Complaints Division determines that the seriousness of an allegation is such that there is a potential risk to the public, interim sanctions may be imposed at any time during the investigation and deliberation process. These interim sanctions may include (but not limited by):

- Temporary restrictions on the member's practice
- Temporary suspension of certification and/or membership

When the letter of response is received from the respondent, it will be reviewed by the Ethics Committee – Complaints Division. The Committee will determine whether any of the following additional steps should be undertaken to ensure an informed and fair investigative process:

- Video/Teleconference among Committee members
- Video/Teleconference between the complainant and the Committee or representative(s)
- Video/Teleconference between the respondent and the Committee or representative(s)
- Video/Teleconference between the complainant, respondent, and the Ethics Committee or representative(s)
- Seeking of additional, relevant information from other parties or sources
- Tasking CCPA's Ethics Complaints Coordinator with the collection of additional information for the Committee's consideration
- Requesting additional information from Complainant in response to the member's representation and evidence.

*Representative is typically the Ethics Complaints Coordinator, however could also be one or more people selected from the Ethics Committee, if deemed necessary by the Committee.

Within one hundred (100) business days (approximately four months) of receiving the letter of response from the subject of the complaint, the Committee will prepare a decision letter that summarizes the findings related to the complaint and the reasons for those findings. That letter will be forwarded to both the respondent and the complainant. The letter will specify recommended and/or required actions that may be educative and/or reparative in nature. Sanctions also may be imposed. The Ethics Committee may opt to enact any of the following:

- Cease and desist order
- Formal caution
- Formal reprimand
- Practice restrictions
- Requirement of successful completion of specified CCPA-approved continuing education or graduate-level coursework
- Requirement of satisfactory completion of educative or reparative assignments (e.g., reflection piece, research paper, letter of apology)
- Requirement of approved clinical supervision for specified period with clinical supervisor report(s) submitted to the Ethics Committee
- Requirement that the respondent pursue appropriate medical and/or mental health treatment and authorize treatment provider(s) to provide a confidential report on fitness for professional practice

- Probation until educative, reparative, supervisory and/or treatment requirements are met
- Time-limited suspension of membership and/or certification
- Revocation of membership and/or certification

At times in the course of an ethics deliberation and/or investigation, additional ethical concerns come to light that were not raised by the complainant. This will result in a secondary, in-prejudice complaint against the member on behalf of the Ethics Committee – Complaints Division. In this case, a second letter of notification and decision letter will be forwarded to the subject of the original complaint (but not to the complainant). Similar to the decision letter arising from the original complaint, the second decision letter will identify findings, rationale, recommended and/or required actions, and any sanctions.

The respondent will be asked to respond in writing to the Ethics Committee’s decision letter(s), indicating whether they (a) will give serious consideration to recommended actions, (b) are committed to carrying out any required actions according the proposed timeline, and (c) will accept and abide by any specified sanctions.

If the respondent indicates intent to comply with the Ethics Committee’s decision letter(s), fulfillment of commitments will be monitored. When the required actions and sanctions have been addressed satisfactorily, the complainant and respondent will be notified in writing that the complaint has been fully addressed and the file will be closed.

If either the complainant or the respondent finds specific issue(s) with the outcome of the Ethics Committee investigation, they may consider whether to seek referral to the Appeals Committee if the rationale for doing so is believed to meet the required criteria for an appeal (see pages 11-12).

If the Ethics Committee receives a complaint within three years of the most recent incident of alleged ethical misconduct or violation but is not able to make contact with the respondent (e.g., due to a change in or inaccurate contact information, termination of membership by the individual, the individual’s decision not to respond, etc.), the record of the complaint will be retained indefinitely as an open complaint against the member until the matter is resolved. The respondent will not be able to renew CCPA membership while this complaint remains open.

Structure of the CCPA Ethics Committee – Complaints Division

- Processing of ethics complaints will involve the Ethics Committee Chair and Voluntary Committee Members, supported by an Ethics Complaints Coordinator, Ethics Amicus (CCPA ethics consultant), and legal counsel when warranted (only by Ethics Amicus or Chairperson)
- All will be CCPA members in good standing with at least three (3) years of experience in the counselling profession

- Chair of the Ethics Committee – Complaints Division
 - Appointed by CCPA’s National Office
- Voluntary Committee Members
 - Chair of the Ethics Committee reviews applications and extends invitations to serve on the committee)
 - The number of Voluntary Committee Members will vary; however, the intent will be to maintain a committee size of at least four (4) and no more than ten (10) in addition to the Chair
 - Selection of Voluntary Committee Members will prioritize balanced geographical representation and diversity of professional experience (e.g., practitioners, clinical supervisors, counsellor educators, etc.)
 - Voluntary Committee Members will receive appropriate training to assist in both investigations and deliberations on ethical complaints
- Ethics Complaints Coordinator
 - A member of the CCPA National Office staff will be assigned this role and duty
 - The Ethics Complaints Coordinator supports the work of the Ethics Committee – Complaints Division
 - The Ethics Complaints Coordinator, will conduct an initial review of ethics complaints before forwarding them to the Ethics Committee Chair and undertake administrative tasks as assigned by the Chair
 - The Ethics Complaints Coordinator will receive training in proper investigation practices to assist in gathering data for the Ethics Committee as directed
 - The Ethics Complaints Coordinator will typically be the person who will conduct interviews and have direct contact with the Complainant in order to collect required information for deliberation by the Ethics Committee.
- Ethics Amicus
 - Serves in the role of consultant to the Ethics Chair and Appeals Chair
 - Appointed by CCPA’s National Office

In the interest of confidentiality and impartial advice, the Ethics Amicus is not privy to any identifying information in a complaint

Process of the CCPA Ethics Committee – Complaints Division

- A written and signed Ethics Complaint Form is forwarded by CCPA’s National Office to the Chair of the CCPA Ethics Committee – Complaints Division along with confirmation of current CCPA membership (or membership at the time that conduct of concern is alleged to have occurred) of the subject of the complaint
- If the Chair deems that the complaint meets criteria for processing (e.g., membership, timeline, jurisdiction), they will forward the information to the members of the Ethics Committee, send a letter of notice to the member (accompanied by the Ethics Complaint Form), and request that the subject of the

complaint submit a letter of response (to the complaint) within thirty (30) business days or at the discretion of the Chairperson.

- The Ethics Committee Chairperson, and potentially one other member of the Ethics Committee, will review the submission once the letter of response has been received, and undertakes the following:
 - reviews the written and signed Ethics Complaint Form and any supporting documentation submitted with the complaint
 - determines whether additional documentation, elaboration, or clarification is required from the complainant
 - determines whether a teleconference with one or both parties to the complaint is warranted
 - if a teleconference is to be held with complainant and/or respondent, identifies whether it will involve the Ethics Complaints Coordinator or member(s) of the Ethics Committee and specifies who will facilitate, participate in, and document the call
 - ensures that final copies of documentation from the complainant, subject of the complaint, and any additional documentation/information attained through interviews are uploaded to the File Library in the Ethics Committee secure and confidential workspace for review by the Ethics Committee.
 - will review to see if alternate dispute resolution is a potential option.
- Once all material necessary for deliberation has been collected and uploaded into the secure and confidential workspace, the Ethics Committee engages in the following:
 - reviews all documentation gathered or prepared during the course of the investigation, including the Ethics Complaint Form, supporting documents, letter of notice of complaint, letter of response from the subject of the complaint, and records of any subsequent teleconferences held
 - deliberates via video or teleconference
 - prepares a letter of decision that concludes whether one or more ethical violations have occurred
- If one or more ethical violations are confirmed, the Ethics Committee determines the best approach to help the subject of the complaint (a) remediate any deficiencies, (b) meet the rights, needs, and/or requests of the complainant, and (c) ensure the protection of the public in the future
 - The outcome of deliberation may include required and/or recommended actions of an educative and/or reparative nature, and/or disciplinary sanctions.
- The Ethics Committee drafts the decision letter to be sent to the subject of the complaint (and copied to the complainant), and uploads the letter to the secure and confidential workspace
- All outgoing correspondence is reviewed and approved by the Chair, and goes out under his/her signature

Please note that working versions of all letters (i.e., drafts) will be uploaded to the File Library in the secure and confidential Ethics Committee workspace for a limited time for collective feedback and editing. All working versions will be deleted once the final versions are uploaded by the Chair of the Committee.

Ethics Committee Review With Prejudice

When the Ethics Committee becomes aware that a current, former, or aspiring CCPA member has been (a) charged and/or convicted of an offence under the Criminal Code or a similar penal statute of another country, or (b) is under an investigation, or is suspended or expelled by a professional body for reason of professional misconduct, conduct unbecoming, or professional incompetence, the Ethics Committee will open a complaint against the member with prejudice. Likewise, the Ethics Committee will proceed 'sua sponte' (on its own accord) or 'suo motu' (on its own motion) when information of ethical concern is encountered in the public domain (e.g., personal and professional websites, media reports, public records, regulatory college/association lists of investigations). Because protection of the public is of the utmost importance, the initiation of independent investigations related to the above is not subject to time limitations. If an investigation is being conducted on a member by a separate regulatory college or professional association, the Ethics Committee may delay full investigation until the conclusion of the other, and the timelines as noted in this document may be impacted. It is important to note that the Ethics Committee's process of investigation and deliberation is not subject to the results of any other investigation or deliberation by a separate regulatory body (college or association).

Ethics Complaint Record Review

When proceeding with a formal complaint or review with prejudice, the Ethics Committee carefully reviews all documentation that is relevant and which will promote an informed and fair outcome. In addition to correspondence and documents submitted by the subject of a complaint, materials may be received from clients, family members of clients, colleagues, employers, supervisors, professional peers, and professional associations or colleges. The Ethics Committee also may request, and review documents related to CCPA membership and certification, graduate and continuing education, professional practice records, ethics complaints history, and criminal records history.

Legal Considerations in Processing an Ethics Complaint

It is important to note that CCPA Ethics Committee processing of ethics complaints is not a legal or judicial undertaking. Rather, the process observes the principles of natural justice and entails peer review by professional peers to ensure that commitment to the CCPA *Code of Ethics* and *Standards of Practice* is upheld. The Ethics Committee does not engage in correspondence with legal representatives retained by parties to an ethics complaint.

If the subject matter of an ethics complaint is, or becomes, part of a legal investigation or proceeding, the CCPA Ethics Committee may exercise its discretion to elect not to initiate, or may opt to halt, the processing of the complaint until after the conclusion of the legal investigation and any related proceeding. This decision is fully under the discretion of the

Ethics Committee.

Parameters of Confidentiality

Information related to the processing of an ethics complaint is shared with as few persons as is necessary to ensure an informed and impartial investigation. At the very least, there will be information shared among the complainant, the respondent, the Ethics Committee Chair, and the members of the Ethics Committee. The Ethics Committee Chair and members will exercise ethical discernment as to whether heightened confidentiality of certain details is necessary to prevent harm to any person directly or indirectly associated with the complaint. Ultimately, all decisions about parameters of confidentiality will prioritize protection of clients and the public at large.

Philosophy and Values of the Ethics Committee

The CCPA Ethics Committee values a relational, educative, and reparative approach, rather than a punitive one, in the processing of ethics complaints. The Ethics Committee strives to address ethical concerns in a manner that repairs relationships and results in a mutual sense of resolution for all parties.

D. Public and Organizational Access to Complaint Information

Information available to the public concerning Ethical Complaints and the Ethical Complaints Process once a complaint is filed is limited. As a private association, with no legislative authority, management of this information must be clearly understood by all parties involved to ensure the privacy of CCPA members and protection of the public. CCPA does not make public any information regarding active complaints (an active complaint is a complaint at any stage of the complaints process – initial review, investigation, deliberation, process of completion of required actions after decision (if any), and appeal process) to the general public in any way.

While an ethical complaint remains open and active, any letters of good standing sent out by CCPA to other professional associations, regulatory bodies, or insurance companies, when requested, will include the statement “an active complaint exists for this member with CCPA”. No specific information about the complaint will be shared with those organizations requesting letters of good standing. No information regarding complaints that are closed (meaning that all sanctions/requirements are complete, and the Ethics Committee closes the complaint) will be shared with any organization (including professional associations, regulatory bodies, or insurance companies).

If there are any restrictions on a member’s practice or required actions by a member who has been found in violation that impacts the public at large, the sharing of that information will be part of the required actions imposed by the Ethics Committee – Complaints Division, will be acted on, and published by, the member themselves. CCPA will not publish any information on their website that speaks to this kind of information.

E. Appeal

When a Decision is Appealed

A decision of the CCPA Ethics Committee may be appealed within seventy (70) business days (approximately 3 months), or at the discretion of the Appeal Committee Chairperson. Either the complainant or the respondent can appeal the outcome as long as the rationale satisfies the grounds for an appeal. The request and details of the grounds for an appeal must be submitted in writing to the Ethics Complaints Coordinator, who will forward to the Appeal Committee Chairperson within ten (10) business days.

When a request to file an appeal is received, it is initially reviewed by the Appeal Committee Chairperson, in consultation with the Ethics Amicus or Appeal Committee members at the Chair's discretion. The decision to either dismiss the appeal or authorize the appeal for review by the Appeal Committee will be reached within ten (10) business days. The appellant and Chairperson of the Ethics Committee – Complaints Division will be notified in writing if the request to appeal is dismissed. Both the appellant, other party (complainant/respondent), and Chairperson of the Ethics Committee – Complaints Division will be notified in writing if the appeal is authorized for review by the Appeals Committee.

An authorized appeal is heard by a three (3) member Appeals Committee composed of the CCPA President, the CCPA President-Elect, and the CCPA Past-President, or a designate for no more than one of these members.

Please note that grounds for appeal are limited to the following:

- 1. An error in the fact on the face of the record that would affect the outcome**
- 2. An error in the interpretation and/or application of the CCPA *Code of Ethics* and/or the *Standards of Practice* that would affect the outcome**
- 3. Failure to provide procedural fairness in accordance with common law**

The appeals process entails a review of the record of the proceedings of the Ethics Committee whose decision is being appealed. The Appeals Committee may also, at its discretion, interview the complainant and/or the respondent before reaching a decision.

The Appeals Committee will prepare a written decision that is forwarded to the Ethics Complaints Coordinator within seventy (70) business days. Copies of this decision are then forwarded to the appellant, other party (respondent/complainant), and the Ethics Committee whose decision was appealed.

In reaching its decision, the Appeals Committee may either:

1. support the original decision of the CCPA Ethics Committee;
2. reverse the decision of the CCPA Ethics Committee and impose a different disposition or resolution;
3. task the Ethics Committee – Complaints Division with re-opening and deliberating the complaint if additional information has been received that was not available at

time of initial deliberation by the Ethics Committee

A decision of the Appeals Committee is conclusive and is not open to question or review in a court of law.

F. Record Keeping

All documentation associated with an ethics complaint will be stored indefinitely in a secure and confidential manner with the CCPA National Office. It will only be accessible by the Ethics Committee – Complaints Division, the Ethics Complaints Coordinator and the Coordinator’s Manager.

G. Summary of Complaints Process and Timelines

Complaint Eligibility – Subject of Complaint	The Ethics Committee can only act on complaints against individuals who were members of CCPA at the time of the alleged ethical misconduct and/or who currently are members of CCPA even if they were not a member at the time of the complaint (subject to the timeline below) in relation to their work as a counsellor and/or supervisor/counsellor educator.
Complaint Eligibility – Complainant	Any individual (or the Ethics Committee – Complaints Division on its own accord) with reasonable grounds and direct evidence to suspect that a CCPA member has committed an ethical violation may submit a written, dated, and signed Ethics Complaint Form (see page 5).
Complaint Eligibility – Time Elapsed	A complaint must be submitted within three (3) years of the incident of ethical concern (or the most recent incident, if there are repeated or ongoing ethical concerns). This timeline may be extended at the discretion of the Ethics Committee Chairperson (for e.g. in cases of sexual assault).
Notification of Chair	The complaint, along with verification of membership for the member complained against, is sent to the Chairperson of the Ethics Committee – Complaints Division within ten (10) business days of receipt by the CCPA National Office.
Review of the Ethics Complaint by the Chair and Notification of Ethics Committee	Within ten (10) business days of receipt of the complaint by the Chairperson, they will review and notify the Ethics Committee members if it is determined that the complaint falls under the purview of the Ethics Committee, meets criteria for processing, and warrants investigation. Depending on the nature and complexity of the complaint, the Chairperson may consult with 1 or 2 other members of the Ethics Committee prior to making this determination.
Initial Response to Complainant	Once a complaint has been received and reviewed, the Chairperson of the Ethics Committee acknowledges receipt, notifies the complainant of the CCPA procedures for processing complaints, and informs the complainant whether the complaint will be investigated or dismissed.
Notification of Subject of Complaint	If a decision is made to proceed with investigation of a complaint, the Chairperson of the Ethics Committee generally directs the following to occur:

	<ol style="list-style-type: none"> 1. contact the respondent by phone to let her or him know that a complaint has been received; 2. mail a letter of notification of complaint outlining the nature and details of the complaint and the identity of the individual who has submitted the complaint; and 3. forward a copy of the Ethics Complaint Form to the respondent.
Request for Response	If it is determined that investigation of a complaint is warranted, the Chairperson of the Ethics Committee requests that the respondent submit a written response to the complaint within thirty (30) business days .
Receipt of CCPA Member's Response and Committee Decision	Within one hundred (100) business days of receipt of the response to the complaint, the Ethics Committee will prepare a decision letter that will be forwarded to both the complainant and the respondent. The decision letter will identify the outcomes of the investigation, including recommended and/or required actions (e.g., educative, reparative) and/or sanctions.
Video/Teleconferencing	When deemed of value to the investigative process as determined by the Ethics Committee, video/teleconferencing may be held between <ol style="list-style-type: none"> 1. members of the Ethics Committee; 2. the complainant and the Ethics Committee or Ethics Complaints Coordinator; 3. the respondent and the Ethics Committee or Ethics Complaints Coordinator; 4. the complainant, respondent, and the Ethics Committee or Ethics Complaints Coordinator and/or 5. the Ethics Committee or Ethics Complaints Coordinator and other parties who can offer relevant information that will promote informed and fair decision making.
Appeal – Request	Decisions of the CCPA Ethics Committee may be appealed within seventy (70) business days by the complainant or the respondent. Grounds for appeal are limited to the following: <ol style="list-style-type: none"> 1. an error in fact on the face of the record that would affect outcome; 2. an error in interpretation and/or application of the CCPA <i>Code of Ethics</i> and/or the CCPA <i>Standards of Practice</i> that would affect the outcome; and 3. a failure to provide due process.
Appeal – Decision	The Appeals Committee will prepare a written decision and forward it to the Ethics Complaints Coordinator within seventy (70) business days of receipt of the request for appeal. Copies of the decision letter are forwarded to the appellant, the other party (respondent/complainant), and the Ethics Committee whose decision was appealed.
Record Keeping	All formal records of an ethics complaint and appeal are stored indefinitely in a secure manner at CCPA National Office.

H. Criminal Record Review

Applicants for CCPA's Canadian Certified Counsellor (CCC) designation must submit an original copy of a criminal record check that has been conducted within the past 12 months. If the document confirms any findings of a criminal record, the applicant's CCPA membership and eligibility for certification will be reviewed by CCPA's Ethics Committee – Complaints Division Chairperson before the certification application will be processed. The Ethics Committee – Complaints Division Chairperson shall review the findings and will determine if a full review by the Ethics Committee – Complaints Division is warranted (depending on the type and seriousness of the finding) and whether or not a vulnerable sector check would be required.

If a full Ethics Committee review is deemed necessary, the applicant will be asked to prepare and submit a letter addressing the criminal record history. The letter and the findings of the criminal record check will be reviewed by the Ethics Committee – Complaints Division. The letter should include the following:

- Description of the incident(s) leading to the criminal record (e.g., timeline, nature)
- Explanation as to how and why the incident(s) occurred (e.g., any relevant life circumstances and conditions)
- Reflection on actual and potential repercussions of the incident(s)
- Consideration of effects and outcomes of the experience on attitudes, beliefs, values, self-awareness, other-awareness, and/or worldview
- Discussion of how the experience will inform and influence personal and/or professional conduct in the future
- Plans for ensuring legally and ethically-congruent comportment going forward

The Ethics Committee also may ask the applicant to participate in a video/teleconference with member(s) of the committee or representative(s) to further inform their review before they make a recommendation to the CCPA Registrar regarding membership and certification eligibility. In arriving at a recommendation, primacy will be accorded to protection of the public.

I. Appendix

Complaints Procedures Flowchart

