

College of Physiotherapists of Ontario  
375 University Avenue, Suite 800, Toronto, Ontario M5G 2J5

## Concerns or Complaints

The physiotherapist-patient relationship is one that is based on trust. Physiotherapists must abide by the College of Physiotherapists of Ontario Standards and Code of Ethics and provide safe and ethical care. Abuse of the patient's trust is never acceptable.

If you have a concern or complaint about the care you received from your physiotherapist, you have the right to submit a formal complaint to the College. If you are not sure if you want to file a formal complaint, contact the College:

Email: [investigations@collegept.org](mailto:investigations@collegept.org)

In Toronto: 416-591-3828 ext. 227

Toll-free in Ontario: 1-800-583-5885 ext. 227

## How to Make a Formal Complaint

You can send your complaint to the College in writing or as a recording. You can make the complaint online or download a complaint form and send it by email, fax, or regular mail.

Email: [investigations@collegept.org](mailto:investigations@collegept.org)

Fax: 416-591-3834

Mailing address: 375 University Avenue, Suite 800, Toronto, ON M5G 2J5

We will need:

- The name of the physiotherapist (College staff can help if you do not have the exact name)
- Your name and contact information (daytime number, mailing address)
- The patient's name (if it concerns someone other than yourself)
- As much detail as possible about your concern or the incident in question

For more information or to file a complaint online: <https://www.collegept.org/patients/HowToMakeComplaint>

## Contacting the College

After you have made a complaint, you will hear back from a College staff person within two business days. If you have questions or concerns, please contact [investigations@collegept.org](mailto:investigations@collegept.org) or call 416-591-3828 ext. 227 or 1-800-583-5885 ext. 227.

## Frequently Asked Questions: Complaints

### ***How do I make a formal complaint?***

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- your name and contact information (daytime number, mailing address)
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- as much detail as possible about your concern or the incident in question.

### *Who can file a complaint with the College?*

Anyone who has a concern about a physiotherapist can file a complaint. The College of Physiotherapists of Ontario is the regulator for all physiotherapists who are registered to practice in Ontario. By law, it must address all complaints it receives about its members. This includes complaints from patients, their family members, friends, or caregivers, other professionals, employers, and insurers.

### *What kinds of complaints can the College address?*

The role of the College is to protect the public by setting and upholding physiotherapy rules and standards (<https://www.collegept.org/rules-and-resources>) that apply to the practice of physiotherapists and help address some ethical issues in physiotherapy. For example:

- Boundaries and sexual abuse
- Supervising assistants and delegating care
- Performing controlled acts and other restricted activities
- Advertising and use of restricted professional titles
- Fees, billing and accounting
- Conflict of interest

In light of these rules and standards, the College must investigate and address all complaints.

### *Should I discuss the issue with my physiotherapist before making a complaint?*

This is a good option if you are comfortable approaching them about the problem. Together, you might be able to resolve it without going through the formal complaint process.

### *Can I complain to the College without giving my name?*

If you want to file a formal complaint with the College and be informed about the outcome of the investigation, you must provide your name to the College. Your name and your concerns will be shared with the physiotherapist. The College will do everything it can to assist you during the process.

During the investigation, we may need to share your concerns with witnesses to get additional information. However, when the College publishes information about complaints on its Public Register, the names of person who made the complaint and witnesses are not included and never published.

If you want to provide a tip to the College, you can do so anonymously. The College may or may not be able to investigate depending on how much information you are able to share.

Please contact our investigations team if you would like to learn more about our investigations process.

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In Toronto: 416-591-3828 ext. 227

Toll-free: 1-800-583-5885 ext. 227

#### *Should I continue to be treated by a physiotherapist I have complained about?*

This is your decision. You should think about what would be best for you as a patient. Sometimes continuing to receive treatment from the same physiotherapist would be difficult.

#### *Can I make a complaint about a physiotherapy clinic rather than a physiotherapist?*

The College only regulates the practice of individual physiotherapists and not the places where they practice. Sometimes, a physiotherapist may be the owner of a clinic or they may be a self-employed physiotherapist. In this case, the investigation may be able to look into practices at the clinic.

#### *How long do I have to file a complaint?*

There is no time limit, but as time goes on, it may be harder to remember what happened and give accurate details. By law, a physiotherapist is only required to keep a patient's record for 10 years after their final treatment date. If the patient was a child at the time of treatment, the period is 10 years after the patient turns 18.

#### *What happens after I file my complaint?*

College staff will contact you to confirm receipt of the complaint. They may ask for more details to help clarify your concerns. A College investigator may also speak to others who have information that could be helpful.

The College sends the physiotherapist a copy of the complaint so that they have the opportunity to respond in writing. The College may also ask the physiotherapist for health records. If you have filed a complaint about your own treatment, we will ask for a copy of your patient record. If a third party, such as a friend or family member, made the complaint, we will request the patient's consent to release records. The College will not ask for a complete medical history – only the part of the records that is related to the complaint.

College staff is always available to answer your questions during the investigation process and you will receive regular updates about the status of the complaint.

#### *Who makes a decision about the complaint?*

The information collected during the investigation is reviewed by the Inquiries, Complaints and Reports Committee. A panel of six people reviews the complaint: four physiotherapists and two members of the public who are appointed by the government.

The Committee meets every four to six weeks. After they make a decision, everyone involved receives a copy of the written decision and reasons. The College will send this to you by email unless you tell us you prefer a different way.

#### *What happens if I change my mind after I file a complaint?*

If you have already told the College that you want to proceed with a complaint, you can ask to withdraw it. The Inquiries, Complaints and Reports Committee will review your original complaint and your request. If your concerns are very serious, the Committee may decide to continue with the investigation, even if you do not take part.

### *How long does the complaints process take?*

The Regulated Health Professions Act requires a complaint be closed within 150 calendar days (not business days). However, that is not always possible. Sometimes one of the parties involved is not able to meet a timeline – for example, for sending records or a written response. College staff review all requests for extensions and agree to them if appropriate. College staff reviews all requests for extensions and agrees to them if appropriate.

### *What kinds of decisions can the Inquiries, Complaints and Reports Committee make?*

The Committee can make a range of decisions, depending on the results of the investigation. If the information gathered in the investigation does not support the complaint, they can close a case, taking no action.

Actions that the Committee can take vary depending on the seriousness of the issues raised in the investigation. When the physiotherapist needs to improve their practice in order to meet the rules and standards, the Committee can:

- make recommendations or issue advice to the physiotherapist
- issue a formal caution to the physiotherapist
- require the physiotherapist to take part in programs that will improve their practice.

If it appears the physiotherapist may suffer from a health problem that is affecting their ability to practice, the Committee refers the matter to a Health Inquiry Panel, which can order treatment and monitoring.

If the physiotherapist's health problem means they cannot safely practice, and they cannot comply with treatment and monitoring, the Committee refers the issue to the Fitness to Practice Committee.

The Inquiries, Complaints and Reports Committee refers serious cases of bad conduct or incompetence to the Discipline Committee for a formal, public hearing. You can see examples of such cases here at <https://www.collegept.org/members/upcoming-hearings/discipline-decisions>

The law does not allow the Committee to require a physiotherapist to apologize or provide refunds.

### *What if I am not happy with the decision?*

Both the complainant and the physiotherapist have the right to request a review. This review is conducted by an external body called the Health Professions Appeal and Review Board. <http://www.hparb.on.ca>

The review process takes 12 to 18 months.

### *Can a complainant get legal advice?*

The College does not provide legal advice, but you are free to hire a lawyer at your own expense if you feel you need one. Please provide the College with their contact information.

Please note that the Regulated Health Professions Act does not allow you to use the decision of the Inquiries, Complaints and Reports Committee in other legal proceedings such as civil suits.

### *What is a Peer/Expert Opinion?*

During an investigation the Committee that oversees the investigation (Inquiries, Complaints and Reports Committee or ICRC) may obtain a peer/expert opinion. They will seek an opinion when they are looking for information about the physiotherapist's practice as it relates to the standards of practice of the profession. The opinion provided is based on the facts of the case. If a case is referred to the Discipline Committee for a hearing the person who provided the opinion may be asked to testify at the hearing.

*What information should I include in my letter of complaint?*

To process your complaint, the College must receive the following information from you:

the name of the physiotherapist your name and contact information (daytime phone number and mailing address) and as much detail as possible about your concerns or the incident in question.

*Can the College staff provide me with advice related to my complaint?*

College staff can only provide information about the complaints process. Their role is to impartially gather information from both parties on behalf of the Inquiries, Complaints and Reports Committee. The College has staff called Practice Advisors whose job it is to answer questions and direct people to helpful resources. They provide this free, anonymous service to the public, physiotherapists, insurers and others. The Practice Advisors can be reached at [practiceadvice@collegept.org](mailto:practiceadvice@collegept.org) or 647-484-8800 or 1-800-583-5885.

*Is the complaints process confidential?*

All information related to the complaints process is held in confidence by the College and by people who work at or on behalf of the College. The College does not disclose information about specific complaint matters unless we are required to do so by law or as required by the College By-laws.

Additional information about our confidentiality obligations is available in Section 36 of the Regulated Health Professions Act. Where information is made available to the public on our website or on the Public Register, the names of complainants and/or witnesses will not be included.

*Will the College access my health information/patient records related to the complaint?*

If the person is filing a complaint about their own treatment, the College will ask the physiotherapist for a copy of that person's patient record to be reviewed by the Inquiries, Complaints and Reports Committee (ICRC). If however a complaint is submitted by a third party, a family member of the patient for example, the patient's consent to get information may be requested if the patient record is required.

*Can the Committee require the physiotherapist to apologize or provide me with a refund?*

No. The Regulated Health Professions Act (RHPA) defines the ways in which the Inquiries, Complaints and Reports Committee (ICRC) can resolve a complaint. The Committee cannot require a physiotherapist to apologize and cannot require financial compensation in any form.

*What happens after a complaint is filed with the College?*

College staff will contact the person who made the complaint to acknowledge that they received the complaint. If necessary, they will also ask for any necessary clarification about the concerns identified.

The physiotherapist will then be sent a copy of the letter of complaint and he or she will be asked to provide a response, the patient record, and if necessary any additional information that would be helpful to the Inquiries, Complaints and Reports Committee (ICRC). This initial documentation is forwarded to a panel of the ICRC. In some cases, additional information may be needed to help the panel considering the complaint.

*What happens if during the process someone is unable to meet a timeline?*

College staff will review all requests for an extension and if appropriate will agree to a short extension. In the event of a delay, both parties will be notified.

*During the complaints process, can a complainant contact the College?*

Yes. College staff are always available to answer questions about the process.

*What information will the person who made the complaint receive from the College during the process?*

The person who made the complaint will receive regular updates about the status of the complaint. At the conclusion of the investigation both parties will receive a copy of the panel's decision.

*Who are the members of the Inquiries, Complaints and Reports Committee (ICRC)?*

The panel of the ICRC which reviews complaints is made up of six people: four physiotherapists and two members of the public who have been appointed by the government.

*How often does the Committee reviewing complaints meet?*

Generally, the panel meets every 4 to 6 weeks.

*What kinds of cases are referred to the Discipline Committee?*

A referral to the Discipline Committee for a hearing is reserved for the most serious cases of professional misconduct or incompetence.

The panel of the ICRC which reviews complaints is made up of six people: four physiotherapists and two members of the public who have been appointed by the government. Generally, the panel meets every 4 to 6 weeks.

Summaries of previous cases that have gone to the Discipline Committee are available on the College's website listing Discipline Hearings and Decisions [www.collegept.org](http://www.collegept.org).

*Is any part of the complaints process, including the decision, made public?*

The information that you share with the College is kept confidential. Some of the decisions made by the Committee are made available in the Public Register (referrals to the Discipline and Fitness to Practice committees). As of July 1, 2015, additional information can be released in specific circumstances as identified in Section 36 of the Regulated Health Professions Act (RHPA).

*What happens if there is an immediate risk to the public?*

If there is an immediate risk to the public and the physiotherapist should be prevented from practicing or have their practice restricted in some way the Inquiries, Complaints and Reports Committee will make a decision as to what a reasonable intervention would include. They will use this Interim Order Assessment Tool to assist them in making this decision.