



Professional accountability of members during a work-stoppage

Policy 5.4

Section:	Professional Practice		
Approved By:	Council	Public:	Yes
Approved Date:	March 27, 2015	Review Schedule:	Every 3 Years
Effective Date:	March 27, 2015	Last Reviewed:	March 2021
Amended Date(s):	March 27, 2018	Next Review Date:	March 2024

Policy

Advice to Members

The expectations of the College regarding the responsibilities of individual members are based on the profession's standards of practice and the professional misconduct regulation made under the *Medical Radiation and Imaging Technology Act, 2017* (the Act). These responsibilities focus on the health care needs of patients. A breach of any of the standards, guidelines, and regulations could leave a member vulnerable to a complaint.

The College strongly recommends that every member review with their manager, supervisor, and if applicable, union representative, the on-going professional responsibilities which continue in the event of any work-stoppage, lawful or unlawful, which may be undertaken at a given workplace.

Expectations of Professional Accountability

The College's expectations of the conduct of members in the event of a work-stoppage are based on the profession's standards of practice and the professional misconduct regulation made under the Act.

- a. Each member is accountable to the public and responsible for ensuring that their practice and conduct meet legislative requirements and the standards of the profession.
- b. Members have an obligation not to abandon or neglect patients, or put them at risk of harm. The Council of the College has considered whether a withdrawal of professional

services could be considered unprofessional conduct, and has determined that it may be considered to be unprofessional conduct to discontinue professional services unless:

- The patient requests the discontinuation of professional services;
 - Alternative or replacement professional services are arranged; or
 - The patient is given a reasonable opportunity to arrange for alternative or replacement professional services.
- c. The professional misconduct regulation made under the Act provide that failing to meet the standards of practice of the profession is an act of professional misconduct.
- d. The professional misconduct regulation made under the Act provide that should a member engage in conduct or perform an act in the course of practising the profession which, having regard to all of the circumstances, would reasonably be regarded by members as disgraceful, dishonourable, or unprofessional, such conduct or act constitutes professional misconduct.

The College's Regulatory Responsibility

The College is required to investigate all formal complaints in which a member and the complainant are clearly identified. All formal complaints received by the College are investigated and all information relevant to the complaint is obtained. A decision regarding what action needs to be taken, if any, will be made by the Inquiries, Complaints and Report (ICR) Committee based on all the information and consideration of all the circumstances.

The College may also initiate an investigation into a member's practice if there are reasonable and probable grounds that a member has committed an act of professional misconduct. These investigations are reviewed by the ICR Committee. The ICR Committee has the option to refer a case to the Discipline Committee for a hearing.

Any action the College takes with respect to a member's registration is entirely separate and apart from any action initiated by an employer, or a government agency before an administrative tribunal, such as the Labour Relations Board of Ontario, or the Courts.