



NAME	Litigation Policy		
TYPE	Administration		
STATUS	Final	VERSION	1
DATE APPROVED	September 17, 2025	DATE REVISED	

PURPOSE

To:

1. Provide clarity to Council members and Committee members when named in a civil claim or proceeding and set out their responsibilities; and
2. Set out reporting obligations between the Registrar & CEO and Deputy Registrar and the Executive Committee. This policy provides instructions for College Representatives when advised of a claim or complaint.

POLICY

Section 38 of the *Regulated Health Professions Act, 1991* (RHPA) provides broad immunity for Council members, and committee members (collectively referred to as “College Representatives”) for regulatory acts and decisions done in good faith. Despite this statutory protection, civil claims and proceedings (including complaints filed with the Human Rights Tribunal of Ontario or the Canadian human Rights Commission) may still be filed against College Representatives.

Subject to certain exceptions, section 21.01 of the By-Laws indemnifies College Representatives for costs, and expenses that are incurred as a result of a claim or proceeding made against them as a result of regulatory acts and decisions. The College maintains liability insurance to ensure that the requisite indemnification can be provided. College Representatives are required by the College to comply with the following once they are made aware that they are, or might be, the subject of a claim or proceeding:

1. Immediately (no more than 3 days after notification) notify the Registrar & CEO and Deputy Registrar in writing, and if available provide all documentation related to the claim/proceeding or potential claim/proceeding.
2. Fully co-operate with the Registrar & CEO and Deputy Registrar and legal counsel retained to assist representing the College Representative.

Once the Registrar & CEO and Deputy Registrar are made aware of the claim/proceeding, or potential claim/proceeding, they shall notify the insurer in accordance with the terms of the policy. The Registrar & CEO and Deputy Registrar shall notify the Executive Committee at the next regularly scheduled meeting of the Committee and shall keep the Executive Committee up to date thereafter. If urgent action is required by the Executive Committee, the Registrar & CEO and Deputy Registrar will notify the Council President as soon as possible.