

Professional Conduct

Resolution Process: A Guide for Nurses

Introduction

Nurses in Ontario are accountable for meeting practice standards developed by the College of Nurses of Ontario (the College), the profession's regulatory body. Following the standards helps nurses provide safe, effective and ethical care to the public.

As a nurse, your accountability includes acknowledging the possibility that a member of the public might complain about your practice. A client, former client or member of the client's family can express concern about a nurse's practice to the College when he/she feels that the nurse has not provided quality care. Under provincial legislation, the College is legally required to respond to all complaints about nursing care it receives from the public.

This document explains the purpose of the Resolution Process, the College's program for resolving complaints.

Receiving a complaint

If the College notifies you of a complaint, you may experience a number of emotions, including shock, anger, confusion, fear, defensiveness and a sense of being overwhelmed. These emotions may feel especially strong if you feel you have done nothing wrong.

It is important to keep in mind that the purpose of the Resolution Process is to protect the public by improving nursing practice. It is not intended to punish or discipline nurses.

The Resolution Process allows nurses to demonstrate professional accountability for their practice. It also provides them with an opportunity to work with the College and the complainant to resolve the complaint.

Resolving a complaint

Since 1995, the College has used a voluntary process to develop resolutions to complaints. The purpose of

the Resolution Process is to protect the public, not to determine what happened or to lay blame.

It is important to recognize that by participating in the Resolution Process, a nurse is not admitting fault or wrong-doing. Rather, participation indicates that the nurse is fulfilling her or his obligation to engage in Reflective Practice.

The Resolution Process is based on the College's standards of practice. The process determines how the standards are relevant to the nursing issues raised in the complaint, and the College identifies the terms of the agreement. Through the process, a nurse can consider the issues in relation to her or his practice and the College standards. This reflection may confirm that a nurse is meeting the standards, or it may identify areas that need improvement. The nurse is responsible for determining how the reflection impacts her or his practice.

Reaching an agreement

An agreement reached through the Resolution Process responds to the concerns that the complainant identified and affirms the College's expectations of its members to take every opportunity to continually improve their practice. Resolution agreements help build public confidence and contribute to public safety.

The parties involved in the complaint do not meet face-to-face. Rather, the Resolution Process is facilitated through a representative from the College.

When a nurse and a complainant agree to the Resolution Process, they are expected to act in good faith. For the nurse, this means that she/he agrees to carry out the terms of the agreement. Every resolution requires a formal signed agreement; this allows the College to verify that both parties have agreed to participate in the process and the outcome is the full and final resolution of the complainant's

letter. Resolution agreements must be approved by the Inquiries, Complaints, Reports Committee and College staff follow up to ensure that all commitments in the agreement have been fulfilled.

Confidentiality

All resolutions include a confidentiality clause in which the parties agree to keep the terms of the agreement in confidence between them. The fact that a resolution agreement exists is not information that is available to members of the public, or current or future nurse employers.

For more information

To learn more, contact the College of Nurses of Ontario at:

E-mail: cno@cnomail.org

Tel.: 416 928-0900

Toll-free in Ontario: 1 800 387-5526

Fax: 416 928-6507

Website: www.cno.org