

PROGRESSIVE DISCIPLINE POLICY #37

Association of Cooperative Counselling Therapists (the “Association”)

This policy was originally prepared and adopted by the board in 2013.

Revised in 2023, 2024 and: March 2025, April 2025, September 2025. Consolidated September 2026 to incorporate the Board-approved Ethics Committee Terms of Reference v3.2.

Policy #37 approved by the Board in September 2025. The Ethics Committee Terms of Reference v3.2 were subsequently approved by the Board and are incorporated in Appendix A of this consolidated version.

Consolidation note: This version makes only the conforming changes necessary to integrate the approved Ethics Committee Terms of Reference v3.2 into Policy #37. No unrelated substantive amendments to the November 6, 2025 policy are intended.

This version has been revised with inputs from all areas of the ACCT community including:

- The Board of Directors
- The ACCT Staff
- The Ethics Committee
- The Membership Committee
- The Supervision Committee
- Legal Counsel - Elliot Bridgewater

Table of Contents (hyperlink) by Section:

PROGRESSIVE DISCIPLINE POLICY #37	1
Table of Contents (hyperlink) by Section:	2
1. Purpose	5
2. Scope	6
3. Principles of Progressive Discipline	8
4. Disciplinary Process	9
4.2. Preliminary Review	9
4.3. The Formal Resolution Process (Investigation Process)	10
4.4. Disciplinary Measures	15
4.5. Member-to-Member Disputes	18
4.6. Interim Measures and Immediate Membership Suspension in Emergent or Hazardous Circumstances	21
5. Termination of Membership in Accordance with Section 34 of the BC Cooperative Associations Act	24
6. Appeals Process	25
7. Compliance with the British Columbia Cooperative Association Act	25
8. Confidentiality and Record Keeping	25
9. Review and Amendments	25
10. Appendix A - Ethics Committee Terms of Reference (Final v3.2)	26
1. Status and Authority	26
2. Administration of the Complaints Process (Registrar)	26
3. Committee and Panel Structure	27

4. Membership	27
5. Jurisdiction	27
6. Limitations of Authority	28
7. Conflict of Interest	28
8. Investigation Model	28
9. Procedural Fairness and Disclosure	28
10. Information Resolution and Mediation	29
11. Interim Measures	29
12. Sanctions and Agreements	29
13. Good Standing	29
14. Termination of Membership	29
15. Disclosure of Information	30
16. Appeals	30
17. Documentation	30
18. Withdrawal and Abuse of Process	30
19. Panel Continuity	30
20. Expert Evidence	31
21. Parallel Proceedings	31
22. Organizational Role Balance	31
23. Recognition of Structural Tension and Decision-Making Hierarchy	31
24. Reporting	32
25. Guiding Principles	32
11. Appendix B - ACCT Informal Dispute Resolution GUIDELINES AND POLICIES	33
12. Appendix C - Appeals (Formerly The Appeals Policy #39 Approved by the Board June 17, 2023)	
37	

13. Appendix D - Examples of complaints the ACCT Ethics Committee may address	38
14. Appendix E - Conduct detrimental to ACCT with examples	38
15. Appendix F - Definitions	39
15.1. Consent Agreement	39
15.2. Member in Good Standing	40
15.3. Suspension	40
15.4. Sanctions	40
15.5. Sanction Agreement	41
15.6. Suspension or Deregistration or Termination of membership	41

1. Purpose

- 1.1. This policy establishes a fair, transparent, and progressive discipline framework for members of the Association. It ensures that allegations of misconduct, professional incompetence, or ethical breaches are investigated independently and addressed in accordance with principles of natural justice.
- 1.2. This policy is enacted pursuant to the British Columbia Cooperative Association Act (the “Act”) and aligns with the Association’s Rules and ethical standards.
- 1.3. In many Canadian provinces, the counselling profession is not regulated by provincial law. At the time of this writing, BC, Alberta, Saskatchewan, Manitoba and the three territories are unregulated. The majority of ACCT counsellors work or live in these unregulated provinces.
- 1.4. The Association of Cooperative Counselling Therapists of Canada, ACCT, has been incorporated since August 14, 2013, under the British Columbia Cooperative Association Act, 1999 - 2023. ACCT is dedicated to cooperatively supporting excellence in competency based counselling therapy. In this way, our primary focus is to protect the public by establishing and regulating the ACCT Code of Ethics and ACCT Standards of Practice for its members. The Association grants the use of these designations:
 - 1.4.1. Registered Therapeutic Counsellor Candidate, (RTCc);
 - 1.4.2. Registered Therapeutic Counsellor, (RTC);
 - 1.4.3. Accredited Counsellor, (AC);
 - 1.4.4. Master Therapeutic Counsellor, (MTC);
 - 1.4.5. Registered Counselling Supervisor, (RCS);
- 1.5. ACCT members with the designations: RTC, AC, MTC and RCS, are counsellors who have satisfied rigorous standards and successfully completed comprehensive supervision.
- 1.6. The purpose of these policies and procedures is motivated by the following goals, in order of priority:
 - 1.6.1. Protect the public.
 - 1.6.2. Protect the ACCT community, the membership as a whole including staff and volunteers, and its brand and property such as designations and logos.
 - 1.6.3. Protect and accommodate the needs of individual ACCT members.

- 1.7. Counsellors registered with ACCT are accountable to the Association and to the public through the ACCT Code of Ethics and the ACCT Standards of Practice, as well as through its complaint, investigation, fitness to practice and discipline procedures. Protecting the public is initially satisfied through a rigorous registration process and, when a complaint is lodged, through an inquiry and progressive disciplinary process.

2. Scope

- 2.1. This policy applies to all members of the Association and governs complaints and disciplinary matters related to breaches of:
 - 2.1.1. The Association's Code of Ethics and Standards of Practice;
 - 2.1.2. Applicable laws and regulations governing psychological counselling;
 - 2.1.3. Membership obligations set out in the Association's Rules and policies; and
 - 2.1.4. Membership obligations set out in any Agreement between the Member and the Association
- 2.2. ACCT receives complaints against its members. The Registrar is responsible for the administration, management, and procedural oversight of the complaints process. Adjudicative decisions concerning jurisdiction, breaches, and sanctions are made by the Ethics Committee through case-specific Ethics Panels. Other ACCT bodies may have roles within the broader complaint, discipline, fitness-to-practise, appeal, and termination framework:
 - 2.2.1. The Ethics Committee, acting through case-specific Ethics Panels (See Section 10 - Appendix A)
 - 2.2.2. The Fitness to Practice Committee (See Fitness To Practice Terms of Reference)
 - 2.2.3. The Appeals Committee (See Section 12 - Appendix C)
 - 2.2.4. The Board of Directors
 - 2.2.5. It is also important to note that the ACCT membership itself can make decisions regarding ethics complaints at General Meetings of the members. (See BC Cooperative Association Act)
- 2.3. To the extent that resources permit, complaints are investigated in a timely fashion. However, since parts of the complaint resolution process depend on the efforts of volunteers, the investigation and resolution of a given complaint may take up to a year or longer. Other factors affecting the complaint resolution process are related to the severity and complexity of the case.

- 2.4. During the complaint process, ACCT works with the counsellor to ensure accountability to the ACCT Code of Ethics and ACCT Standards of Practice. In some cases involving an ACCT supervisor, the ACCT Supervisors Standards of Practice will be referenced. In other cases, the complaint may be more appropriately addressed by following the Fitness to Practice Guidelines outlined in Fitness To Practice Terms of Reference.
- 2.5. ACCT has defined two possible paths for resolution of a complaint: Informal and Formal
 - 2.5.1. Complaints are initially assessed to determine severity, complexity, jurisdiction, and risk. Based on this initial assessment in the Preliminary Review (see Section 4.2), the Registrar determines the appropriate resolution pathway, including informal resolution, internal investigation, or independent investigation.
 - 2.5.2. The majority of complaints are of a nature that can be best resolved through an informal process that may involve a variety of tasks and steps such as: education, training, report writing, apologies, assessments, interviews and focused ongoing supervision. This progressive approach is meant to address the seriousness of a breach while helping the counsellor learn and improve their professionalism. The focus is on healthy generative actions rather than punishments, deterrents and public shaming. Complaints in this informal category will be dealt with according to the guidelines described in Section 11 - Appendix B, (the Informal Dispute Resolution) relating to competence to practice.
 - 2.5.3. Some complaints describe a possible breach that may be more severe or complex. In these cases, it may be necessary to consider suspension, other significant sanctions, or a recommendation for termination of membership. These complaints require a more structured approach to resolution. The formal steps in Section 4.3 will be followed. ACCT does not assume that a breach occurred. Following investigation and full disclosure of material evidence, a case-specific Ethics Panel determines whether a breach occurred and the appropriate sanction, if any. Where termination may be warranted, the Panel makes a recommendation to the Board.
- 2.6. ACCT jurisdiction applies where there is a professional nexus to the member's conduct, including:
 - 2.6.1. Counselling practice or supervision;
 - 2.6.2. Business ownership or operation of counselling services, or teaching, training, or instruction related to counselling; or

- 2.6.3. Public or professional representations impacting trust. ACCT retains jurisdiction over conduct that occurred during membership, including where membership has ceased.
- 2.7. ACCT may defer, decline, or limit a complaint process where the matter falls outside its authority or where proceeding would be inappropriate. However, ACCT may proceed independently of civil or criminal proceedings where appropriate. ACCT will not attempt to resolve a complaint if:
 - 2.7.1. The complaint concerns a healthcare facility, institution or agency rather than conduct of an ACCT member within ACCT's jurisdiction; or
 - 2.7.2. The complaint concerns business practices outside the ACCT Code of Ethics, Standards of Practice, or the professional nexus described in Appendix A; or
 - 2.7.3. The complaint is submitted more than two years after the alleged breach took place; or
 - 2.7.4. The matter otherwise falls outside the jurisdiction established in Appendix A.
- 2.8. The ACCT cannot:
 - 2.8.1. Negotiate any financial restitution;
 - 2.8.2. Investigate allegations of criminal behaviour;
 - 2.8.3. Make legal rulings.
- 2.9. Examples of concerns ACCT can address involving a complaint about its members, volunteers or staff can be viewed in Section 12 - Appendix D
- 2.10. Examples of Conduct Detrimental to the association can be viewed in Section 13 - Appendix E

3. Principles of Progressive Discipline

- 3.1. Disciplinary measures shall be:
 - 3.1.1. Fair and Proportionate – Responses to misconduct shall be proportionate to the severity of the breach;
 - 3.1.1.1. Escalation -Disciplinary measures become more serious if:
 - 3.1.1.1.1. The member does not change their behavior.
 - 3.1.1.1.2. There are repeated or escalating breaches

- 3.1.1.1.3. The individual shows disregard for prior warning or agreements.
 - 3.1.2. Transparent and Consistent – Procedures shall be clearly defined and applied uniformly;
 - 3.1.3. Educational – Discipline aims to correct conduct through education and remedial actions before punitive measures are considered; and
 - 3.1.4. Independent and Impartial – Whenever possible, investigations shall be conducted by neutral parties to ensure fairness. In cases where perceived or real conflict of interest exists within any of the groups involved in complaint procedures, said group will be guided by Conflict of Interest policy to assess the seriousness of the conflict of interest and its approach in minimizing and mitigating it.

4. Disciplinary Process

4.1. Receipt of Complaint

- 4.1.1. Complaints must be submitted in writing to the Association in care of the Registrar.
- 4.1.2. The complaint must include the name of the complainant, details of the alleged misconduct, and supporting evidence.
- 4.1.3. Anonymous complaints may only be considered if sufficient independent evidence is provided.

4.2. Preliminary Review

- 4.2.1. The Registrar will conduct or supervise intake and initial jurisdiction screening and may determine that a matter is appropriate for informal resolution before it advances to an investigation pathway.
 - 4.2.1.1. Complaints that are frivolous, vexatious, abusive, or outside the Association's jurisdiction may be dismissed in accordance with Appendix A.
 - 4.2.1.2. The Registrar conducts the initial jurisdiction screening. Final determination of jurisdiction rests with the case-specific Ethics Panel.
- 4.2.2. The preliminary review may identify concerns regarding the Member's fitness to practise as well as possible breaches of the ACCT Code of Ethics or Standards of Practice. Fitness-to-practise concerns may be referred to the appropriate ACCT process.

- 4.2.3. If the matter is not resolved at the preliminary stage, the Registrar will determine the appropriate resolution pathway, including informal resolution, internal investigation, or independent investigation.
- 4.2.4. If the complaint proceeds, the respondent (the accused member who is a counsellor) shall be notified in writing and given an opportunity to respond. Respondents must reply within 30 days of notice.

4.3. The Formal Resolution Process (Investigation Process)

- 4.3.1. To ensure procedural fairness, all investigations shall be conducted in a transparent, unbiased, and thorough manner. The following steps shall be followed:
 - 4.3.2. Step 1: Selection and Appointment of an Investigator
 - 4.3.2.1. If the Registrar determines that a complaint warrants formal investigation, the Registrar shall appoint an investigator and determine whether the matter proceeds by internal or independent investigation. Investigations shall be proportionate to the seriousness and complexity of the complaint. Independent investigation is required for high-risk or complex matters. Where an independent investigator is appointed, the investigator must:
 - 4.3.2.1.1. Have no prior involvement in the case or relationship with either the respondent or complainant;
 - 4.3.2.1.2. Possess relevant expertise in professional misconduct investigations; and
 - 4.3.2.1.3. Be impartial and free from conflicts of interest. (Link to conflict of interest policy).
 - 4.3.2.2. The investigator's role is fact-finding. The investigator shall not determine whether a breach occurred or impose sanctions. The investigation report shall be provided to the case-specific Ethics Panel for adjudication.
 - 4.3.3. Step 2: Notification of Investigation
 - 4.3.3.1. The respondent shall receive initial written notice that an investigation has been initiated. Disclosure shall occur in stages to balance procedural fairness and safety. The initial notice must include:
 - 4.3.3.1.1. A summary of the allegations;

- 4.3.3.1.2. A copy of the complaint where appropriate, subject to staged disclosure and any justified protection of complainant anonymity;
 - 4.3.3.1.3. The investigator's name and contact details;
 - 4.3.3.1.4. Information about the investigation process and potential disciplinary outcomes; and
 - 4.3.3.1.5. The respondent's right to legal representation or support.
- 4.3.3.2. The complainant shall also be informed about the investigation process, expected timelines, and their rights during the proceedings.
- 4.3.4. Step 3: Collection of Evidence
 - 4.3.4.1. The investigator shall collect all relevant evidence, which may include:
 - 4.3.4.1.1. Written statements from the complainant, respondent, and witnesses;
 - 4.3.4.1.2. Client records or professional documentation (with appropriate privacy safeguards);
 - 4.3.4.1.3. Audio, video, or electronic communications relevant to the complaint; and
 - 4.3.4.1.4. Any other material evidence that may clarify the facts.
 - 4.3.4.2. The investigator shall ensure confidentiality and handle sensitive information in compliance with applicable privacy laws.
- 4.3.5. Step 4: Interviews
 - 4.3.5.1. The investigator shall conduct interviews with relevant parties, including:
 - 4.3.5.1.1. The complainant;
 - 4.3.5.1.2. The respondent; and
 - 4.3.5.1.3. Witnesses with direct knowledge of the alleged conduct.
 - 4.3.5.2. All interviews shall:
 - 4.3.5.2.1. Be conducted in a neutral and respectful manner;

4.3.5.2.2. Be documented, either through written summaries or recorded with consent; and

4.3.5.2.3. Allow the interviewee to review and confirm the accuracy of their statements.

4.3.6. Step 5: Opportunity for Response

4.3.6.1. Before the investigation is finalized and before the Ethics Panel makes a decision, the respondent shall receive full disclosure of all material evidence and be given a reasonable opportunity to respond. Complainant anonymity may be preserved where appropriate only if procedural fairness to the respondent is not compromised.

4.3.6.2. The respondent may submit:

4.3.6.2.1. A written statement addressing the allegations;

4.3.6.2.2. Supporting evidence, such as records, communications, or expert opinions; and

4.3.6.2.3. Witness testimony or character references.

4.3.6.3. If new evidence arises after the respondent's initial response, they must be given a chance to respond to that evidence before the investigation concludes.

4.3.7. Step 6: Investigator's Report

4.3.7.1. The investigator shall prepare a written report containing:

4.3.7.1.1. A summary of the complaint and allegations;

4.3.7.1.2. The investigation methodology;

4.3.7.1.3. A factual analysis of the evidence;

4.3.7.1.4. The respondent's response and any mitigating factors; and

4.3.7.1.5. Factual findings relevant to the allegations and, where requested, non-binding recommendations within the investigator's mandate. The investigator shall not determine breach or sanction.

4.3.7.2. The investigator shall not determine guilt or impose penalties but may provide recommendations based on the evidence.

- 4.3.7.3. The report shall be submitted to the case-specific Ethics Panel for review.

4.3.8. Step 7: Review by the Ethics Panel

- 4.3.8.1. The Ethics Panel shall review the investigation report and determine whether a breach occurred and the appropriate progressive and proportionate sanction, if any.
- 4.3.8.2. The Ethics Panel may identify or consider fitness-to-practise concerns within the limits of the applicable ACCT process.
 - 4.3.8.2.1. Fitness to practice guidelines can be viewed in Fitness to Practice Terms of Reference.
- 4.3.8.3. The Ethics Panel shall ensure that:
 - 4.3.8.3.1. Decisions are based on evidence, not speculation or bias;
 - 4.3.8.3.2. Members of the Committee with conflicts of interest recuse themselves (link to conflict of interest); and
 - 4.3.8.3.3. The respondent is provided with the opportunity to attend a disciplinary hearing, if required.
 - 4.3.8.3.4. Please see Section 10 - Appendix A for more information about the Ethics Committee.

4.3.9. Step 8: Notification of Decision

- 4.3.9.1. The respondent shall receive a written decision detailing:
 - 4.3.9.1.1. The outcome of the investigation;
 - 4.3.9.1.2. Any disciplinary measures imposed;
 - 4.3.9.1.3. Reasons for the decision; and
 - 4.3.9.1.4. The right to appeal and the procedure for doing so.
- 4.3.9.2. The complainant shall be informed of the outcome in a manner that respects confidentiality and legal obligations.

4.3.10. Step 9: Appeal Process

- 4.3.10.1. If the respondent chooses to appeal the decision, they must submit a written appeal within 14 days of receiving the decision. Appeals may be made on one or more of the following grounds: procedural error, error in fact, new evidence, or disproportionate sanction. The

appeal shall be reviewed by an independent Appeals Committee, which may:

- 4.3.10.1.1. Uphold the decision;
 - 4.3.10.1.2. Modify the disciplinary measures; or
 - 4.3.10.1.3. Overturn the decision and order a new investigation.
- 4.3.10.2. The decision of the Appeals Committee shall be final and binding.
- 4.3.10.3. For more information about the Appeals Committee see Section 12 - Appendix C

4.3.11. Step 10: Record Keeping and Confidentiality

- 4.3.11.1. The Association shall securely maintain records of the investigation for a minimum of five years. All information obtained during the investigation shall remain confidential, except where proportionate disclosure is authorized to protect the public or the Association, or where disclosure is required by law.
- 4.3.11.2. The Ethics Committee may authorize proportionate disclosure of outcomes where necessary to protect the public or the Association, subject to privacy obligations.
- 4.3.11.3. Where necessary to protect client or public safety, ACCT may disclose relevant information with Ethics Committee or Board authorization, subject to proportionality and applicable privacy obligations.
 - 4.3.11.3.1. Examples of disclosure may include (not exclusive):
 - 4.3.11.3.1.1. The members name and member number, province or region of activity, “not in good standing” status, suspensions.
- 4.3.11.4. The Association may disclose those members who are not in good standing to its membership, insurance companies, benefits providers, other professional associations, professional colleges and the public.
- 4.3.11.5. For more information about Good Standing, please see Section 15 - Appendix F

4.4. Disciplinary Measures

- 4.4.1. Disciplinary actions shall be applied progressively and proportionately based on the severity and impact of the misconduct. The Ethics Panel shall consider the nature of the offence, intent, harm caused, and whether the member has a history of prior infractions.
- 4.4.2. A history of prior infraction(s) will result in an escalating disciplinary response.
- 4.4.3. Verbal Warning (Least Severe)
 - 4.4.3.1. A verbal warning may be issued for minor infractions that do not cause harm to clients, colleagues, or the reputation of the Association. Examples include:
 - 4.4.3.1.1. Failure to respond to administrative requests from the Association in a timely manner;
 - 4.4.3.1.2. Unintentional breach of minor ethical guidelines (e.g., improper use of professional titles due to misunderstanding of regulations);
 - 4.4.3.1.3. Isolated instances of minor unprofessional conduct, such as inappropriate but non-harmful comments in a professional setting.
- 4.4.4. Written Warning
 - 4.4.4.1. A written warning may be issued when misconduct is more serious or if a verbal warning has not been heeded. Examples include:
 - 4.4.4.1.1. Repeated failure to maintain proper client records as required by ethical guidelines;
 - 4.4.4.1.2. Breach of confidentiality in a manner that does not cause significant harm but is still inappropriate (e.g., discussing non-identifiable client details in an informal setting);
 - 4.4.4.1.3. Insubordination or refusal to comply with reasonable requests from the Association regarding membership obligations.
 - 4.4.4.1.4. Isolated instances of minor professional negligence or incompetence.
- 4.4.5. Probationary Period

4.4.5.1. A probationary period may be imposed for more serious violations where corrective action is necessary. Conditions may include additional supervision, required education, or compliance monitoring. Examples include:

- 4.4.5.1.1. Providing counselling services outside the scope of practice without significant harm occurring;
- 4.4.5.1.2. Minor conflicts of interest not appropriately disclosed but later corrected;
- 4.4.5.1.3. Persistent failure to adhere to professional development or continuing education requirements.
- 4.4.5.1.4. Repeated instances of minor professional negligence or incompetence.
- 4.4.5.1.5. Isolated instances of professional negligence likely to cause significant harm to counsellor-patient relationships.

4.4.6. Suspension

4.4.6.1. A suspension may be imposed when misconduct is serious, involves harm to clients or discredits the profession or the association, or repeated violations occur despite prior discipline.

4.4.6.2. A suspension refers to restrictions on the use of ACCT property including its designations, logos, brands. For more information about sanctions please see Appendix F (Definitions).

4.4.6.3. Examples of behaviour that may result in a suspension include:

- 4.4.6.3.1. Engaging in relationships with clients that create a conflict of interest and compromise professional boundaries;
- 4.4.6.3.2. Repeated breaches of confidentiality resulting in harm to clients;
- 4.4.6.3.3. Practicing without appropriate licensing or misrepresenting qualifications in a way that would probably deceive clients or the public.
- 4.4.6.3.4. Repeated instances of professional negligence or incompetence likely to cause significant harm to the counsellor-patient relationship.
- 4.4.6.3.5. Persistent failure or refusal to comply with requests from the board;

- 4.4.6.3.6. Failure or refusal to comply with disciplinary findings or conditions imposed by the Board or delegated authority of the Association.

4.4.7. Termination (Most Severe) (See Section 10.0 below)

- 4.4.7.1. Termination of membership from the Association is the most severe outcome. Where termination may be warranted, the Ethics Panel shall make a recommendation to the Board. The Board makes the termination decision in accordance with the BC Cooperative Association Act. Termination may be considered in cases of extreme misconduct, including criminal acts, gross or repeated ethical violations, or actions that severely harm clients or the profession. Examples include:

- 4.4.7.1.1. Engaging in fraudulent or deceptive business practices, including falsifying client records or misrepresenting services for financial gain;
- 4.4.7.1.2. Criminal convictions or serious pending charges related to professional conduct, including but not limited to fraud, sexual misconduct, or assault.
 - 4.4.7.1.2.1. Pending charges may result in immediate temporary suspension where the alleged conduct poses a risk to the public or the reputation of the profession.
- 4.4.7.1.3. Gross negligence or incompetence resulting in significant harm to clients (e.g., providing harmful treatment despite clear evidence of its dangers);
- 4.4.7.1.4. Persistent, willful violations of the Association's ethical standards, even after multiple corrective measures.
- 4.4.7.1.5. Practicing counselling under a suspended membership;

- 4.4.7.2. Any of the above misconduct listed in this subsection (4.4.7), or other extreme or persistent misconduct, shall constitute a fundamental breach of material conditions for membership and constitute grounds for termination of the membership agreement and membership in the Association.
- 4.4.7.3. See Section 5 below for information about the Termination process outlined in the BC Cooperative Associations Act.

4.5. Member-to-Member Disputes

4.5.1. The Association recognizes that disputes may arise between members regarding professional conduct, ethical obligations, or other matters related to their work within the profession. This section outlines the process for resolving member-to-member disputes, favouring mediation and collaborative resolution over formal disciplinary measures where appropriate.

4.5.2. Guiding Principles

4.5.2.1. The resolution of member-to-member disputes shall be guided by the following principles:

- 4.5.2.1.1. Early Resolution – Members should attempt to resolve disputes informally before escalating to formal complaints.
- 4.5.2.1.2. Mediation First Approach – Mediation is the preferred method of dispute resolution, encouraging constructive dialogue and reconciliation.
- 4.5.2.1.3. Fairness and Impartiality – The process shall be impartial and ensure that both parties have an opportunity to present their perspectives.
- 4.5.2.1.4. Confidentiality – Information shared during dispute resolution shall remain confidential, except where disclosure is required by law.
- 4.5.2.1.5. Professionalism – Members shall engage in dispute resolution in a respectful and professional manner.

4.5.3. Informal Resolution Process

4.5.3.1. Before filing a formal complaint, members are encouraged to:

- 4.5.3.1.1. Engage in Direct Communication – Where appropriate, members should attempt to resolve disputes through respectful, direct communication.
- 4.5.3.1.2. Seek Guidance – Members may consult with the Association's Ethics for advice on how to approach the dispute.
- 4.5.3.1.3. Request Mediation – If direct communication is unsuccessful, members may request voluntary mediation facilitated by a neutral third-party mediator appointed by

the Association. Link to cost explanation (ACCT may approve covering $\frac{1}{3}$ of the mediation costs on a case-by-case basis).

4.5.4. Formal Complaint Process

4.5.4.1. If a dispute cannot be resolved informally, a formal complaint may be filed under the following process:

4.5.4.2. Step 1: Submission of Complaint

4.5.4.2.1. A complaint must be submitted in writing to the Association in care of the Registrar.

4.5.4.2.2. The complaint must include:

4.5.4.2.2.1. The names of both parties involved;

4.5.4.2.2.2. A detailed description of the dispute, including dates and relevant context;

4.5.4.2.2.3. Any attempts made to resolve the matter informally; and

4.5.4.2.2.4. Any supporting documents or evidence.

4.5.4.3. Step 2: Preliminary Review

4.5.4.3.1. The Registrar shall conduct the preliminary review and determine the appropriate resolution pathway. Final determination of jurisdiction rests with an Ethics Panel. The preliminary review will consider whether:

4.5.4.3.1.1. The dispute falls within the Association's jurisdiction;

4.5.4.3.1.2. The complaint is frivolous, vexatious, or malicious (if so, it may be dismissed); and

4.5.4.3.1.3. Mediation is an appropriate course of action.

4.5.4.3.2. If the Registrar determines that mediation is an appropriate pathway, both parties shall be invited to participate.

4.5.4.4. Step 3: Mediation Process

4.5.4.4.1. The parties involved in mediation shall agree in writing to the terms of the mediation process outlined by the mediator prior to commencing the mediation.

- 4.5.4.4.2. A trained mediator (either internal or external to the Association) shall be appointed.
- 4.5.4.4.3. The cost of mediation shall be shared equally between the parties. (one third by the complainant, one third by the respondent, one third by ACCT).
- 4.5.4.4.4. The mediator shall conduct structured discussions to facilitate resolution, which may include:
 - 4.5.4.4.4.1. Individual sessions with each party;
 - 4.5.4.4.4.2. Joint meetings to discuss concerns in a controlled environment; and
 - 4.5.4.4.4.3. Development of a mutually agreed-upon resolution plan.
- 4.5.4.4.5. If mediation results in an agreement, the mediator shall document the terms, and both parties shall sign a Resolution Agreement.
- 4.5.4.4.6. If mediation is unsuccessful, the case may proceed to formal investigation if serious ethical or professional breaches are alleged.
- 4.5.4.5. Step 4: Investigation and Disciplinary Action (if required)
 - 4.5.4.5.1. If the dispute involves allegations of serious misconduct, including harassment, discrimination, or unethical conduct, the matter may be escalated to a formal investigation under Section 4.3.
 - 4.5.4.5.1.1. The Registrar shall appoint an internal or independent investigator proportionate to the seriousness and complexity of the matter. Independent investigation is required for high-risk or complex matters.
 - 4.5.4.5.1.2. The investigator shall follow the step-by-step investigation process outlined in Section 4.3.
 - 4.5.4.5.1.3. Following investigation, the Ethics Panel determines whether breaches occurred and may impose progressive and proportionate sanctions (see Section 4.4). Where termination may be warranted, the Panel makes a recommendation to the Board.

4.5.4.6. Record Keeping and Confidentiality

- 4.5.4.6.1. Mediation records shall remain confidential and shall not be used in disciplinary proceedings unless both parties agree.
- 4.5.4.6.2. The Association shall securely maintain records of the investigation for a minimum of five years. All information obtained during the investigation shall remain confidential, except where disclosure is required by law.
- 4.5.4.6.3. The Association may disclose decisions involving confirmed breaches, suspensions, or terminations to its membership subject to Board or Ethics Committee approval.
- 4.5.4.6.4. ACCT has a duty to warn the public of safety concerns related to its members and is authorized with Board or Ethics Committee approval, to disclose some confidential information where necessary to protect client or public safety.
 - 4.5.4.6.4.1. Examples of disclosure may include (not exclusive):
 - 4.5.4.6.4.1.1. The members name and member number, province or region of activity, “not in good standing” status, suspensions.
- 4.5.4.6.5. The Association may disclose those members who are not in good standing to its membership, insurance companies, benefits providers, other professional associations, professional colleges and the public.
- 4.5.4.6.6. For more information about Good Standing, please see Section 15 - Appendix F

4.6. Interim Measures and Immediate Membership Suspension in Emergent or Hazardous Circumstances

- 4.6.1. Where there is a reasonable belief of risk to the public, clients, or the Association, interim measures may be imposed, including an immediate temporary suspension of a member's use of ACCT property, designations, logos, or brand where appropriate. Interim measures are precautionary and are not findings of misconduct. This allows urgent concerns to be addressed while maintaining procedural fairness.
- 4.6.2. The question of fitness to practice may be raised. See Fitness to Practice Terms of Reference for more information about fitness to practice.

4.6.3. Grounds for Immediate Suspension

4.6.3.1. A member may be subject to immediate temporary suspension if:

- 4.6.3.1.1. Client or Public Safety is at Risk – The member's actions or omissions pose an immediate danger to clients or the public (e.g., serious ethical violations, harmful treatment practices, violent or threatening behavior).
- 4.6.3.1.2. Serious Criminal Charges – The member has been charged with a serious criminal offence (e.g., sexual misconduct, fraud, assault) without implying a finding of guilt in order to safe guard the public or the profession
- 4.6.3.1.3. Gross Professional Misconduct – The member has engaged in conduct that severely breaches ethical or professional standards (e.g., falsification of credentials, financial exploitation of clients).
- 4.6.3.1.4. Impairment Affecting Fitness to Practice – The member is suspected of practicing while impaired by substances or a medical/psychological condition that significantly affects their ability to provide competent care. (See Fitness to Practice Terms of Reference).
- 4.6.3.1.5. Other Hazardous Circumstances – Any other situation in which the Association has credible evidence that immediate action is necessary to prevent harm.

4.6.4. Suspension Process

4.6.4.1. Step 1: Preliminary Assessment and Decision to Suspend

- 4.6.4.1.1. If a complaint or report suggests an emergent risk, an expedited review may be conducted under the authority of the Ethics Committee through a case-specific Ethics Panel, or by the Board where required.
- 4.6.4.1.2. The Ethics Panel may impose interim measures, including an Interim Suspension Order, where there is a reasonable belief that allowing the member to continue without restriction poses a significant risk. The Panel may also recommend that the member temporarily suspend specified counselling activities.
- 4.6.4.1.3. The member and their supervisor shall be notified in writing immediately, outlining:

- 4.6.4.1.3.1. The reasons for the suspension;
- 4.6.4.1.3.2. The evidence supporting the decision;
- 4.6.4.1.3.3. Their right to respond and request an expedited review; and
- 4.6.4.1.3.4. The next steps in the investigation process.

4.6.4.2. Step 2: Expedited Review of the Suspension

- 4.6.4.2.1. The suspended member may submit a written response within seven (7) days of receiving the suspension notice.
- 4.6.4.2.2. The Ethics Panel shall review the response and determine whether to:
 - 4.6.4.2.2.1. Maintain the suspension;
 - 4.6.4.2.2.2. Modify the suspension conditions (e.g., restricting specific practices rather than full suspension); or
 - 4.6.4.2.2.3. Lift the suspension if the risk is deemed minimal or mitigated.
- 4.6.4.2.3. The member shall be informed of the decision in writing.

4.6.4.3. Step 3: Full Investigation and Final Decision

- 4.6.4.3.1. The matter shall proceed under the investigation model in Section 4.3, using an internal or independent investigation proportionate to seriousness and complexity and following procedural fairness principles.
- 4.6.4.3.2. If the Ethics Panel determines that serious misconduct occurred, the case may result in further disciplinary action. Where termination may be warranted, the Panel shall make a recommendation to the Board.
- 4.6.4.3.3. If the investigation finds no substantial risk, the suspension shall be lifted, and the member may resume practice.

4.6.5. Confidentiality and Public Notification

- 4.6.5.1. ACCT has a duty to warn the public of safety concerns related to its members and is authorized with Board or Ethics Committee approval, to disclose some confidential information where necessary to protect client or public safety.

- 4.6.5.1.1. Examples of disclosure may include:
 - 4.6.5.1.1.1. The members name and member number, province or region of activity, “not in good standing” status, suspensions.
- 4.6.5.2. Immediate suspensions shall remain confidential, except where disclosure is necessary to protect public safety or required by law.
- 4.6.5.3. If a member’s suspension affects their ability to practice, the Association may notify regulatory bodies, employers, or affected clients, as permitted by applicable privacy laws.

5. Termination of Membership in Accordance with Section 34 of the BC Cooperative Associations Act

- 5.1. Where an Ethics Panel recommends termination of membership, the Board makes the termination decision in accordance with the British Columbia Cooperative Associations Act. The Association may terminate a member's membership under the following conditions:
 - 5.1.1. Conduct Detrimental to the Association – If a member has engaged in conduct detrimental to the Association (see Section 14 - Appendix E);
 - 5.1.2. Non-Payment of Dues – If a member has not paid money due to the Association within a reasonable time after receiving written notice to do so;
 - 5.1.3. Breach of Material Conditions – If, in the opinion of the directors, based on reasonable grounds, the member has breached a material condition of an agreement with the Association and has not rectified the breach within a reasonable time after receiving written notice to do so.
- 5.2. Termination of membership shall proceed as follows:
 - 5.2.1. A resolution of the directors requiring a majority of at least 3/4 of all the directors must be passed at a meeting called to consider the resolution;
 - 5.2.2. The member shall be given at least 7 days' notice of the meeting, along with a statement of the grounds for the proposed termination;
 - 5.2.3. The member may attend the meeting, either personally or with an agent or counsel, to make submissions;

- 5.2.4. Within 7 days after the meeting, the directors must deliver written notice of the outcome to the member.
- 5.3. Members whose membership is terminated have the right to appeal the decision in accordance with Section 37 of the BC Cooperative Associations Act.

6. Appeals Process

- 6.1. Members subject to disciplinary action may appeal to the Appeals Committee within 14 days of receiving the decision. Appeals may be made on the following grounds: procedural error, error in fact, new evidence, or disproportionate sanction. The Appeals Committee shall be composed of three Board members not previously involved in the disciplinary decision. The Appeals Committee shall conduct a review and may uphold, modify, or overturn the decision.
- 6.2. The decision of the Appeals Committee shall be final and binding.
- 6.3. More information about the Appeals Process can be found in Section 12 - Appendix C.

7. Compliance with the British Columbia Cooperative Association Act

- 7.1. This policy is enacted in accordance with the authority granted to the Association under the British Columbia Cooperative Association Act. Any amendments to the Act that affect disciplinary processes shall be incorporated into this policy as required.

8. Confidentiality and Record Keeping

- 8.1. All disciplinary proceedings shall be confidential, except where proportionate disclosure is authorized under Appendix A to protect the public or the Association, or where disclosure is required by law.
- 8.2. The Association shall maintain records of disciplinary actions for a minimum of five years.

9. Review and Amendments

- 9.1. This policy shall be reviewed every three years or as needed to ensure compliance with legislative and regulatory requirements. Amendments must be approved by the Association's Board of Directors.

10. Appendix A - Ethics Committee Terms of Reference (Final v3.2)

The following Terms of Reference are incorporated as approved in Final v3.2. The internal numbering (1-25) is retained for fidelity to the Board-approved document.

1. Status and Authority

The Ethics Committee is a standing subcommittee of the Board of Directors of the Association of Cooperative Counselling Therapists of Canada (ACCT).

The complaints and discipline process is administered under delegated authority of the Board pursuant to Policy #37, the ACCT Code of Ethics, Standards of Practice, ACCT Rules, and the British Columbia Cooperative Association Act.

The Registrar is responsible for the administration, management, and procedural oversight of the complaints process.

The Ethics Committee, through its Panels, exercises delegated adjudicative authority in determining breaches and sanctions.

The primary mandate of all functions within this framework is the protection of the public and the integrity of the profession.

2. Administration of the Complaints Process (Registrar)

The Registrar is responsible for the governance, administration, and operational oversight of the complaints process.

The Registrar may:

- 2.1. Receive and manage complaints
- 2.2. Conduct or supervise intake and jurisdiction screening
- 2.3. Determine appropriate resolution pathways (informal, internal investigation, independent investigation)
- 2.4. Appoint investigators and Ethics Panels
- 2.5. Manage timelines and procedural steps
- 2.6. Ensure procedural fairness and documentation integrity
- 2.7. Designate staff to support administrative functions

The Registrar does not have authority to:

- 2.8. Determine whether a breach has occurred
- 2.9. Impose sanctions

2.10. Participate in Panel deliberations or voting where involved in intake or investigation oversight.

The Registrar shall carry out these responsibilities in a manner consistent with the decision-making hierarchy and structural safeguards outlined in this Terms of Reference.

3. Committee and Panel Structure

The Ethics Committee is a standing body that supports governance, continuity, and development of the complaints process.

For the purpose of adjudication, case-specific Ethics Panels are established.

Ethics Panels:

- 3.1. Consists of a minimum of three (3) voting members
 - 3.2. Are drawn from qualified Committee members or approved external appointees
 - 3.3. Exercise independent adjudicative authority in each case
- Panels are responsible for:

- 3.4. Determining jurisdiction (final authority)
- 3.5. Determining whether breaches have occurred
- 3.6. Determining appropriate sanctions
- 3.7. Providing written reasons

4. Membership

Voting Panel Members must:

- 4.1. Be ACCT members in good standing
- 4.2. Have a minimum of three (3) years professional experience
- 4.3. Have a minimum of two (2) years ACCT membership
- 4.4. Have no real or perceived conflict of interest

Non-Voting Participants may include:

- 4.5. Registrar (Chair or procedural facilitator)
- 4.6. Designated administrative staff
- 4.7. Legal counsel or subject-matter experts

Non-voting participants shall not determine outcomes.

5. Jurisdiction

Initial jurisdiction screening shall be conducted by the Registrar.

Final determination of jurisdiction rests with the Ethics Panel.

ACCT jurisdiction applies where there is a professional nexus, including:

- 5.1. Counselling practice
- 5.2. Supervision
- 5.3. Business ownership or operation of counselling services
- 5.4. Teaching, training, or instruction related to counselling
- 5.5. Public or professional representations impacting trust

ACCT retains jurisdiction over conduct that occurred during membership, including where membership has ceased.

6. Limitations of Authority

The Committee and its Panels do not have authority to determine or enforce financial restitution, investigate criminal matters, or make legal rulings.

Matters involving potential criminal conduct may be referred to appropriate authorities.

7. Conflict of Interest

All individuals involved must disclose any real, potential, or perceived conflict of interest.

Individuals with conflicts shall recuse themselves.

The Registrar shall ensure replacement of panel members where necessary.

8. Investigation Model

Investigations shall be proportionate to the seriousness and complexity of the complaint.

The Registrar may determine whether a matter proceeds by:

- 8.1. Internal investigation
- 8.2. Independent investigation

Independent investigations shall be required for high-risk or complex matters.

An independent investigator is one who:

- 8.3. Has no prior involvement
- 8.4. Has no conflict of interest
- 8.5. Is capable of impartiality

Independent investigators may include ACCT members where appropriate.

9. Procedural Fairness and Disclosure

Disclosure shall occur in stages to balance fairness and safety:

- 9.1. Initial Notice: summary of allegations

9.2. Full Disclosure: all material evidence prior to decision

Complainant anonymity may be preserved where appropriate, provided that procedural fairness to the respondent is not compromised.

10. Information Resolution and Mediation

The Registrar may determine that a matter is appropriate for informal resolution, including mediation.

Mediation may be facilitated where appropriate and where public protection is not compromised.

Mediation is not appropriate in cases involving serious misconduct or risk.

11. Interim Measures

Where there is a reasonable belief of risk to the public, clients, or the Association, interim measures may be imposed.

Such measures are precautionary and not findings of misconduct.

12. Sanctions and Agreements

Panels may impose progressive and proportionate sanctions.

Sanction Agreements may include:

12.1. Education or training

12.2. Supervision

12.3. Practice restrictions

12.4. Monitoring requirements

Failure to comply may result in escalation including recommendation for termination.

13. Good Standing

The Registrar may determine administrative standing status due to non-compliance such as non-payment of fees and dues; incomplete membership requirements and other non-compliance related to sanctions and agreements determined by the panel.

Panels may determine disciplinary standing status, including 'Not in Good Standing'.

14. Termination of Membership

Where termination may be warranted, the Panel shall make a recommendation to the Board.

Termination decisions are made by the Board in accordance with the BC Cooperative Association Act.

15. Disclosure of Information

The Committee may authorize disclosure of outcomes where necessary to protect the public or the Association, including:

- 15.1. ACCT membership
- 15.2. Insurance providers
- 15.3. Regulatory or professional bodies
- 15.4. The public

Disclosure shall be proportionate and comply with privacy obligations.

16. Appeals

Appeals may be made on the following grounds:

- 16.1. Procedural error
- 16.2. Error in fact
- 16.3. New evidence
- 16.4. Disproportionate sanction

17. Documentation

All decisions shall include:

- 17.1. Findings of fact
- 17.2. Evidence relied upon
- 17.3. Reasons for decision
- 17.4. Rationale for sanctions

Records shall be securely maintained.

18. Withdrawal and Abuse of Process

Withdrawal of a complaint does not terminate proceedings where public protection concerns remain.

Frivolous, vexatious, or abusive complaints may be dismissed.

19. Panel Continuity

Panel members may be replaced where necessary, provided fairness is maintained.

20. Expert Evidence

Panels may obtain and rely upon expert evidence where appropriate, with disclosure to the parties.

21. Parallel Proceedings

The Committee may proceed independently of civil or criminal proceedings where appropriate.

22. Organizational Role Balance

Public protection and procedural fairness take precedence over member advocacy and organizational interests, as further articulated in the Recognition of Structural Tension and Decision-Making Hierarchy section.

23. Recognition of Structural Tension and Decision-Making Hierarchy

ACCT recognizes that, as a self-regulating professional association, it holds multiple roles, including supporting its members, maintaining the integrity and sustainability of the Association, and protecting the public.

These roles may create inherent or perceived tensions in the administration of complaints and discipline processes, including the potential for actual or perceived bias in favour of the Association or its members.

ACCT affirms that the protection of the public is its primary obligation and shall take precedence over the interests of the Association and its individual members.

In resolving complaints and making decisions under this Terms of Reference, ACCT shall apply the following hierarchy of priorities:

1. Protection of the public;
2. Protection of the Association, including its integrity, reputation, and membership;
3. Consideration of the interests of the individual member.

This hierarchy is consistent with ACCT's established membership criteria and shall be applied in a manner that is proportionate, fair, and responsive to the specific circumstances of each case.

ACCT further recognizes that structural bias may arise due to governance and reporting relationships within a self-regulating body, including where the Registrar, Executive Director, and administrative staff are accountable to the same Board of Directors.

To mitigate these risks, ACCT has implemented safeguards including:

- Separation of administrative and adjudicative functions;

- Independent Ethics Panels responsible for decision-making;
- Non-voting participation of the Registrar and administrative staff in adjudication;
- The use of internal or independent investigators proportionate to the level of risk;
- Defined conflict of interest requirements;
- Staged disclosure processes supporting procedural fairness;
- Transparent documentation and appeal mechanisms.

ACCT is committed to ongoing evaluation and refinement of its governance and complaints processes to ensure fairness, impartiality, and public confidence in its decision-making.

24. Reporting

The Committee reports to the Board on systemic issues while maintaining confidentiality of individual cases.

25. Guiding Principles

The process shall be guided by:

- 25.1. Public protection
- 25.2. Fairness
- 25.3. Transparency
- 25.4. Proportionality
- 25.5. Consistency
- 25.6. Integrity of the profession
- 25.7. Application of the established decision-making hierarchy

11. Appendix B - ACCT Informal Dispute Resolution GUIDELINES AND POLICIES

- 11.1.1. Initially prepared on February 27, 2025 by the Supervision Committee with contributions from Kristy Higgins, Sarah Lipsett, Blair McInnis and Staff.
- 11.1.2. Revised Sept 2025 by Blair McInnis and Satu Pesonen (Board Approved)

11.2. Purpose

- 11.2.1. The purpose of the Informal Dispute Resolution Guidelines and Policies is to:
 - 11.2.1.1. Provide an informal avenue to address complaints or issues of competency that are brought to ACCT's attention.
 - 11.2.1.2. Support member growth and learning through issues, rather than disciplinary action if possible
 - 11.2.1.3. Provide appropriate remediation for client/complainant.
 - 11.2.1.4. Provide appropriate competency education and growth for members.

11.3. Competent Practice Defined

- 11.3.1. Competent Practice is a critical concept that ensures professionals in the field of counselling and supervision meet the required standards for competence, ethical conduct, and overall professionalism. For ACCT counsellors and supervisors, this is about maintaining the ability to:
 - 11.3.1.1. Adhere to ACCT's Code of Ethics and Standards of Practice: Each member must follow the guidelines set by ACCT to ensure that their practice aligns with the highest ethical standards.
 - 11.3.1.2. Demonstrate Competence: Counsellors and supervisors need to consistently provide effective services, whether that be in therapy sessions or supervision, demonstrating both skill and expertise in their work.
 - 11.3.1.3. Maintain Health (Mental & Physical): Professionals should maintain their mental and physical health to perform their roles safely and effectively. Any health-related issues must be addressed to ensure the well-being of clients and supervisees.
 - 11.3.1.4. Uphold Professionalism: All members must exhibit the highest standards of professionalism in their conduct, ensuring trust, safety, and respect in their interactions with clients, peers and the public.

11.4. Role of the Supervisor

- 11.4.1. Supervisors play a central role in the Informal Dispute Resolution Process. They are tasked with supporting their supervisees (counsellors) to develop a plan that helps them address any gaps in their competency that a complaint highlights, to not only meet professional and ethical standards but also continue to grow and develop in their practice. Supervisors: For detailed information on the role of the supervisor please reference the [Code of Ethics for Supervisors](#) documentation on the website.

11.5. Key Elements of Competency for Counsellors and Supervisors

- 11.5.1. The concept of Competency to Practice encompasses various elements that are essential to ensuring counsellors and supervisors can effectively provide safe, ethical, and competent care. These key elements help maintain public safety, uphold professional integrity, and ensure continuous growth and development within the field. For detailed information about competency standards please review the [Standards of Practice](#) and [Code of Ethics](#) on the ACCT website.

11.6. Informally Addressing Client Issues, Conflicts, Fitness to Practice Concerns and Potential Complaints

- 11.6.1. This comprehensive step-by-step process provides a clear framework for informally addressing Competency concerns for counsellors and supervisors within the ACCT (Association of Cooperative Counselling Therapists) Association, ensuring that any deficiencies in competence, behaviour, or health are addressed in a professional and supportive manner.

- 11.6.1.1. Step 1: Complaint is received and managed by the Registrar in accordance with Section 4.2 of Policy #37. The Registrar determines whether the matter is appropriate for the Informal Path of Dispute Resolution (Appendix B).

- 11.6.1.2. Step 2: Contact Primary Supervisor

- 11.6.1.2.1. Once a concern is directed to the informal pathway, the Registrar will require the member to contact the member's primary supervisor, who will play a key role in guiding the supervisee through addressing the issue. The member will be required to show proof of having included their supervisor on the issue within 10 days of receiving the complaint notification and giving the supervisor a release of

information to coordinate or report to ACCT as required about the issue.

11.6.1.3. Step 3: Supervisor reviews with Supervisee

- 11.6.1.3.1. The Supervisor and Supervisee meet to discuss the issue, provide feedback, and understand the situation. This helps ensure the supervisee can explain their actions. If the supervisee is unwilling to address the concern(s) with the supervisor, and/or if the supervisor has terminated the supervision contract, ACCT is to be contacted immediately.
- 11.6.1.3.2. If a supervisor believes a supervisee's fitness to practice is in question, the supervisor will recommend a fitness to practice review by the FTP committee.

11.6.1.4. Step 4: Supervisor contacts Client / Complainant

- 11.6.1.4.1. The supervisor will work with the supervisee regarding appropriate next steps to be taken with the client/ complainant for resolution.
- 11.6.1.4.2. If absolutely necessary, the supervisor will engage with the client or complainant to get their perspective and seek a resolution. The supervisor has the discretion to contact a qualified ACCT supervisor to assist in this process.
- 11.6.1.4.3. The supervisor will use their discretion to determine if contact with the client/complainant is appropriate and, as needed, can contact the Registrar for procedural support in making this decision.

11.6.1.5. Step 5: Consultation with Supervisor and Resources

- 11.6.1.5.1. The Supervisor reviews the concern with their own supervisor and/or other professionals to assess whether the issue is related to skill deficiencies or conduct, and to determine the best course of action (at the expense of the supervisee). If the supervisor is unable to support the supervisee through this process, they can contact ACCT for a referral to a qualified supervisor or guidance from the FTP Committee to assist in this process.
- 11.6.1.5.2. After a discussion with the supervisee, supervisor and staff, it may be determined that the issue is a Fitness to Practice issue and will be referred to the Fitness To Practice committee. For more information See Terms of Reference for Fitness to Practice Committee.

11.6.1.6. Step 6: Develop Remediation Plan

- 11.6.1.6.1. A tailored remediation plan is created to address the specific concerns, offering targeted support and defining goals and

timelines for improvement. If the supervisee is unwilling to commit to addressing the concerns and engaging in the remediation process, the supervisor will contact ACCT to disclose the issues.

11.6.1.7. Step 7: Supervisor Re-engages with Client

11.6.1.7.1. The supervisor discusses the remediation plan with the client to address any emotional distress and ensure transparency in the process.

11.6.1.7.2. If the client is unwilling to work with the counsellor, the supervisor can develop a plan with the client to support the client. Ex. referrals to other therapists / resources.

11.6.1.8. Step 8: Support During the Remediation Process

11.6.1.8.1. Regular support and guidance are provided to the member, including supervision, training recommendations, and access to resources needed. The supervisor and supervisee will keep ACCT advised of the remediation plan and progress.

11.6.1.9. Step 9: Evaluate Progress

11.6.1.9.1. A review takes place to assess whether the remediation goals have been met. If progress is insufficient, further support or changes to the plan may be required.

11.6.1.10. Step 10: Follow-up and Prevention

11.6.1.10.1. Ongoing monitoring and evaluation are crucial to preventing future issues and ensuring the supervisee's long-term competence. The supervisor will continue to check in with the member as part of the ongoing monitoring and evaluation process. If the issue escalates and/or becomes a recurring concern, the supervisor and supervisee are to report this to ACCT immediately.

11.6.1.11. Step 11: Option of Last Resort:

11.6.1.11.1. If all attempts to resolve the issue fail, the Registrar may determine that the matter should proceed to an internal or independent investigation under Section 4.3. Any determination of breach or sanction is made by a case-specific Ethics Panel.

11.6.1.11.2. The process emphasizes fairness, transparency, and the importance of creating a supportive environment for professional growth. The goal is to maintain high standards of practice while also providing the opportunity for improvement, ensuring the safety and well-being of both clients and practitioners.

12. Appendix C - Appeals (Formerly The Appeals Policy #39 Approved by the Board June 17, 2023)

12.1. Revised March 11, 2025

12.2. Purpose

12.2.1. Complaints that proceed to adjudication are determined by a case-specific Ethics Panel. The Panel determines whether a breach of the ACCT Code of Ethics or Standards of Practice occurred and, if so, determines the appropriate progressive and proportionate sanction. Where termination of membership may be warranted, the Panel makes a recommendation to the Board.

12.2.2. The following are the guidelines and policies to help the counsellor and the Appeals Committee through the appeals process.

12.3. Policy

12.3.1. The counsellor subjected to disciplinary action may appeal to an independent Appeals Committee within 14 days of receiving the disciplinary decision. Appeals may be made on the following grounds: procedural error, error in fact, new evidence, or disproportionate sanction. The Appeals Committee shall be composed of three Board members not previously involved in the disciplinary decision.

12.3.2. The Appeals Committee shall conduct a review and may uphold, modify, or overturn the decision.

12.3.3. The counsellor can appeal a decision once.

12.3.4. The decision of the Appeals Committee shall be final and binding.

12.4. Requirements of the Counsellor

12.4.1. The counsellor must submit a written statement describing the grounds and reasons for the appeal to the Appeals Committee in care of the Registrar.

12.5. Requirements of the Appeal Committee

12.5.1. The Appeal Committee will review the counsellors statement and determine a response to the appeal.

12.5.2. The Registrar and designated administrative staff may provide procedural and administrative support to the Appeals Committee but will not vote on the appeal decision.

12.5.3. The Appeals Committee will work in a timely manner individually and as a group to form a response as soon as possible.

12.5.4. The Appeals Committee will form when an appeal is received so time will be needed to form the Committee, prepare the Committee and schedule meetings to form a response.

12.5.5. It is the Appeals Committees responsibility to ensure that the response is shared with staff so that records can be updated when appropriate.

13. Appendix D - Examples of complaints the ACCT Ethics Committee may address

- 13.1. Any conduct that is detrimental to the association
- 13.2. Disrespectful behaviour towards clients
- 13.3. Disrespectful behaviour towards members of the ACCT community
- 13.4. Poor professional boundaries
- 13.5. Client exploitation
- 13.6. Confidentiality/disclosure issues
- 13.7. Incompetence
- 13.8. Improper termination of therapy
- 13.9. Privacy or confidentiality issues
- 13.10. Informed consent issues
- 13.11. Undeclared conflicts of interest
- 13.12. Failure to provide information about training and background
- 13.13. Misrepresentation and fraud
- 13.14. Demonstrated bias
- 13.15. Failure to release records at client request
- 13.16. Inadequate risk management
- 13.17. Bullying or harassment of ACCT members, staff or the public by an ACCT member or staff.
- 13.18. Complaints or concerns related to a member's Fitness to Practice.
- 13.19. Billing concerns (ACCT cannot negotiate or enforce financial restitution, fines or refunds).

14. Appendix E - Conduct detrimental to ACCT with examples

- 14.1. ACCT defines and clarifies what it considers to be detrimental conduct so that existing rules and policies can be interpreted more easily. Detrimental conduct is conduct that is detrimental to ACCT; or conduct that could negatively affect ACCT, its brand, its reputation or the safety of its staff, volunteers, members, board or the public.
- 14.2. ACCT understands that detrimental conduct exists within a range of severity or relevance. The Board and its delegates can determine the severity and relevance of the detrimental conduct when making decisions regarding the safety and well being of its staff, volunteers, members and the public.
- 14.3. Members and staff of ACCT are expected to conduct themselves with a professional level of care and respect for self and others at all times. Detrimental

conduct should be avoided at all times and will be assessed beyond the confines of work environments including but not limited to activities related to teaching, training, studying, practicing, volunteering, mentoring, supervising, managing and of course counselling therapy.

14.4. The following are examples of detrimental conduct:

- 14.4.1. Where a member is found to have breached or violated any of the ACCT Code of Ethics, Standards of Practice, Board Code of Ethics, Supervisors Standards of Practice.
- 14.4.2. Where a member is found to have committed an indictable offence;
- 14.4.3. Where a member is deemed to have behaved in a way that involves any of the following: lying, cheating, forging, harassing, bullying, slandering, defaming, libeling, defrauding, misinforming, misrepresenting, embezzlement, theft, hacking, impersonating another, or vandalism; or any other conduct unbecoming a healthcare professional;
- 14.4.4. Any bullying or harassment as defined by ACCT in its Policy #24
- 14.4.5. Where a member deliberately and consistently neglects a fiduciary duty, policy or procedure;
- 14.4.6. Where a member is found to have not disclosed a conflict of interest;
- 14.4.7. Where a member has breached a confidentiality agreement;
- 14.4.8. Where a member has shared proprietary information or trade secrets without ACCT's permission;
- 14.4.9. Where a member is found to have tarnished the ACCT brand, reputation, property or other assets.
- 14.4.10. Where a member does not comply with an ACCT sanction directed at them.
- 14.4.11. Where a member has deliberately obstructed an ACCT procedure.
- 14.4.12. Where a member has deliberately destroyed documents, records or information that would normally be kept as part of their practice and is required by ACCT.
- 14.4.13. Where a member has deleted or destroyed ACCT property including digital messaging on its internal group chats without ACCT permission.

15. Appendix F - Definitions

15.1. Consent Agreement

- 15.1.1. Where the complainant and respondent come to an agreement in writing and agree that the respondent will comply with new behaviours and the complainant will tolerate the respondent under this new arrangement. The board or its designated officers may help to negotiate a consent agreement.

15.2. Member in Good Standing

- 15.2.1. A member in good standing is current and up to date with all ACCT membership requirements such as the payment of fees, the completion of annual continuous competency activities, holds active liability insurance and has complied with all outstanding sanctions set by the Board or its committees. The member has full use of the ACCT designations granted to them (i.e. RTC, AC, MTC, RCS).
- 15.2.2. The Registrar may determine administrative standing status arising from non-compliance such as non-payment of fees or dues, incomplete membership requirements, or non-compliance with sanctions and agreements imposed by a Panel. Ethics Panels may determine disciplinary standing status, including 'Not in Good Standing'.
- 15.2.3. ACCT will on request prepare a "Letter of Good Standing" to endorse a membership for professional purposes such as insurance claims, applications for jobs or school etc. This is a courtesy provided by ACCT. It is not a requirement for ACCT to issue a letter of good standing. Each letter will be considered on a case by case basis by staff.
- 15.2.4. A member not in good standing is one who:
 - 15.2.4.1. Has not paid their annual membership fees or dues on time, or
 - 15.2.4.2. Has not completed their annual continuous competency requirements on time, or
 - 15.2.4.3. Has not purchased liability insurance, or
 - 15.2.4.4. Is in breach of the ACCT Code of Ethics, Standards of Practice or
 - 15.2.4.5. Is under suspension by ACCT, or
 - 15.2.4.6. Has been deregistered.

15.3. Suspension

- 15.3.1. ACCT can suspend the use of its designations (RTC, AC, MTC, RCS), and use of its property such as logos and information. A member under suspension will have clear instructions on what is suspended, the duration of the suspension and any conditions required to lift the suspension.

15.4. Sanctions

- 15.4.1. ACCT can apply sanctions against a member for a period of time based on the need for corrective or disciplinary actions.
- 15.4.2. Minor sanctions may include but are not restricted to the completion of training, education, additional supervision. Sanctions may also involve verbal or written warnings, restrictions on their scope of practice, and/or references to support their fitness to practice.
- 15.4.3. Major sanctions may include suspension of use of ACCT designations, logos, information, brand and property. It also includes suspension, deregistration, or termination of membership (see below).

15.5. Sanction Agreement

- 15.5.1. An Ethics Panel may impose a Sanction Agreement as part of a progressive and proportionate disciplinary response. A Sanction Agreement can be a condition of membership or good standing. Typically a Sanction Agreement contains:
 - 15.5.1.1. Specific remedial activities that the counsellor agrees to undertake, at their own expense in order to address the area(s) of concern identified by the complaint process. For example: coursework, clinical supervision, rewriting reports etc.;
 - 15.5.1.2. Responsibilities of the counsellor to comply with and complete the Sanction Agreement; and
 - 15.5.1.3. A timeline for completion of the remedial activities.
- 15.5.2. If the respondent does not agree with the sanction agreement, in some cases, they may be eligible to appeal the decision, as per the Appeals Process. If the decision is not eligible for appeal, and the respondent refuses to sign the agreement, the respondent will continue to be not in good standing and not in compliance with ACCT membership requirements.
- 15.5.3. Non-compliance with a Sanction Agreement is considered a material breach of an agreement and will result in an escalated response including the possibility of termination of membership.
- 15.5.4. A letter will be sent by Staff, to the complainant when all the items in a Sanction Agreement are completed and the complaint process is closed.

15.6. Suspension or Deregistration or Termination of membership

- 15.6.1. An Ethics Panel may impose sanctions within its delegated authority, including suspension or restrictions. Where termination of membership may be warranted, the Panel shall make a recommendation to the Board. The Board makes termination decisions in accordance with the BC Cooperative Associations Act.
- 15.6.2. If a member is terminated from ACCT, then the Board will inform:
- 15.6.3. The member involved via email or registered mail, and
- 15.6.4. The professional liability insurance provider and may inform the ACCT membership and any other person or party it deems necessary for the purpose of protecting the public as a duty to report.