

The Complaints Process

What is the Royal College of Dental Surgeons of Ontario (College)?

The RCDSO or College is one of Ontario's 26 health care regulatory colleges. We are a regulatory body established by the [Regulated Health Professionals Act, 1991](#) (RHPA), a provincial law that protects the public's right to safe, effective and ethical dental care.

As the regulatory college for dentists, one of our important responsibilities is to address concerns about the care you have received and about the conduct of dentists. We have been given legal powers by the provincial government to investigate any complaint we receive, whether from a patient or any member of the public. These powers cover dentists in all branches of dentistry, including general dentistry and specialty practice. This is one of the most significant protections that patients have under the RHPA.

We take this responsibility very seriously. Every complaint about a dentist that is received by the College is reviewed and addressed.

What should I do if I have a problem with my dentist?

We encourage patients, or anyone who has concerns about a dentist, to discuss the problem with the dentist. If you still have concerns, please contact us by email at complaints@rcdso.org or by phone at 1-800-565-4591 ext. 5625.

How do I make a complaint?

To submit a complaint, you need to write or e-mail us. In some circumstances, we can accept an audio or video recording of your complaint. You may also submit your complaint through our online form, which you will find at [File a Complaint](#). We cannot accept a complaint by phone however, you can call us to discuss your concerns at any time.

What information does the College need?

- A clear statement that you are submitting a complaint.
- The full name and address of the dentist.
- As much detail as possible about your concerns.

- The names of any other dentists, health care practitioners or other persons that may be involved.
- Your contact information such as your email, daytime phone number and your mailing address.

Is there a time limit for making a complaint?

No, a complaint can be made at any time.

Do I need a lawyer?

No, however, you are entitled to have legal representation.

Who deals with my complaint?

The College's Inquiries, Complaints and Reports (ICR) Committee considers complaints. The mandate of this Committee is outlined in provincial law. The Committee members include both dentists and members of the public who are not registered with the College. These public members are on the committee to ensure that the public's interest is represented.

How does the process begin?

The College investigates all complaints. Once we receive your complaint, you will be contacted by one of our staff members who will explain the complaint process and answer your questions. A copy of your complaint will then be forwarded to the dentist. Your complaint cannot be anonymous. The dentist will then be asked to submit a written response to the College.

Please let us know if you require any accommodation throughout the complaint investigation process and we will do our best to assist you.

What happens next?

Your complaint is fully and impartially investigated by the College. Any other dentists or health care practitioners who have treated you or consulted on your treatment may be contacted. An investigator may also formally get in touch with any third-party insurers involved, such as your insurance company, and may interview witnesses.

As part of this process, we usually request relevant records, x-rays, dental charts and other information from the dentist. The dentist has a duty to co-operate fully with the investigation. The ICR Committee may also engage a dental expert to help it.

Transparency is key; you are kept informed at every step of the process.

The information gathered during the investigation is prepared for review by the ICR committee. After its review of the matter, the committee, guided by a [risk assessment framework](#), decides what action to take.

How will the ICR Committee deal with my complaint?

There are a number of options available to the Committee under the RHPA:

- Take no action if the dentist's conduct and/or actions meet reasonable and acceptable standards of practice, or if there is insufficient information for the Committee to take action.
- Provide written advice and/or recommendations to the dentist.
- Ask the dentist to enter into an agreement with the College to complete a course or courses on a specific area of concern raised by the complaint. For example, a dentist can agree to take a course on informed consent.
- Require the dentist to appear to be cautioned about their practice or conduct. The ICR Committee will outline its concerns and provide direction to the dentist, in person, on how to conduct themselves to avoid future difficulties.
- Require the dentist to complete a specified continuing education or remediation program. A remediation program can be a hands-on course on a specific practice area or a one-on-one meeting with a regulatory expert to work on professionalism and communication skills.
- Refer the dentist to another panel of the ICR Committee for investigation of possible mental or physical health concerns that may interfere with the dentist's ability to practise.
- Refer the matter to the Discipline Committee to hear specified allegations of professional misconduct or incompetence.

If a panel of the Discipline Committee, during a formal and public hearing, finds that the dentist has committed an act of professional misconduct, it may:

- Suspend or revoke the dentist's licence;
- Impose terms, conditions and limitations on the dentist's licence;
- Reprimand the dentist;
- Require the dentist to pay a fine.

The panel shall:

- Publish a summary of the matter.

What happens once a decision is made?

Once the panel of the ICR Committee reaches a decision, both you and the dentist will receive a copy of the decision. College staff are not members of the Committee, nor are they involved in any way in the Committee's decision-making.

Is there an appeal process?

In most cases, there is an appeal process available that provides additional protection for both the complainant and the dentist. On request of either party, the [Health Professions Appeal and Review Board](#) (HPARB) may review the Committee's decision. A request for review must be made to the HPARB in writing within 30 days of receiving the decision of the ICR Committee. The dentist has the same right of review to appeal.

Can the ICR Committee award money or damages?

The law governing health professionals only permits the committee to make a decision about the dentist's conduct. The Committee cannot award compensation, damages or refunds of any kind. Only courts have that authority.

If you are considering suing a dentist for compensation because of negligence or malpractice, the law generally requires that legal action be commenced within two years after you knew, or ought to have known, the facts on which the suit is based. Your legal representative can answer any questions that you might have about your rights to sue a dentist.

Are the decisions of the ICR Committee available to the public?

If the ICR Committee decides to refer the allegations of professional misconduct to the Discipline Committee or requires a dentist to attend for a caution and/or to complete a specified continuing education course, that information will be shared on the [College's website](#).

Is there another option instead of a full investigation?

The College offers a voluntary and confidential program for the resolution of some complaints as an alternative to the formal complaints process. It is called the Resolution Program (RP). It provides an opportunity for you and the dentist to reach a resolution through a mediation process.

Is the Resolution Program (RP) always an option?

RP is not suitable for all complaints; College staff will decide if your complaint is appropriate. Then, both you and the dentist must agree to participate for RP to proceed.

How does RP work?

A facilitator will meet with you and the dentist to assist you in communicating and negotiating more effectively. The facilitator is a neutral person who is not a dentist or affiliated with the College committee and may be an independently retained facilitator. The College pays for any reasonable costs and expenses of the facilitator.

The facilitator's goal is to work with you and the dentist in a respectful and confidential way to simplify the issues, and enhance your ability to reach a resolution that is agreeable to both parties.

RP is usually much faster than the complaints process. There is usually less correspondence and documentation involved.

If, for some reason, the RP process does not result in a resolution, your complaint will be processed in the usual way through the normal complaints process.

All RP resolutions must be approved by the Registrar of the College or the ICR Committee.

How do I contact the College?

The College's staff speak and write in English. The ICR Committee will write its decision in English. If requested, staff and the ICR Committee can communicate in French. The College cannot offer interpretation or translation services in other languages during the complaint process.

If you need help understanding the College's materials, please find local or community services that can assist you.

You can contact the College in a number of ways:

Mail

Royal College of Dental Surgeons of Ontario
6 Crescent Road
Toronto, ON M4W 1T1
Attention: Complaints

Phone

416-961-6555 ext. 5625
1-800-565-4591

Fax

416-961-5814

Email

complaints@rcdso.org