

COLLEGE OF RESPIRATORY THERAPISTS OF ONTARIO



Reporting to Police

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1.0 POLICY STATEMENT

It is the policy of the College of Respiratory Therapists of Ontario (Certo) that when information comes to the attention of the Registrar and the Registrar is of the opinion that the conduct or actions of a member may be criminal in nature, the Registrar may disclose any relevant information to the police regarding the member.

2.0 PURPOSE

The purpose of this policy is to carry out Certo's mandate of acting in the interest of the public.

3.0 APPLICABILITY

There may be instances when information comes to the attention of the Certo which provides the Registrar with reasonable and probable grounds that a member may be incompetent, incapacitated or has committed act(s) of professional misconduct. In cases where the Registrar is also of the opinion that the conduct of the member may be criminal in nature, this policy will help to guide the process for disclosing information to the police.

4.0 RESPONSIBILITIES

If the Certo initiates reporting a matter to the police, the Certo will provide notice to the member that the information is being shared with police, only if this notice would not interfere, jeopardize, or otherwise cause significant harm.

If the Certo reports a matter to the police, due to strict confidentiality provisions within the RHPA, it is unable to notify third parties that the matter has been reported.

The Certo utilizes the *Disclosure of Personal Information to Law Enforcement* Fact Sheet published by the Information and Privacy Commissioner of Ontario when disclosing information about a member.



5.0 AUTHORITY & MONITORING

The Registrar shall disclose information to the police, as permitted by section 36(1) of the *Regulated Health Professions Act, 1991 (RHPA)*.

6.0 CONSIDERATIONS

If the source of the information has indicated that they will not or have not reported the conduct or actions of the member to the police, the Registrar may report the member's conduct and actions to the police if the Registrar is of the opinion that:

- a. The alleged conduct and actions appear to be criminal in nature,
- b. There may be a significant risk to public safety by not reporting, and
- c. The CROTO is in possession of additional information (such as the member's prior history with the CROTO), that reasonably suggests that the alleged conduct may be indicative of a pattern of behaviour that is escalating in severity.

7.0 RELATED DOCUMENTS

- [Section 36\(1\) of the *Regulated Health Professions Act, 1991 \(RHPA\)*](#)
- Registrar's Reasonable and Probable Grounds Policy
- [Disclosure of Personal Information to Law Enforcement, Information and Privacy Commissioner of Ontario](#)

8.0 ABBREVIATIONS

CROTO – College of Respiratory Therapists of Ontario
RHPA – Regulated Health Professions Act

9.0 CONTACT INFORMATION

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