



College of Paramedics of Manitoba		
Policy Name: Trivial Vexatious and Unsustainable Complaint Management	Policy Number: AP - 1	Total # of Pages: 2
Approval Signature: <i>Original Signed by T. Bergal</i>	Section: Administrative – Professional Conduct	
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1.0 PURPOSE

To state the procedure for the triage of trivial, vexatious or obviously unsustainable complaints.

2.0 DEFINITIONS

Trivial Complaint: A trivial complaint is one which raises issues that are unimportant, petty, or insignificant

Vexatious Complaint: A vexatious complaint is one commenced for an improper purpose, such as to harass, embarrass or annoy. A complaint will also be vexatious if it is duplicative of a pending complaint, or if it seeks to re-raise an issue that has already been determined

Unsustainable Complaint: A complaint will be obviously unsustainable if it is plain and obvious or beyond doubt that it cannot succeed even if all of the facts alleged are taken to be true. A complaint should not be dismissed on this ground on the basis that it is novel or easily defensible; rather, it should be clearly defective or deficient in a fundamental way.

3.0 POLICY

- 3.1 In the event a complaint in writing is made against a registrant or former registrant and the matter is determined by the Executive Director/Registrar to be, trivial or vexatious or obviously unsustainable in that there is no evidence of conduct about which a finding could be made under section 124(2) of the RHPA, the Executive/Registrar may dismiss the complaint
- 3.2 In the event a complaint in writing is dismissed by the Executive Director/Registrar as being, trivial or vexatious or unsustainable in that there is no evidence of conduct about which a finding could be made under section 124(2) of the RHPA, the complainant and the member or former member must be notified of the dismissal. The Executive Director/Registrar must notify the complainant of his or her right to have the dismissal reviewed by the Complaints Investigation Committee.
- 3.3 The complainant has 30 days after being notified of the dismissal to apply to the Executive Director/Registrar for a review by the Complaints Investigation Committee.
- 3.4 In reviewing a dismissal made by the Executive Director/Registrar, the Complaints Investigation Committee will consider whether the decision was reasonable in light of the information in the possession of the Executive Director/Registrar at the time of the decision. Where the Complaints Investigation Committee concludes that the Executive



Director/Registrar reached a reasonable decision, the Complaints Investigation Committee will not substitute its own discretion for that of the Executive Director/Registrar. The Complaints Investigation Committee will exercise its own discretion where it identifies a clear error on the part of the Executive Director/Registrar

- 3.5 The Complaints Investigation Committee will provide written notice of its decision to both parties