

INFORMATION SHEET

Alternative Complaint Resolution (ACR) Process

What is the ACR Process?

Alternative Complaints Resolution is a process set out in the *Health Professions Act*. ACR is defined in the *Health Professions Act* to mean a process to help the complainant, the College and the investigated dentist settle a complaint.

The dentist and the person who made the complaint must both agree to participate in the ACR Process and cannot be compelled or ordered to participate. Ultimately, the decision to engage the ACR Process is made by the Complaints Director, if the dentist and the person who made the complaint agree to participate.

In the ACR Process, a neutral non-dentist facilitator along with a dentist representing the ADA+C assists the person who made a complaint and the dentist address the complaint. These four individuals will meet in-person and attempt to facilitate a written resolution of the complaint. The process is managed by the non-dentist facilitator. The overall goal of the ACR Process is to provide an opportunity for the complainant and dentist to develop their own settlement on terms that they both can live with.

Why the ACR Process?

In ACR, the person who made the complaint and the dentist being complained about directly discuss the complaint in a safe and respectful environment. There is confidentiality in the ACR Process. In ACR, only the Settlement Agreement stays in the file of the responding dentist.

What Happens in the ACR Process?

Once the complaint has been referred to ACR, a representative dentist of the ADA+C is assigned to the file. This person is chosen by the Complaints Director. A neutral facilitator who is not a dentist will contact both participants to arrange for the process to begin. This person is chosen by the Complaints Director. The facilitator may talk to each of the dentist and the complainant to determine what they expect from the process and to assess if they understand how the process works.

Do I Have to Do This?

ACR is voluntary. Either participant can chose not to participate at all or leave the process at any time. Once the ACR Process is terminated, the complaint goes back to the Complaints Director or continues from where it was before the ACR Process was started.

How Long Does ACR Take?

Every attempt is made to settle matters through ACR as quickly as possible. If the dentist and the person making the complaint are able to agree, experience has shown these matters are usually settled in one or two in-person, face-to-face sessions. The agreement reached by the participants must be ratified (accepted) by the Complaint Review Committee before it is considered binding. The Complaint Review Committee may accept the agreement and ratify it, or refuse to ratify the agreement. The Complaint Review Committee can also ask the dentist and the person making the complaint to meet with them and answer questions.

Who Pays for ACR?

The ADA+C currently covers the cost of the facilitator and the ADA+C dentist representative. The person making the complaint and the dentist are expected to cover all expenses that they may incur to participate, including travel and meals, if applicable.

Do I Need a Lawyer in the ACR Process?

No. Lawyers are not normally present. If you involve or bring a lawyer, it is at your own cost. You must discuss this with the facilitator prior to meeting with each other. Regardless of who is present, the facilitator remains the manager of the ACR Process. The facilitator must give permission for anyone other than the participants to attend and participate.

What is the Usual Outcome of ACR?

The goal of ACR is a binding settlement between the person making the complaint and the dentist. Not every ACR results in a written settlement agreement. Approximately sixty percent of ACR Processes have resulted in an agreement between the dentist and the person making the complaint.