

NOVA SCOTIA REGULATOR OF PSYCHOLOGY

INFORMATION FOR PSYCHOLOGISTS ABOUT RESPONDING TO COMPLAINTS

Effective: November 24, 2025 | Updated pursuant to the Regulated Health Professions Act, S.N.S. 2023, c. 15

The Nova Scotia Regulator of Psychology (NSRP) has a mandate of public protection under the Regulated Health Professions Act (RHPA), S.N.S. 2023, c. 15, which replaced the former Psychologists Act, 2000 effective November 24, 2025. The Registrar reviews complaints received by the NSRP and determines whether they meet the definition of a complaint under the RHPA and how they should be processed. References in this document to the “Registrar” include the Registrar’s Designate where applicable.

1. Receiving Notification of a Complaint

When the NSRP receives a written complaint, the Registrar reviews it, considers issues of jurisdiction, and may ask the complainant for clarification. The Registrar will notify the psychologist in writing once a complaint has been accepted for processing.

The letter notifying the psychologist of the complaint will arrive on NSRP letterhead and will be accompanied by the complaint materials and an explanation of the NSRP’s complaints process.

A psychologist may have heard a rumour about an outstanding complaint or may be concerned that a complaint could be forthcoming. Only when a psychologist receives written notification from the Registrar can the psychologist assume that a formal complaint has been lodged.

Because the Registrar must remain neutral, the Registrar is unable to discuss the substance or merits of a complaint. A psychologist who believes a complaint may be forthcoming should seek advice elsewhere — for example, from legal counsel or their professional liability insurer.

The NSRP is obliged to keep confidential all matters related to complaint investigations. In some cases, complainants may disclose to others that they have lodged or are considering lodging a complaint. Because the NSRP regulates only the profession, it has no jurisdiction to restrict what a complainant says to others.

2. Responding to the Complaint

In most cases, the notification letter will ask the psychologist to respond to the concerns raised by the complainant and may request additional information. It is the role of the Registrar and, where the matter is referred, the Complaints Committee, to request information that will assist in arriving at a decision.

Additional questions are typically framed to address concerns the complainant — who is generally a layperson — may not have been in a position to raise. The obligation to cooperate is grounded in both the RHPA and the NSRP Standards of Practice, which state:

Principle 1: A registrant shall be open and responsive to the regulation and discipline of the Nova Scotia Regulator of Psychology.

1.3 During the investigation of a complaint against a registrant, the registrant must promptly comply with requests for information made by NSRP or a committee of NSRP.

The CPA Code of Ethics similarly requires psychologists to cooperate fully with duly constituted regulatory committees concerned with ethics and professional conduct. Accordingly, a psychologist is expected to respond promptly and fully to any complaint notification and to any additional requests from the Registrar or the Complaints Committee. In addition to responding on time, registrants are expected to respond fully to all questions and information requests. Failure to cooperate may result in decisions being reached without complete information, and may itself constitute grounds for further disciplinary measures.

It is generally in the psychologist's best interests to provide a thorough response from the outset. Psychologists may contact the Registrar's office with procedural questions arising from receipt of a complaint, but the Registrar cannot discuss the substance or merits of the complaint.

3. Where a Concern is Unclear

If the psychologist does not understand the nature of a concern raised, it is appropriate to note this in the response. The Registrar may seek clarification from the complainant; however, in some cases it is difficult to obtain a clear description of the concern. The Complaints Committee will be mindful of this when considering the psychologist's response.

4. Jurisdiction Questions

If in the psychologist's opinion a concern does not fall within the jurisdiction of the NSRP, it is appropriate to indicate this opinion and explain why. While it is the NSRP's role to determine jurisdiction, it benefits from having the psychologist's perspective rather than no response at all.

5. Acknowledging Errors or Gaps in Information

It may be appropriate for a psychologist to acknowledge that they cannot answer a question for lack of information, or to acknowledge an error or a change in practice where one has occurred. In many cases, the Registrar and the Complaints Committee will take the recognition of an error and any resulting change in practice into account when reaching a decision.

6. Supporting Documentation

It may be helpful to provide relevant documentation — such as clinical notes or test results — that supports the response or addresses the allegations. Providing such documentation proactively can minimize delays and reduce confusion about why a particular action was taken.

There is, however, no obligation to provide documentation beyond what has been specifically requested by the Registrar or the Complaints Committee. Under the RHPA, the NSRP is authorized to request and review confidential clinical records as part of the investigation.

Psychologists are advised that any information provided to the NSRP will, consistent with the principles of natural justice, be shared with the relevant parties to allow for a fair process.

Please note that the NSRP generally does not accept surreptitious (secret) audio or video recordings. Do not submit recordings unless the Registrar has explicitly requested them.

7. Managing the Emotional Impact

Receiving notification of a complaint is often stressful. The psychologist may experience conflicting emotions about the complainant and about the process. It may be helpful to draft an initial response, wait a few days, and then review it to ensure that all relevant information has been included and that the tone is appropriate to the circumstances.

8. Response Timelines

The psychologist should respond to the complaint within thirty (30) days of receiving the complaint notification. All requests for documents and information will include a clear deadline. Registrants are responsible for making every reasonable effort to meet all regulatory deadlines.

Failure to respond by the deadline may result in the Complaints Committee imposing further disciplinary measures, including an interim suspension of the registrant's licence and/or referral to the Professional Conduct Committee.

Extensions may be granted in certain circumstances. Any request for an extension must be received before the applicable deadline expires. The Complaints Committee will consider the circumstances but is not obligated to grant the request. As a guideline, the following may support an extension request:

- Documented medical reasons;
- Unforeseen extenuating personal circumstances;
- Delays outside the registrant's control in accessing resources or material that would prejudice the ability to properly respond; or
- Circumstances applicable under the Nova Scotia Human Rights Act and/or the Canadian Charter of Rights and Freedoms.

Extension requests should be directed to the Registrar as soon as the circumstances arise, and should include specific reasons for the request.

9. Contact with the Complainant

Once notified of a formal complaint, it is not appropriate for the psychologist to contact the complainant to discuss the matter or to discourage them from proceeding, unless this forms part of an informal or alternative resolution process facilitated through the NSRP.

10. Confidentiality and Formal Hearings

The NSRP maintains confidentiality regarding complaint information in accordance with the RHPA. However, if the Complaints Committee refers a matter to the Professional Conduct Committee for a formal hearing, and the psychologist has been served notice of this, it becomes a matter of public record that a hearing is scheduled. Formal hearings are generally open to the public.

11. Legal Advice and Insurance

It is not necessary to contact a lawyer upon receiving a complaint, although many psychologists find it helpful. As a standard recommendation, psychologists are advised to contact their professional liability insurance provider promptly upon receiving a complaint notification to report the matter. Psychologists may also find it beneficial to seek peer consultation or legal assistance through their insurer's pro bono or legal advice service.

Because the NSRP is the regulatory body investigating the complaint, the Registrar cannot provide advice to either party. Psychologists are encouraged to review their professional liability insurance coverage, as legal consultation services available through their insurer.

12. Third-Party Complaints and Custody/Access Assessments

Complaints initiated by third parties (e.g., the spouse of a client, the parent of an adult client, or another professional) — or complaints relating to custody, access, or parenting capacity assessments — present unique confidentiality considerations.

The NSRP investigates third-party complaints using the same general process as first-party complaints. However, confidential information relating to the first party (i.e., the client) is not disclosed to the third-party complainant. In custody and access matters, information regarding a client who is not the complainant is treated as confidential at the Complaints Committee level.

The Complaints Committee generally does not begin to examine complaints involving custody, access, or parenting capacity reports until the related court action has concluded.

Complainants who are not the client of the psychologist should be aware that the NSRP cannot share confidential information about the client or investigative details with a third-party complainant.

13. Clinical Records and the Investigation

It is the position of the NSRP that it is appropriate and necessary for psychologists to provide confidential clinical records to the Registrar or the Complaints Committee when requested. The NSRP is authorized to access such records under applicable provisions of the RHPA and the Personal Health Information Act (PHIA).

Complainants will be advised that the NSRP may request and obtain clinical records from the psychologist as part of the investigation process.

14. Court-Ordered Psychological Reports

Where issues of competency relate to a court-ordered psychological report, the complainant will often provide that report for the Complaints Committee's review. If the complainant has not done so, the psychologist is required to provide the report upon request by the Registrar. As noted in Section 12 above, information regarding a client who is not the complainant is treated as confidential at the Complaints Committee level.

15. Role of Investigators and Consultants

Under the RHPA, the Registrar may appoint professional investigators and NSRP staff to assist with interviews and the gathering of information. The NSRP may also retain consultants with particular expertise when necessary to support an investigation. Investigators operate under the authority of the RHPA and NSRP's governing framework. Psychologists are required to cooperate with investigators and must not obstruct, withhold from, or conceal information relevant to an investigation.

16. Communication During the Investigation

Once a complaint has been accepted for processing, the Registrar or Registrar's Designate is available to both the complainant and the psychologist. The Registrar remains neutral and does not act as an advocate for either party. During the investigation, parties may contact the NSRP to:

- request a status update on the timeline of the file; or
- seek clarification on the procedural steps of the RHPA.

Email communication is preferred to ensure a clear and consistent record. The Registrar cannot discuss the substance or merits of the complaint with either party.

17. Complaints Committee Process

If the Registrar determines that a complaint cannot be resolved through dismissal, informal resolution, alternative dispute resolution, or another early resolution mechanism, the matter will be referred to the Complaints Committee.

The Complaints Committee is a statutory committee established under the RHPA. The Committee's process is thorough. Once a complaint is referred to the Committee, the complaint materials, the psychologist's response, and any other relevant information are forwarded for review. It may take one to three months after a complaint is received before a Committee fully begins its work. The Committee can act more quickly when it believes the psychologist presents a significant risk to the public.

The Complaints Committee is a volunteer committee. Depending on the complexity of the issues and the time required to gather relevant information, the typical time to closure is between 6 and 18 months.

18. Possible Outcomes

Under the RHPA, the Registrar has a number of options when processing a complaint, including:

- Dismissing the complaint (which may include written advice to the psychologist);
- Informally resolving the complaint;
- Referring the matter to another form of dispute resolution;
- Authorizing the voluntary surrender of the psychologist's registration and/or licence; or
- Referring the matter to a Fitness to Practise process (with the registrant's consent).

If none of these options is appropriate or available, the Registrar will refer the complaint to the Complaints Committee, which may:

- Dismiss the complaint;
- Issue a written Caution where the Complaints Committee determines that the registrant may have breached the standards of professional ethics or practice, but in circumstances that do not constitute professional misconduct, conduct unbecoming, incompetence, or incapacity — a Caution may be taken into account if a similar complaint arises in the future;
- Issue a Reprimand where the conduct amounts to professional misconduct or conduct unbecoming (if the psychologist does not consent to the Reprimand, the matter proceeds to the Professional Conduct Committee for a formal hearing);
- Impose terms, limitations, or conditions on the psychologist's licence; or
- Recommend suspension or revocation of registration or licence, which will generally involve referral to the Professional Conduct Committee for a formal hearing.

19. Publication of Decisions

Reprimands, suspensions, and revocations of registration or licence are disciplinary findings and will be published on the NSRP website. Published decisions will include the name of the psychologist; the complainant will not be identified. Cautions are not disciplinary findings, but a summary may be published for educational purposes — without identifying the psychologist or complainant.

20. Complaints Involving Matters Before the Courts

Where a complaint relates to a matter that is before the courts or under investigation by another agency, the NSRP may place its investigation on hold until those proceedings have concluded. If the complaint relates to an issue before the courts, the psychologist should consult legal counsel about the options available through that process.

Section 138(3) of the RHPA provides that, unless otherwise determined by a court of competent jurisdiction, a decision issued under any process conducted under the RHPA is not admissible in a civil proceeding other than an appeal or a process under the RHPA.

21. Timeliness of Complaints

Psychologists are required to retain client files for adults for at least 10 years after the last date the client was seen. For clients seen as children, files must be retained for at least 10 years after the client's 18th birthday. While there is no time limit for making a complaint, if more than 10 years has elapsed since the client was last seen, the NSRP's ability to investigate may be hampered if the relevant records are no longer available.

Complaints against deceased psychologists cannot be investigated, as the psychologist's right to respond is a necessary element of a fair process.

Questions about this document or the complaints process may be directed to the Office of the Registrar.

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