

PHASE 2
Continuing Professional
Development Committee

PHASE 2 REPORT TO COUNCIL

RECOMMENDATIONS FOR A NEW CONTINUING EDUCATION PROGRAM

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ENGINEERS &
GEOSCIENTISTS
BRITISH COLUMBIA

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RECOMMENDATIONS FOR A NEW CONTINUING EDUCATION PROGRAM

1.0 INTRODUCTION

Starting in Spring 2017, the Continuing Professional Development (CPD) Committee (hereafter referred to as the “committee”) has engaged in a staged process to revise the Engineers and Geoscientists BC’s current CPD program and create a new Continuing Education Program (Figure 1). The committee is now concluding the second phase of this process – Program Development. This report provides a summary of the CPD Committee’s process, the committee’s Phase 2 recommendations to Council for the new CEP, other considerations for the new CEP, and recommendations for next steps in Phase 3.



Figure 1: CPD Committee Process (2017 to 2020)

Please note that in this report, there are two notable changes in terminology. First, the current program is referred to as the CPD Program, whereas the new program is referred to as the Continuing Education Program (CEP). The change in language from “continuing professional development” to “continuing education” is due to the newly preferred language for similar programs under the *Professional Governance Act*. Secondly, there are multiple references to “members” of Engineers and Geoscientists BC. Under the new *Professional Governance Act*, those who are registered with Engineers and Geoscientists BC will no longer be referred to as “members”, but rather as “registrants”. Due to this change in terminology during the process of the previous phases of CPD Committee work, the term “members” was used during the education and program development phases, including during consultation. In future phases, only the term “registrants” will be used.

2.0 CPD COMMITTEE PROCESS

2.1 PHASE 1: EDUCATION AND GOAL DEVELOPMENT

The first stage of Phase 1 was education for committee members to explore key issues related to continuing education programs for regulated professions. The key learnings are summarized Table 1 below.

Table 1: Phase 1 Learnings

TOPIC	KEY LEARNINGS
Review of continuing education programs in other jurisdictions and professions	There are a variety of different approaches to CPD programs and there is no research that any single jurisdiction has the “best” program. Professional Engineers Ontario’s program is unique and worth learning from.
Self-assessment (Dr. Glenn Regehr research)	Professionals are not good at identifying areas of weakness and prioritizing learning to correct these deficiencies. Self-assessment should be supplemented with peer review and/or oversight by the regulatory body.
Right Touch Regulation	There is a need to understand and define the problem before developing a solution and the committee should ensure the level of regulation is proportionate to the level of risk. Encouraged the committee to look at all regulatory tools and processes to see how they all fit together.
Discipline Trends	Many issues leading disciplinary cases have an ethical component.
Practice Review and OQM Audit Findings	The majority of issues identified in practice reviews and OQM audit findings relate to quality management such as improper use of seal, not properly documenting checks of engineering and geoscience work and not being aware of or meeting the intent of practice guidelines.
Direction on Regulation of Firms and OQM	The work of the CPD Committee and the Advisory Task Force on Corporate Practice are aligned, particularly on support for professional development as part of the three-pillar model. Continued communication and coordination between these two initiatives is important.
Legislative Challenges and	The committee reviewed and discussed Engineers and Geoscientists BC’s primary role, the current legislative framework, the government’s

Government Expectations

expectations for Engineers and Geoscientists BC and its registrant engagement strategy.

The second stage of Phase 1 was to use the data gathered in the education stage as well as information from previous consultations to develop the goals of the CEP which are summarized as follows:

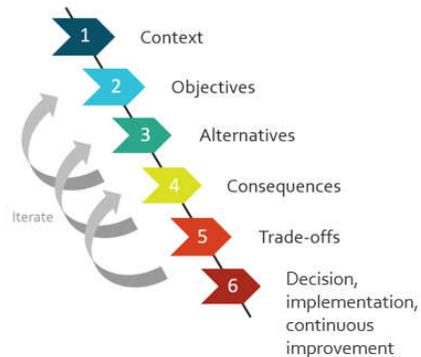
- Public safety
- Public and government expectations
- Registrant competence and confidence

The committee presented the results of Phase 1 in a report to Council in Feb 2018 and received endorsement to move to Phase 2.

2.2 PHASE 2: PROGRAM DEVELOPMENT

The second phase focused on developing the components of the new Continuing Education Program. In this phase, the learnings from the first phase were used to explore different options and make recommendations on the main components of the new CEP. The second phase applied a structured decision making (SDM) method to guide the committee’s decision process for making recommendations on the new CEP. This process was facilitated by an independent consulting firm, Compass Resource Management. SDM includes a set of principles and tools based on best practices from the field of decision analysis and group deliberation. The SDM decision process steps and principles are listed below, with an example of the committee activities undertaken in each step.

1. **Clarify Decision Context:** Have a common understanding of the decision context: problem, decision, and roles. In this step, the Committee discussed the goals and objectives of the new CEP to clarify the issues that the new CEP would be intended to address.
2. **Define Decision Objectives:** Define decision objectives that focus on what matters. In this step, the Committee developed the principles that would be used to judge the components of the new CEP.
3. **Develop Alternatives:** Develop a range of alternative approaches for updating the Continuing Education Program. In this step, the Committee developed alternatives for various program components based on research of other CEPs from around the world.
4. **Characterize Consequences:** Evaluate alternatives using best available information and acknowledge uncertainties. In this step, each Committee member rated alternatives for various program components based on how those alternatives met the Program principles.
5. **Deliberate on Trade-offs:** Make trade-offs among alternatives explicit, discuss the importance of these trade-offs and consider feedback from registrants and stakeholders. In this step, the Committee debated the leading alternatives for program components, using consultation



results and research completed by Engineers and Geoscientists BC staff as supporting information.

6. **Decide, Implement, & Review:** Strive for consensus within the committee on a recommended approach to CEP, advise on implementation given uncertainties in performance, and review for continuous improvement. In this step, the Committee finalized consensus recommendations through discussion.

2.2.1 RECENT CONSULTATION

Engineers and Geoscientists BC has carried out several consultative processes on the current CPD program and future requirements over the last decade. The committee reviewed the results of previous consultations in earlier phases to help inform the decision-making process.

In April and May 2019, Engineers and Geoscientists BC led a new consultation with registrants on the components of the new CEP with guidance from the committee. The main activity in this consultation was a survey of registrants. Other activities included communications via updates to the website and E-news.

In the survey, registrants were informed of the new CEP context with the Professional Governance Act (PGA) and were asked for feedback on the decision objectives and alternative approaches for updating the CEP. Over 2,900 registrants participated in this survey, representing approximately 8% of the current 37,000 registrants. The Consultation Summary Report is provided in Appendix 1 and key findings from this consultation are provided throughout this Report to Council.

2.2.2 STEP 1: DECISION CONTEXT AND *PROFESSIONAL GOVERNANCE ACT*

At the beginning of the Phase 2 process, the Professional Reliance Review was still ongoing and the government had not yet passed the *Professional Governance Act*. The passing of the *Act* in November 2018 significantly changed the context for the new CEP. Section 22 (2)(g) of the *Act* requires regulatory bodies, including Engineers and Geoscientists BC, to “establish and maintain a continuing competency program to promote high standards among registrants.” Section 57 (1) of the *Act* also states that each regulatory body must make bylaws establishing the following:

- (e) continuing education programs or requirements for qualified continuing education for individual registrants, which programs or requirements may be different for different specializations;
- (f) continuing education programs or requirements that support reconciliation with Indigenous peoples in British Columbia; [and]
- (g) continuing education programs to be provided by registrants that are firms.

The government regulations that will guide the program requirements are expected to be introduced over the next few years. It is understood that the regulations will make this continuing competency program mandatory for all registrants, but the timeline for making the program mandatory is still unknown. The committee’s current work in developing the new CEP will help to position Engineers and Geoscientists BC to advise government on what will work best to protect the public once this section of the *Act* is brought into force.

The main implication of the *Professional Governance Act* for the new CEP is that the introduction of a mandatory program would no longer have to be approved by a bylaw vote of two-thirds of the registrants of Engineers and Geoscientists BC. Under new regulation enabled by the *Act*, Council

is expected to have the ability to pass bylaws affecting registrants without requiring a registrant vote.

2.2.3 STEP 2: DECISION OBJECTIVES

An early step in Phase 2 was defining the important considerations for developing the new CEP – these were called decision objectives and they were used as criteria by which alternative approaches to updating the CEP were evaluated. A description of the six decision objectives used by the committee follows along with a discussion on their relative importance in guiding committee recommendations.

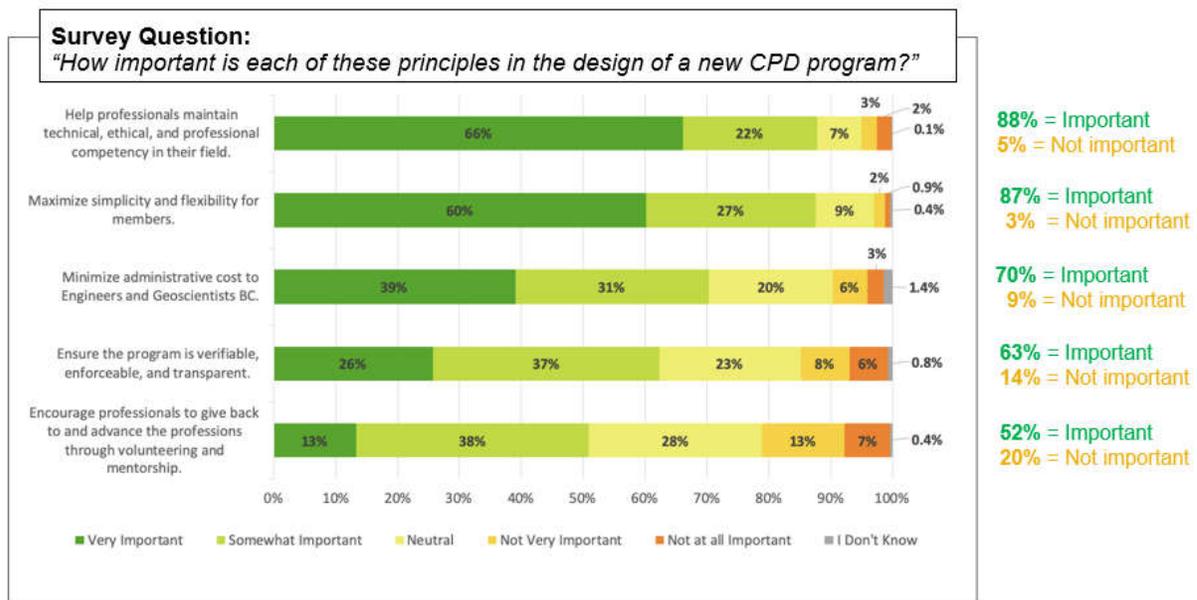
1. **Help professionals maintain competency in their scope of practice:** The duty of Engineers and Geoscientists BC is to uphold and protect the public interest regarding the practice of professional engineering and geoscience. Setting and maintaining high standards for competency of registrants is the primary way Engineers and Geoscientists BC addresses this duty and, as such, this goal is featured as one of the three pillars of Engineers and Geoscientists BC's current strategic plan. In the case of the CEP, competency is defined as "the ability to perform the tasks and roles of an occupational category to standards expected and recognized by employers and the community at large."
2. **Maximize simplicity and flexibility for registrants:** "Simplicity" in this decision objective refers to the ease with which registrants understand their CEP requirements and can implement them. "Flexibility" refers to the degree to which the CEP recognizes and accommodates the unique circumstances across Engineers and Geoscientists BC's diverse registrants.
3. **Minimize administrative cost to Engineers and Geoscientists BC:** Achieving benefits for the public, professions and registrants while minimizing administrative costs is important across all of Engineers and Geoscientists BC's programs. The administrative cost of a CEP is largely a factor of the support staff required to run the program, the cost for any web-based supporting tools, and the frequency and scope of program evaluations and updates.
4. **Ensure the program is verifiable, enforceable and transparent:** Over and above a CEP's performance on helping professionals maintain competency, the government and public also expect CEPs to adhere to best practices, which include that these programs are verifiable, enforceable and transparent:
 - **Verifiable** – Engineers and Geoscientists BC can check that practising registrants are meeting their CEP requirements.
 - **Enforceable** – Requirements are sufficiently verifiable to support disciplinary action if Engineers and Geoscientists BC believes that CEP requirements are not being met.
 - **Transparent** – Public can see whether a practising Engineers and Geoscientists BC registrant is meeting CEP requirements.
5. **Encourage professionals to give back to and advance the professions through volunteering and mentorship:** A CEP can contribute to advancing the engineering and geoscience professions through encouraging volunteering (e.g. volunteering with Engineers and Geoscientists BC to contribute to the self-regulation of the professions) and mentoring (transferring knowledge and skills to the next generation of professionals).

6. Align with Engineers and Geoscientists BC's other regulatory programs: All of Engineers and Geoscientists BC's regulatory programs contribute to the ultimate duty of Engineers and Geoscientists BC to uphold and protect the public interest regarding the practice of professional engineering and geoscience. Alternative CEP approaches need to be evaluated both in terms of their complementarity with other regulatory programs for individual professionals as well as their consistency with the Regulation of Firms model.

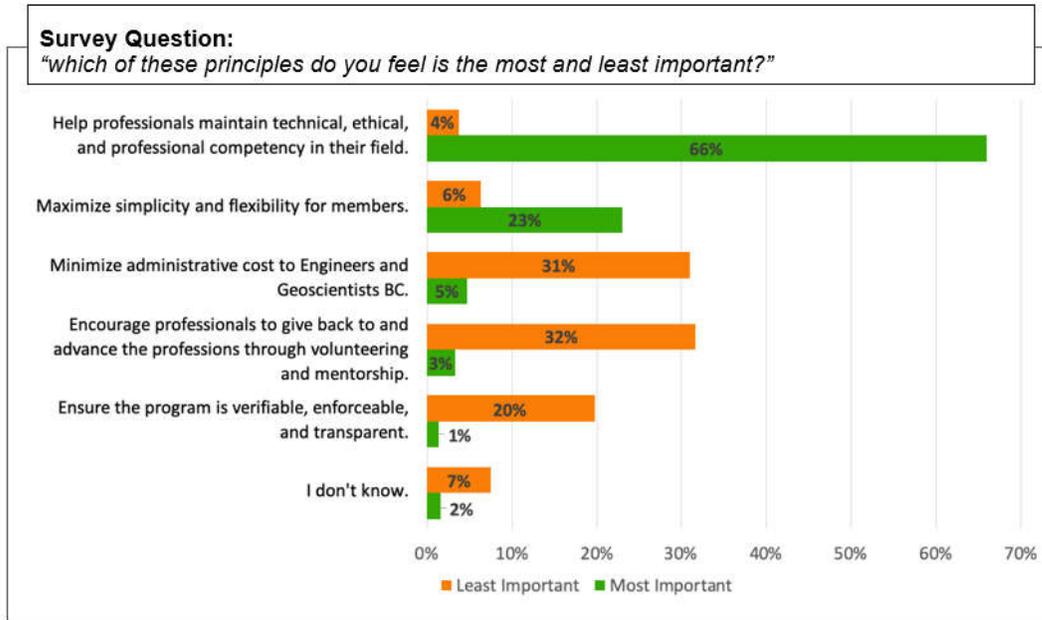
In the survey of registrants to inform the Phase 2 CEP development process, the first five¹ of these decision objectives were framed as “guiding principles for the update of the CPD Program” and registrants were asked “how important is each of these principles in the design of a new CPD Program?” and “which of these principles do you feel is the most and least important?”. The survey results are shown in Figure 2 and are summarized below:

- A majority of respondents think all of the first five of these principles are “very important” or “somewhat important”.
- Results indicate that the first two principles on (1) competency and (2) simplicity and flexibility are the most important across respondents.
- When respondents were asked to choose which was the most important principle, the first principle on maintaining competency was chosen by the greatest number of respondents (66%) followed by the principle on maximizing simplicity and flexibility (23%).
- The principles chosen as “least important” by the greatest number of respondents were the third principle on minimize administrative cost (31%) and the fifth principle on volunteering and mentorship (32%).

Figure 2: Survey results on the importance of each guiding principle



¹ Note – the last decision objective (“Align with Engineers and Geoscientists BC’s other regulatory programs”) was not included to decrease the effort and time required to complete the survey and to focus attention on questions that the committee thought would be of most value for feedback.



The survey results exhibit some of the same areas of agreement across survey respondents as committee members. For instance, all committee members recognize that the most important purpose and contribution of the CEP is to help professionals maintain competency in their scope of practice. As well, all committee members recognize the importance of maximizing simplicity and flexibility for registrants. At the same time, committee members recognize that while all of these principles are important considerations for the new CEP, they cannot all be optimized and trade-offs must be made. For example, some alternative approaches to CEP will help professionals maintain competency but they may not be flexible and/or simple. While the committee members have looked for approaches that can be “win-win” by helping to maintain competency and be flexible/simple, many approaches do involve trade-offs and have required committee deliberation and judgement in terms of which trade-offs are reasonable and/or unreasonable.

2.2.4 STEPS 3 TO 5: ALTERNATIVES, CONSEQUENCES, TRADE-OFFS

The committee considered alternative approaches to updating the CEP across the following main components of the Program:

1. **Application/Exemptions** – *Who does the CEP apply to and who is exempt?*
2. **CE Quality** – *What types of activities count for the purposes of the CEP? Are any specific types of activities required under the CEP?*
3. **CE Quantity** – *How much CE must registrants do?*
4. **CE Documentation** – *What types of documentation must registrants maintain with respect to the CEP?*
5. **CE Reporting** – *How will registrants demonstrate compliance with the CEP?*
6. **CE Enforcement** – *How will the CEP be enforced?*
7. **Regulation of Firms Program:** *How should the CEP be integrated with the new Regulation of Firms Program?*

For each of the above components, the committee identified a range of alternative approaches that they thought were worthwhile to consider. These alternatives were a mixture of both new approaches developed by the committee and approaches applied in BC and other jurisdictions.

Over the course of nine months (November 2018 to August 2019), the committee identified alternatives, characterized the expected consequences of each alternative, deliberated on trade-offs and sought agreement on a recommended approach for each component. The effects of various approaches to CEPs are generally not well studied in terms of their effectiveness at helping professionals maintain competency.² Where possible, the committee used available studies to inform the characterization of consequences, but the committee often had to rely on their own judgement and experience and where this was not sufficient, the committee had to recognize that the performance of some alternatives was uncertain and they took this uncertainty into account.

2.2.5 STEP 6: DECIDE AND IMPLEMENT

The committee sought consensus decisions on all recommendations to Council in this Phase 2 Report, where consensus means that no one member opposed the recommendation.

The recommendations in the next section represent the consensus recommendations of the committee. If accepted by Council, these recommendations will become the basis for writing the new CEP Bylaw and CE Guideline. These recommendations provide the broad outline for the new program and the CE Guideline will provide more details on how the CEP will be implemented.

² CEPs for regulated professions are largely based on precedents established by existing programs in other jurisdictions or by organizations such as the Professional Standards Authority.

3.0 RECOMMENDATIONS FOR A NEW CONTINUING EDUCATION PROGRAM

3.1 OVERVIEW: A COMPETENCY-FOCUSED, RISK-INFORMED AND PROACTIVE APPROACH TO CONTINUING EDUCATION

The committee's recommendations for the new CEP have been broadly influenced by a few key ideas on how best to design and implement a CEP for engineering and geoscience professionals:

- **Competency-focused:** the primary purpose of the CEP is to help professionals maintain competency in their scope of practice.
- **Risk-informed:** requirements within a CEP need to be informed by, and focused on, requirements that will reduce risk to the public and the environment.
- **Proactive:** the purpose of requirements within a CEP is to create a culture of learning and to promote good practices for maintaining competency.

This approach is discussed more below and has emerged largely from the committee's deliberations and understanding of the possibilities and limitations of what can be achieved through a CEP.

3.1.1 COMPETENCY-FOCUSED APPROACH

The primary purpose of Engineers and Geoscientists BC's Continuing Education Program (CEP) should be to support registrants in maintaining competency in their professional practice, where *competency* is defined as "the ability to perform the tasks and roles of an occupational category to standards expected and recognized by employers and the community at large" (as per Engineers and Geoscientists BC's Competency Framework). Maintaining competency is directly related to a registrant's ability to meet the first principle of the Code of Ethics, which states "*Professional Engineers and Professional Geoscientists shall hold paramount the safety, health and welfare of the public, the protection of the environment and promote health and safety within the workplace.*"

Importantly, while the CEP should support registrants in maintaining competency, it is not the only way that Engineers and Geoscientists BC supports this objective. Engineers and Geoscientists BC regulates the practice of individual professional engineers and geoscientists through the following main mechanisms:

- a) Setting minimum standards for entry into the professions;
- b) Assessment of applicants to ensure they have met these minimum qualification standards before being licensed to practice;
- c) Receiving and dealing with complaints against practitioners and disciplining those who do not comply with the basic standards of skilled and ethical practice;
- d) Development of quality management guidelines and professional practice guidelines; and
- e) Undertaking of audits and practice reviews as a proactive quality assurance check on the practices of individual professionals.

In addition to these regulatory mechanisms for individual professionals, Engineers and Geoscientists BC will also soon be implementing a comprehensive Regulation of Firms Program

that is expected to apply to most entities that practice professional engineering and geoscience in BC, including sole practitioner entities.

A competency-focused approach to the CEP is a modification to the current Engineers and Geoscientists BC's CPD Guideline, which identifies maintaining competency as one of many benefits to continuing education. Other benefits emphasized in the current guideline include:

- fostering excellence in the professions,
- enhancing and/or expanding the domain of practice,
- enhancing professional image,
- facilitating practice mobility,
- facilitating upward movement in the value chain to clients and employers, and
- improving marketability.

While all of these benefits are indeed good for individuals and the reputation of the professions at large, having the CEP focus on the achievement of these benefits may be beyond the regulatory duty of Engineers and Geoscientists BC. At the very least, including these goals may contribute to confusion by registrants that the primary duty of Engineers and Geoscientists BC is to uphold and protect the public interest rather than to put the priorities of registrants first. The professional reliance review and the introduction of the new *Professional Governance Act* have reemphasized that Engineers and Geoscientists BC's focus should be on this primary duty and that other functions, such as advocacy and promoting career advancement, are of lower priority. Within this new regulatory context, the committee believes that the CEP needs to be focused on setting a minimum bar for continuing education that is guided by the primary purpose of supporting registrants to maintain their competency.

3.1.2 RISK-INFORMED APPROACH

A risk-informed approach for the new CEP means designing the program in consideration of risks to the public and the environment and the linkages between these risks and professional competency. The committee has taken a risk-informed approach to the new CEP in three respects:

- a) We have reviewed the available evidence for what aspects of competency have posed the greatest risk to the public and environment through a review of disciplinary cases;
- b) We have developed requirements and guidance in the new CEP to support registrants in addressing the risks of their practice to the public and the environment; and
- c) Where there was not a clear linkage between a reduced risk to the public and the environment and a potential CEP requirement, we have opted, in most cases, not to recommend this requirement within the CEP in favour of enhancing the flexibility and simplicity of the CEP for registrants.³

Through following this approach, the committee believes that this new CEP will address the risks that can be addressed through a CEP, while being simpler and more flexible than the current CPD

³ For example, several alternatives were ruled out for the CE quality, documentation and reporting components because it was not clear enough that they would contribute to helping professionals maintain competency and because they were not flexible and/or simple. In the presence of uncertain benefits for reducing risk to the public and the environment and certain drawbacks for flexibility/simplicity, the committee, in most cases, decided against an alternative.

Program. We believe that this balance is in keeping with the concepts of right touch regulation that the committee learned about in Phase 1. The concept of right touch regulation includes the idea that a regulatory program should be “based on a proper evaluation of risk, proportionate, and outcome focused” and that a program, in this case the CEP, is only one tool in a suite of regulatory programs. The CEP must be designed to work in harmony with those other programs and should not try to solve problems better addressed through other regulatory mechanisms.

3.1.3 PROACTIVE APPROACH

Generally speaking, regulatory programs for professionals can apply two types of broad strategies for increasing compliance with their requirements – a proactive strategy and/or a punitive strategy. Many regulatory programs strike a balance between applying proactive and punitive approaches to encourage compliance.

The underlying assumption in a proactive strategy is that most professionals want to follow regulatory requirements but a key hurdle is sufficient understanding, know-how, and simplicity of programs. Based on this assumption, a key role of the regulatory body is to proactively communicate with professionals to promote compliance, and to verify compliance through audits/reviews that are viewed as learning opportunities for professionals rather than opportunities to penalize professionals for not understanding the requirements.

In contrast, the punitive strategy assumes that a significant number of professionals will not comply with requirements unless there is a reasonable probability that their non-compliance could be discovered by the regulatory body. Based on this assumption, a key role of the regulatory body is to implement strict methods to independently verify compliance that do not rely on the honesty of the professional.

For any given regulatory program or requirement within a regulatory program, the balance between a proactive and punitive strategy will often depend on how critical a given program/requirement is to preventing harm to the public and the environment, and how effective either strategy is expected to be in achieving the ultimate goal of a program (which is often much broader than the specific individual requirements within a program). A common trade-off with implementing a more punitive strategy is that requirements become more complex and less flexible to individual circumstances.

In the case of continuing education programs, the committee believes that taking a proactive approach will result in better outcomes for advancing the ultimate purpose of the program – to help professionals maintain competency in their scope of practice and avoid harm to the public and the environment caused by a lack of competency. Since the requirements in a proactive approach can be simpler and more flexible, there is more room to promote a culture of learning and competency. For instance, in communications about the program, instead of having to spend time explaining strict and detailed requirements, communications can focus more on promoting key messages and tools that will be more effective at helping professionals maintain competency.

3.2 RECOMMENDATIONS

The committee's recommendations to Council address the following main components of the new CEP:

1. **Application/Exemptions** – *Who does the CEP apply to and who is exempt?*
2. **CE Quality** – *What types of activities count for the purposes of the CEP? Are any specific types of activities required under the CEP?*
3. **CE Quantity** – *How much CE must registrants do?*
4. **CE Documentation** – *What types of documentation must registrants maintain with respect to the CEP?*
5. **CE Reporting** – *How will registrants demonstrate compliance with the CEP?*
6. **CE Enforcement** – *How will the CEP be enforced?*
7. **Regulation of Firms Program**: *How should the CEP be integrated with the new Regulation of Firms Program?*

If supported by Council, these recommendations will become the basis for writing a new Continuing Education Guideline, which will be the committee's next step in implementing a new CEP.

3.2.1 SUMMARY OF RECOMMENDATIONS

NO.	TOPIC	SUMMARY
1a	Application	CEP is mandatory for practising registrants (P.Eng., P.Geo., Eng.L., Geo.L.).
1b	Application	CEP is optional for registrants with Non-practising or Retired status, except for meeting the CEP's ethical and regulatory learning requirement every 3 years.
1c	Exemptions	CEP is optional but encouraged for registrants-in-training. Council should consider options to mitigate the risk of the use of EIT or GIT designations beyond the expected period, including the possibility of trying to avoid CEP requirements.
1d	Exemptions	Registrants can apply for an exemption on a yearly basis for parental, medical, or compassionate care leave, or for other extenuating circumstances.
2a	CE Quality	Registrants must meet a minimum amount of CE hours per year. Registrants must be able to demonstrate relevance of their CE activities in an audit or practice review.
2b	CE Quality	Registrants are encouraged to identify relevant areas of learning, choose best avenues of learning for themselves, and seek input from peers and/or employer.
2c	CE Quality	All practising registrants must complete ethical and regulatory learning every year.
3a	CE Quantity	Required CE hours must be met on a 3-year rolling basis.
3b	CE Quantity	60 hours of CE are required per 3-year rolling period.

NO.	TOPIC	SUMMARY
3c	CE Quantity	Professional practice will no longer count toward CE. The required number of CE hours have been reduced compared to the previous CE Guideline to account for this change.
4a	CE Documentation	All practising registrants must have a CE plan and a record of CE hours and activities and update these each year. Engineers and Geoscientists BC would provide templates and tools but using these would not be mandatory.
4b	CE Documentation	CE plans must meet specific minimum requirements, including: <ul style="list-style-type: none"> • Defines a registrant's scope of practice, including any anticipated or desired changes; • Characterizes the risks of their practice to the public and/or the environment; • Outlines learning goals and priorities; and • Identifies the activities that they will do to advance those learning goals and priorities, including how they will meet the requirements for ethical and regulatory learning.
4c	CE Documentation	Registrants would be required to maintain CE documentation for a minimum of 4 years and have evidence available for review in the event of an audit or practice review.
5	CE Reporting	Practising registrants must report hours and learning activities and upload their CE Plan yearly.
6a	CE Enforcement	Engineers and Geoscientists BC should follow standard, established procedures for enforcement with respect to the CEP.
6b	CE Enforcement	CE documentation should be evaluated during audits and practice reviews and investigations to determine compliance.
7a	Regulation of Firms	Registrants are accountable for fulfilling CEP requirements on an individual basis.
7b	Regulation of Firms	The committee supports the intent that firms support their professionals in meeting their individual CE requirements. The Regulation of Firms Advisory Group should further clarify the various mechanisms of support that would be acceptable.

3.2.2 RECOMMENDATION #1: APPLICATION/EXEMPTIONS

This recommendation addresses the key questions: *Who does the CEP apply to and who is exempt?*

Recommendation #1a: The committee recommends that compliance with the requirements in the CEP is *mandatory* for practising registrants – i.e. registrants with the following professional designations:

- Professional Registrants (P.Eng./P.Geo)
- Licensees (Eng.L., Geo.L.)

Recommendation #1b: The committee recommends that the CEP is *optional* for registrants with non-practising status, except for meeting the CEP's mandatory ethical and regulatory learning

requirement every three years. This applies to registrants with the following professional designations:

- P.Eng. (Non-practising), P.Geo. (Non-practising), Eng.L. (Non-practising), or Geo.L. (Non-practising); or,
- P.Eng. (Retired), P.Geo. (Retired), Eng.L. (Retired), or Geo.L. (Retired).

Recommendation #1c: The committee recommends that CEP is *optional but encouraged* for registrants-in-training – i.e. registrants with the following professional designations: Engineers-in-Training (EITs) and Geoscientists-in-Training (GITs). The committee recommends Council to consider options to mitigate the risk of the use of EIT or GIT designations beyond the expected period, including the possibility of trying to avoid CEP requirements.

Recommendation #1d: The committee further recommends that the following registrants can apply for an exemption to the CEP on a yearly basis:

- Registrants on parental leave
- Registrants on medical leave
- Registrants on compassionate care leave
- Other registrants with extenuating circumstances that inhibit their ability to meet their CEP requirements

Rationale – Recommendation #1a and #1b: Why this approach for Practising and Non-practising registrants?

The recommendations above are based on a risk-informed approach in that practising registrants pose significantly more risk to the public and the environment than registrants with non-practising status and therefore the CEP should focus on practising registrants.

That said, non-practising registrants should still be required to complete the mandatory ethical and regulatory requirement of the CEP. While these registrants no longer have practice rights, they do retain the right to vote, participate in non-technical Engineers and Geoscientists BC committees and boards, and represent Engineers and Geoscientists BC as registrants to the public at large. As such, these non-practising registrants should be up to date with current ethical and regulatory issues affecting the practice of professional engineering and geoscience. Moreover, the ethical conduct and regulatory knowledge of all registrants has the potential to affect how the public and government views professional engineers and geoscientists in BC.

What is “Non-practising status”?

Registrants can apply for Non-practising status if they want to remain registrants of Engineers and Geoscientists BC but no longer need to retain practice rights. Non-practising registrants have no greater right to engage in the practice of professional engineering or geoscience than a member of the general public who is not a registrant of Engineers and Geoscientists BC. Registrants with Non-practising status retain the right to vote and the ability to participate on certain non-technical Engineers and Geoscientists BC boards and committees. Non-practising registrants must use one of the following qualifiers:

- P.Eng. (Non-practising), P.Geo. (Non-practising), Eng.L. (Non-practising), or Geo.L. (Non-practising); or,
- P.Eng. (Retired), P.Geo. (Retired), Eng.L. (Retired), or Geo.L. (Retired).

The decision whether to use the qualifier “Non-practising” or “Retired” is up to each individual who holds non-practising status. Non-practising registrants who intend to practice professional engineering or professional geoscience must apply for resumption of practising status, pay the applicable fees set by Council, comply with any requirements for return to practice, and not practice professional engineering or professional geoscience until practising status has been granted by Council.

Rationale – Recommendation #1c: Why this approach for Registrants-in-Training?

The committee recommended that EITs/GITs be exempt from the CEP because they are in an “initial” education phase (as opposed to “continuing” education) as they develop in their practice and are required to meet minimum standards of competency when they become professional registrants. EITs/GITs are also required to do ethical learning through the Professional Engineering and Geoscience Practice in BC Online Seminar (formerly known as the Law and Ethics Seminar) for registrants-in-training. The committee recommends that the guideline still encourage EITs/GITs to meet the program intent to emphasize the importance of CE at any stage of one’s career.

One area of concern for the committee is that there is an anecdotal trend that some registrants are choosing to remain as EITs or GITs instead of getting their professional designation once fully qualified. For these EITs and GITs, this could mean that they never participate in the CEP during their professional careers. The committee considered requiring EITs and GITs to participate in the CEP to address this trend, but ultimately decided against making this recommendation because it is the responsibility of Engineers and Geoscientists BC, not this committee, to address this larger problem. At this time, the number of EITs and GITs that have maintained that designation for more than 10 years is just over 400, which represents just over 5% of the more than 7,500 active EIT/GIT registrants. The committee believes that Engineers and Geoscientists BC should be monitoring this issue to get a better sense of the extent and risks of this issue and determine appropriate next steps.

Rationale – Recommendation #1d: Why this approach for registrants on leave or with other extenuating circumstances?

To provide registrants with flexibility during times of additional personal commitment or stress, the committee has recommended that registrants on medical, parental, and compassionate care leave can apply for an exemption to their CEP requirements on a yearly basis. Beyond these situations, the committee recognizes that there may be other valid reasons why a registrant cannot meet their CEP requirements. As such, registrants can submit a request for an exemption due to other circumstances and provide justification for the exemption. These requests would be reviewed by staff and/or the committee to determine if these requests are justified and, if so, grant an exemption.

3.2.3 RECOMMENDATION #2: CE QUALITY

This recommendation addresses the key questions: *what types of activities count for the purposes of the CEP; and, are any specific types of activities required under the CEP?*

Recommendation #2a: The committee recommends that registrants ***must***:

- Undertake a minimum amount of CE hours per year, where:
 - A “CE hour” is one hour of learning that contributes to a registrant’s maintenance of competency in their scope of practice;
 - “Competency” is defined as “the ability to perform the tasks and roles of an occupational category to standards expected and recognized by employers and the community at large.” (as per the Engineers and Geoscientists BC Competency Framework); and
 - “Scope of practice” is defined as a registrant’s area(s) of professional responsibility, including any anticipated or desired changes.
- Within an audit or practice review, demonstrate the relevance of their CE activities.

Recommendation #2b: The committee recommends that the CE Guideline and CE outreach activities encourage registrants to:

- Identify the areas of learning that are most relevant to maintaining competency in their scope of practice and focus learning activities in those areas. Areas of learning defined in the new CEP include technical, ethical, regulatory, and communication and leadership.
- Consider the diversity of avenues for learning (formal learning, informal learning, mentoring, contributions to knowledge, etc.), choose the avenue(s) of learning best for their circumstances, and incorporate this into their CE Plan.
- Seek input from peers and/or employer on a CE Plan (discussed further in recommendation #4).

Recommendation #2c: The committee recommends that all registrants ***must*** complete some amount of ethical and regulatory learning every year and that Engineers and Geoscientists BC staff create free annual webinars on ethical and regulatory issues, similar to those currently carried out on the Quality Management Requirements and practice resources. The new CE Guideline will provide guidance on what constitutes appropriate ethical and regulatory learning.

Rationale – Recommendation #2a and #2b: Why shift from the current program’s use of “categories” to the use of “areas of learning” and “avenues of learning”?

The current CPD program refers to “categories” of activities, including Professional Practice, Formal, Informal, Participation, Presentations, and Contributions to Knowledge. The new program will refer to these as “avenues of learning” as they represent different ways of **how** people **can** learn, but not **what** people **should** learn. To help people think about what to learn, based on their area of practice and level of responsibility, we now refer to the four key “areas of learning” registrants should remain competent in, specifically Technical, Ethical, Regulatory, and Communication and Leadership.

The above recommendation is a significant departure from how eligible CE activities are defined in the current CPD Guideline. The current CPD Guideline defines the eligible activities that can count toward the CEP in terms of different eligible avenues of learning: formal learning, informal learning, participation, contributions to knowledge, presentations and professional practice. To be in compliance with the current guideline, registrants must complete CE activities in three of the six avenues of learning categories. There is a maximum number of hours that can be claimed per category in each year (Section 3.1), however, surplus hours above this maximum can be carried over for a maximum of two years from the date of completing the activity (Section 4.3) (see Figure 3).

Figure 3: Summary of eligible activities in current CPD Guideline

Category	Hours	Maximum Per Year
Professional Practice	15 hours = 1 PDH	50 PDHs
Formal	1 hour = 1 PDH	30 PDHs
Informal	1 hour = 1 PDH	30 PDHs
Participation	1 hour = 1 PDH	20 PDHs
Presentations	1 hour = 1 PDH	20 PDHs
Contributions to Knowledge	Limits Apply	30 PDHs
Development of published codes and standards	1 hour = 1 PDH	
Patents	1 patent = 15 PDHs	
Publication of papers in a peer-reviewed technical journal	1 paper = 15 PDHs	
Thesis at Masters or Ph.D. level (successfully defended and approved)	1 thesis = 30 PDHs	
Publication of a book (PDHs claimable over two years)	1 book = 60 PDHs	
Publication of articles in non-reviewed journals or internal company report	1 article = 10 PDHs (max of 10 PDHs/yr)	
Reviewing articles for publication	1 hour = 1 PDH (max of 10 PDHs/yr)	
Editing papers for publication	1 hour = 1 PDH	

The committee’s recommendation #2a on CE quality puts maintaining competency as the central focus of CE activities and removes the need to comply with specific avenues of learning that may or may not be relevant to a registrant’s circumstances. This approach gives registrants the freedom to decide what CE activities will best enable them to achieve this goal for their individual circumstances. This additional flexibility recognizes that registrants have a wide diversity in their accessibility to CE activities. Some registrants live in urban areas with numerous learning opportunities, while others live in rural areas with few in-person learning opportunities that are relevant to them. Similarly, some registrants have employers that have annual budgets to take courses and attend conferences, while others have employers that do not provide financial support for learning activities and/or provide time off.

We understand that many CE programs feel it necessary to prescribe rules around the avenues of learning because there is a belief that some avenues of learning are better than others; for example, some believe that formal learning activities are better than informal learning activities. The committee believes this is a level of micromanaging a registrant's CE that provides no proven benefits to maintaining competency and adds unnecessary complexity to the program. Registrants should be trusted to choose the CE activities that maintain their competency in a format best suited to their circumstances. For this reason, the CE Guideline would discuss the avenues of learning but there would no longer be any prescriptive requirements around undertaking learning in specific avenues, nor would there be minimum or maximum amounts of CE learning associated with them. From a compliance perspective, it is a sufficient check that registrants will need to explain their rationale for CE activities in an audit or practice review.

Rationale – Recommendations #2b and #2c: What are the new “areas of learning” and why are they emphasized? Why require yearly ethical and regulatory learning?

As opposed to emphasizing avenues of learning in the new CEP, the committee thinks the emphasis should be put on how different content areas of learning are connected to maintaining competency. The committee has defined the core areas of learning for engineering and geoscience professionals as Technical, Ethical, Regulatory, and Communication and Leadership (see Box 1 for further descriptions).

Box 1: Areas of Learning

- **Technical:** Learning activities related to advancing a professional's technical and professional knowledge in their specific field of practice.
- **Ethical:** Learning activities related to advancing a professional's knowledge of how to act ethically and meet the obligations of the Engineers and Geoscientists BC Code of Ethics. Activities that support Indigenous engagement and reconciliation would also qualify under this area of learning.
- **Regulatory:** Learning activities related to advancing a professional's knowledge of the regulatory requirements affecting their current and/or future role, including codes, standards, and requirements in relevant legislation and regulations.
- **Communication and Leadership:** Learning activities related to advancing a professional's non-technical knowledge in their field of practice or professional role, including business, communications, and leadership development. These activities are generally intended to improve how a professional interacts with other people or functions in an organization.

The guideline would recommend that each practising registrant consider their scope of practice and target a mix of CE learning across all categories relevant to them. Furthermore, the committee is recommending that all registrants are required to undertake some amount of ethical and regulatory training every year. The committee makes this recommendation for two main reasons:

- Maintaining competency in ethical and regulatory areas is fundamental for all practising registrants.
- A review of posted discipline notices for the past 5 years has indicated that the majority of failures that led to disciplinary actions were linked to ethical and/or regulatory issues (e.g. failure to follow professional practice guidelines, failure to retain documents, improper use of seal).

To facilitate ethical and regulatory learning for all registrants in a simple, cost-effective way, the committee recommends that Engineers and Geoscientists BC staff create free annual webinars on ethical and regulatory issues that registrants can view remotely, similar to the current quality management and practice resources webinars. Furthermore, registrants would be able to complete any learning that satisfies the ethical and regulatory requirements, such as attending a seminar on updates to codes and standards, completing business ethics training, or completing training in Quality Management requirements through the Regulation of Firms Program and/or the Organizational Quality Management program.

3.2.4 RECOMMENDATION #3: CE QUANTITY

This recommendation addresses the key question - *how much CE must registrants do in a given time period?*

Recommendation #3a: The committee recommends that the required number of CE hours be met on a 3-year rolling basis. The committee also recommends that registrants must record their CE hours in the year they are earned; registrants would not be allowed to revise CE hours from previous years nor carry-over hours in one year to future years.

Recommendation #3b: The committee recommends that the required number of CE hours be 60 hours per 3-year rolling period.

Recommendation #3c: The committee recommends that professional practice hours not be counted toward required CE learning as is done in the current CPD guideline. The recommended number of required CE hours have been reduced compared to the current CPD Guideline to account for this change.

Rationale – Recommendation #3a: Why use a 3-year rolling basis for meeting required CE hours?

This recommendation provides registrants with flexibility to balance their learning opportunities and work commitments in a way that best suits their specific circumstances and does not compromise the CEP's contribution to helping registrants maintain competency.

A three-year rolling basis for CE hours works as follows: In the year after a registrant first becomes registered, their first three-year rolling period starts. A registrant must meet their required CE hours by December 31 of the third full year after their registration date. For example, if a registrant becomes registered during 2020, they must meet their CE hour requirement by the end of 2023. Once a registrant completes their first three-year period, their subsequent three-year periods begin to overlap and include the new activities and credit hours reported throughout the year plus the activities and credit hours reported for the preceding two years.

The committee has recommended that registrants be required to record their CE hours in the year that they are earned. Registrants would no longer be allowed to revise CE hours from previous years; this would reduce the possibility of registrants changing previous entries to be retroactively compliant with CEP requirements when they have not completed sufficient learning in the current year. Also, due to the removal of requirements around avenues of learning and their associated minimum and maximum hours, registrants would also no longer need to carry hours forward into the future and thus this provision of the current CPD program would be eliminated.

Figure 4 and Table 2 below provide illustration and examples of the three-year rolling period system.

Figure 4: Three-year rolling period illustration

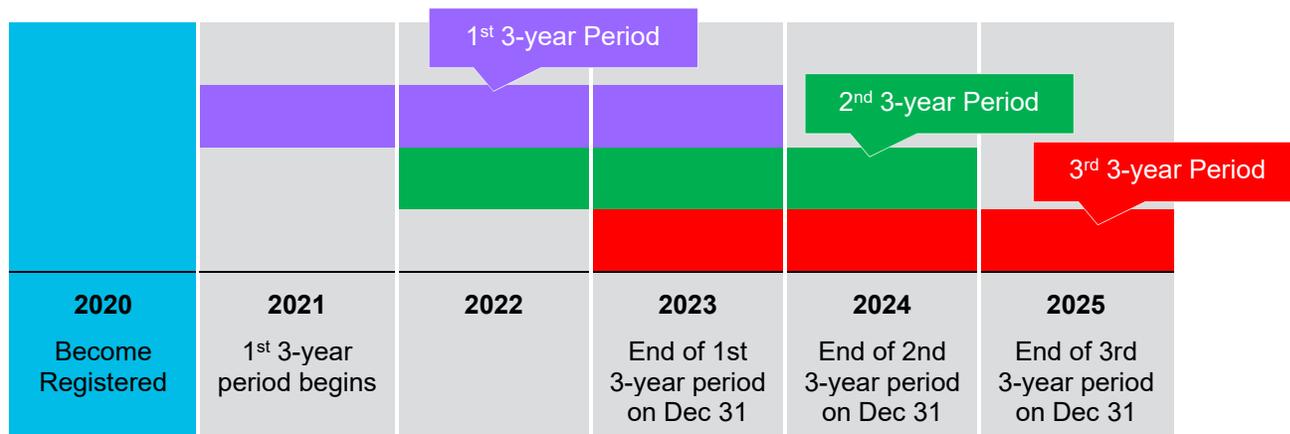


Table 2: Three-year rolling period example

YEAR	CE HOURS (BY YEAR)	CE HOURS (3 YEAR RUNNING TOTAL)	COMPLIANT WITH 60 HOUR CE REQUIREMENT?
2021	10		
2022	35		
2023	15	10 + 35 + 15 = 60	Compliant
2024	20	35 + 15 + 20 = 70	Compliant
2025	20	15 + 20 + 20 = 55	Not Compliant

Rationale – Recommendation #3b: Why 60 hours of CE learning every three years and not another amount?

During the committee’s review of literature on effective CE programs, we found a lack of evidence for establishing what the minimum CE hours should be to support maintaining competency. In the absence of this evidence, the committee did a review of other jurisdictions and professions (shown in Table 2) and found that the number of hours as required in the current CPD Guideline is at the upper end of what other professions require and is the same as what other engineering and geoscience regulatory associations in Canada require. However, the committee’s proposed definition of what counts as a CE hour is different from other engineering and geoscience regulators in Canada define as CPD hours. The committee is proposing that all CE hours must contribute to a registrant’s maintenance of competency in their scope of practice. APEGA, APEGS, and ENS allow a maximum of 10 hours per year in community service activities that do not have to contribute to the maintenance of competence (e.g. coaching sports, service in charitable or religious organizations). Thus, the committee believes that by setting the CE hour requirement to 60 hours every three years (20 hours annually on average) BC will have similar requirements to all other jurisdictions in Canada without the inclusion of activities that are not directly related to competency. As shown in Table 2 below, this annual amount also keeps BC’s requirements more

stringent than all programs in U.S. states and the majority of other professional regulators in BC that we surveyed.

Rationale – Recommendation #3c: Why drop the inclusion of professional practice hours?

To be in compliance with the current CPD Guideline, registrants are required to complete an average of 80 CPD hours per year (240 on a three-year rolling total). For most learning activities, 1 hour of a learning activity counts as 1 CPD hour. For professional practice hours, 15 professional practice hours counts as 1 CPD hour. Registrants can count a maximum of 50 professional practice hours each year and can also carry forward surplus professional practice hours for two years (i.e. surplus hours above the annual maximum). For registrants practising more than 750 hours per year (approximately one third of the year full-time) or practising full time for one in three years, professional practice hours are essentially an automatic credit toward their CPD hour requirements. We believe the vast majority of registrants would fall into the group that can automatically claim these 50 hours and so this system effectively means most registrants only have an average of 30 CPD hours per year that they have to do in addition to their work hours. A minority of registrants that work less than 33% per year would not be able to claim the full 50 CPD hours for professional practice and would have to complete these hours through other avenues of learning.

The above observation led to committee discussion around the following key questions in Phase 2 – *what value is added to the program by including professional practice hours in the CEP? Does it just add complexity to the communication of the program with no additional value?*

The table below outlines the reasons for and against including professional practice hours as outlined in the current CE Guideline.

Reasons for...	Reasons against...
<ul style="list-style-type: none"> • Risk mitigation: For practising registrants practising less than 33% per year or who are unemployed for three years, including professional practice hours requires these registrants to “make up” for their reduced on-the-job learning through completing other learning activities that contribute to them maintaining their competency. • Consistency: A similar approach to counting professional practice hours for CE hours is included in all of the other mandatory CEPs for 	<ul style="list-style-type: none"> • Regulatory overlap: We believe that most registrants that are practising less than 33% per year are sole practitioners. Through the Regulation of Firms development process, sole practitioners were recognized as having additional risk factors such as being more prone to practising in isolation from other colleagues and practising part-time. Council approved the inclusion of sole practitioners in the Regulation of Firms Program as a means of mitigating risk to the public and the environment. These practitioners will therefore be subject to additional oversight from the Regulation of Firms Program. Requiring part-time sole practitioners to also complete additional CE hours compared to full-time registrants would be applying another regulatory tool to mitigating the risks that the Regulation of Firms Program is addressing. • The activities that could be counted as “Professional Practice Hours” are difficult to define: Engineering and geoscience are dynamic professions. Professional engineers and geoscientists are increasingly working in positions and sectors that would not traditionally be considered “professional engineering and geoscience”. However, these professionals are using their analytical training and core ethics from the field of engineering and geoscience and they still think of themselves as being part of the professional engineering and geoscience community. Including professional practice hours within the

<p>engineering and geoscience professionals in other provinces and territories, as well as for BC agrologists and applied biologists.</p> <ul style="list-style-type: none"> • Symbolism: Including professional practice recognizes the value of on-the-job learning. 	<p>CEP would require a more detailed definition of “professional practice”, which could be difficult to get agreement on and may quickly become out of date in these dynamic professions.</p> <ul style="list-style-type: none"> • Complexity for communicating and understanding the CEP: The inclusion of professional practice hours complicates the messaging of the CEP. Without professional practice hours, the CEP could have a simple message telling registrants that they are required to do 20 hours per year on average of learning activities that help them maintain their competency. With professional practice hours, the messaging becomes 80 CE hours per year where professional practice hours count as 15 to 1, a maximum of 50 CE hours from professional practice hours can be claimed each year and surplus hours can be carried forward for 2 years, and non-professional practice learning activities count on a 1-to-1 basis.
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Given the reasons listed above, the committee believes that the reasons against keeping professional practice hours are more compelling than those for keeping them, and thus the committee recommends that professional practice hours not be included.

Table 3: Minimum CE hours in other jurisdictions and regulated professions

Regulatory Body	Average Annual CE Hours Required (excluding professional practice hours)	Allowable Activities	Minimum Required Hours for Activities that Directly Relate to Maintaining Competency in Scope of Practice
Engineering and Geoscience Regulatory Bodies			
APEGA (Alberta)	30	Must have activities in three of six categories. Participation category allows a maximum of 10 hours per year in community service activities that do not require the application of technical knowledge; this includes coaching sports; charitable, service, or religious organizations; but also, municipal, provincial, or federal public service.	20
APEGS (Saskatchewan)	30	Must have activities in three of six categories. Participation category allows a maximum of 10 hours per year in community service activities that do not require the application of technical knowledge; this includes coaching sports; charitable, service, or religious organizations; but also, municipal, provincial, or federal public service.	20
APEGM (Manitoba)	30	Must have activities in three of six categories. Participation category allows a maximum of 20 hours per year in community service activities that do not require the application of technical knowledge; this includes coaching sports; charitable, service, or religious organizations; but also, municipal, provincial, or federal public service.	10
Engineers Nova Scotia	30	Must have activities in three of six categories. Participation category allows a maximum of 10 hours per year in community service activities that do not require the application of technical knowledge; this includes coaching sports; charitable, service, or religious organizations; but also, municipal, provincial, or federal public service.	20
APEGNB (New Brunswick)	30	Must have activities in three of six categories. Participation category allows a maximum of 10 hours per year in community service activities that do not require the application of technical knowledge; this includes coaching sports; charitable, service, or religious organizations; but also, municipal, provincial, or federal public service.	20
PEGNL (Newfoundland and Labrador)	30	Participation category allows a maximum of 15 hours per year to be claimed at a ratio of 2:1 (2 hours of service = 1 PDH), including service on boards or committees of charitable or community-based	15

		organizations and public service. Guideline specifically does not allow hours spent coaching sports, singing in choirs or collecting for charities.	
US State Licensing Bodies	0-15	Of the 50 US states, eight have no requirement for CPD, two require 8 hours/year, one requires 9 hours/year, seven require 12 hours/year, and the rest (32) require 15 hours/year. Requirements likely differ but one example (Indiana) states that an activity must be from an approved organization and designed to directly enhance a professional engineer's knowledge and skill in providing services relevant to the practice of engineering. NCEES guidance states that one of the hours must be earned in an activity that focuses on ethics.	Varies, 0-15 (activities un-related to practice do not count)
Other Regulated Professions			
ASTTBC	12	Community engagement and volunteering allowed when it is relevant to practice.	12
BC Institute of Agrologists	Approx. 32/year	Overall requirement is 125 hours per 3 years. 10 hours each year can come from professional practice, and 10 must come from educational learning. Community involvement is allowed but is noted that it must "develop you as a professional agrologist".	Approx. 32
BC Land Surveyors	15	All hours should relate to area of practice and half must be in courses, seminars, workshops or other training (not participation, presentations, or self-study).	15
Chartered Professional Accountants of BC	40	No specifics given for allowable activities; guideline states that "it is up to the member to determine the learning activities that best suit their professional role."	40
College of Applied Biology	Approx. 22/year	Overall requirement is 100 hours per 3 years, with maximum 10 from professional practice. Volunteering is allowed but examples given appear to relate directly to area of professional practice.	Approx. 22
Law Society of BC	12	All 12 hours must be from an accredited provider. Self-study is not included. At least two hours must pertain to professional responsibility and/or ethics.	12
Planning Institute of BC	18	Minimum of 9 hours must come from structured activities, the rest from self-directed activities. Volunteering is allowed for 3 hours/year/role of self-directed allotment.	9
Project Management Institute	20	Two categories: Education and Giving Back. In a three-year cycle (60 hours), a minimum 35 must be earned from Education, and a maximum of 25 can be earned from Giving Back. Giving Back hours are very flexible and can include creating content, presentations, sharing knowledge and volunteering. There are no specifics about what is/is not allowed in these examples.	Approx. 12

3.2.5 RECOMMENDATION #4: CE DOCUMENTATION

This recommendation addresses the key question: *what types of documentation must registrants maintain with respect to the CEP?*

Recommendation #4a: The committee recommends that all practising registrants must have the following two CE documents and update these documents on an annual basis:

1. CE Plan
2. Record of CE hours and activities completed

To support registrants in meeting the requirements for documentation, Engineers and Geoscientists BC would provide templates and online tools to support registrants in completing their CE Plan and tracking of hours and activities. However, using these templates would not be mandatory.

Recommendation #4b: The committee recommends establishing the following minimum requirements for what a CE Plan must include:

1. Defines a registrant's role and scope of practice, including any anticipated or desired changes;
2. Characterizes the risks of their practice to the public and/or the environment;
3. Outlines learning goals and priorities; and
4. Identifies the activities that they will do to advance those learning goals and priorities, including how they will meet the requirements for ethical and regulatory learning.

Recommendation #4c: Registrants should be required to keep a record of their CE documentation, including evidence to prove their completion of CE learning activities, for a minimum of 4 years and have them available for review in the event of an audit or practice review.

Rationale – Recommendation #4a: Why require a CE Plan?

In the review of literature and studies around effective CE programs, we found that the more effective aspects of certain CE programs (where effective = CE activity is linked to performance of professionals) generally focused on the move from an inputs-based approach to an outputs-based approach, of which a CE plan is one example. An inputs-based program is what is currently in place in BC and most regulators across Canada; specifically, it is a program that requires registrants to meet the program requirements by completing learning based on a points system (such as a number of CE hours). An inputs-based program rewards attendance or completion of activities regardless of the actual value of the activity to a registrant. Although registrants have to ensure activities are relevant to their practice and could reasonably be assumed to not claim activities that did not give them value, in practice a registrant will likely claim CE hours for a course that they attended in their area of practice, regardless of how they felt about the effectiveness of the learning.

On the other hand, outputs-based approaches seek to measure the impact of CE on practice, feeding into the planning cycle for future CE activities. Incorporating an outputs-based element like a CE plan requires practitioners to reflect on their scope of practice, the risks of their practice, and the subsequent learning activities they prioritize. The intent, after the reflective process, is to encourage each professional to select the most effective CE activities for their situation rather than attending activities that are easy or convenient.

Rationale – Recommendation #4a: Why this approach to CE Plan templates?

The approach of providing templates for registrants, but not making them mandatory, emphasizes flexibility for registrants to keep records in a format of their choice, but also supports registrants who are looking for additional guidance. We recognize that some registrants already have established templates for CE Plans and activity tracking that they or their employers use and are familiar with. Requiring the use of Engineers and Geoscientists BC templates over these others, provided they meet minimum requirements, would be onerous for some registrants, does not contribute to enhanced competency and reduces simplicity and flexibility.

Rationale – Recommendation #4b: Why these minimum requirements for a CE Plan?

Requirements 1, 2 and 4 above are standard components of most CE Plans required by other professional regulators. Additionally, the requirement to define a scope of practice is complimentary to the requirement in the *Professional Governance Act* that registrants will have to declare competence for projects within their areas of practice. The new CE Guideline would provide additional guidance on how to meet the above CE Plan requirements and would have a special focus on helping registrants reflect on the risks of their practice in a way that connects risk to CE goals and activities.

For Requirement 3, as part of the risk-informed approach to CE that this report discusses above, the committee is recommending that registrants characterize the risks of their practice with respect to the public and the environment within a CE Plan. This will serve as a means of building awareness and encouraging reflection around what learning activities could help registrants mitigate these risks. During Phase 1 and at the 2018 Annual Conference, committee members heard a presentation from UBC researcher Dr. Glenn Regehr about the risks of self-assessment where he noted that professionals are poor at identifying the areas of their practice that require improvement and development. To help mitigate this persistent issue, the committee would create a risk assessment tool within the CE Guideline that helps registrants reflect on the risks of their practice to the public and the environment. The committee also plans to recommend that registrants review their CE Plan and risk-assessment results with a peer or employer wherever possible.

There are multiple ways that the CE Guideline could structure a risk-assessment tool; some examples that the committee would review in the writing of this guideline include:

- A risk assessment questionnaire that encourages registrants to think about possible risks and write a summary of their practice risks;
- A risk assessment questionnaire about a registrant's practice (e.g. quality management procedures, risks of failure) that assigns a risk score or risk category (i.e. low, medium or high); or
- Thought-provoking questions about risk that allow a registrant to reflect on their practice.

Rationale – Recommendation #4c: Why set this retention period and evidence requirements?

This approach is consistent with the requirements of the current CPD Guideline and represents one full 3-year reporting period plus an additional year. If a registrant is selected for an audit or assigned a practice review, they will need to have enough documentation to show that they have completed the CE learning activities that they have reported over this four-year period. This evidence could take the form of receipts, certificates of completion, exam results, transcripts, journal subscriptions, or detailed notes, depending on the activity completed.

3.2.6 RECOMMENDATION #5: CE REPORTING

This recommendation addresses the key question: *How will registrants demonstrate compliance with the CEP?*

Recommendation #5: The committee recommends that practising registrants must report CE hours and activities annually (toward their three-year rolling period) and upload their most recent CE Plan, completed within the last year, through the annual registrant renewal process.

Rationale – Recommendation #5: Why this approach for reporting?

This approach emphasizes the principles of competency, enforceability, and transparency. The committee believes that requiring an annual submission of hours and activities, as well as submission of the CE Plan, will be the best way to support registrants in meeting the requirements of the CE Program. As such requirements support registrants in maintaining competency, the committee believes it is important to have reporting processes in place that support their completion. This reporting approach also enhances enforceability by allowing registrants selected for a random audit or practice review to have their basic documentation reviewed by Engineers and Geoscientists BC without requesting additional records. Finally, this requirement provides additional transparency by allowing Engineers and Geoscientists BC to collect information and display a portion of it to the public or the Office of the Superintendent of Professional Governance. Although the amount of information to be displayed to the public has not yet been determined, it would be possible to show a registrant's compliance with the CEP through the breakdown of their CE activities if requested.

3.2.7 RECOMMENDATION #6: CE ENFORCEMENT

This recommendation addresses the key question: *How will the CEP be enforced?*

Recommendation #6a: The committee recommends that Engineers and Geoscientists BC should follow the standard procedures for enforcing mandatory regulatory programs, such as having a range of tools available for enforcing compliance with the new CE Guideline, including practice reviews, audits, and the investigation and disciplinary process. Registrants who fail to submit CE documentation or registrants who are deemed non-compliant should be subjected to an escalating series of actions and penalties. The intended outcome should be to promote compliance with the guideline rather than to punish registrants.

Recommendation #6b: Engineers and Geoscientists BC should evaluate CE documentation during audits, practice reviews and investigations to check that CE requirements have been met and CE learning is relevant to a registrant's role and area of practice. Where deficiencies are identified, the outcome of an audit, practice review or investigation could result in guidance or requirements to increase or change the amount and type of CE that a registrant is expected to complete.

Rationale – Recommendation #6: Why this approach for CE enforcement?

Recommendation #6a is consistent with the approaches currently in use for existing regulatory programs, as well as being consistent with the recommendations provided in the Advisory Task Force on Corporate Practice's Phase 3 Recommendations Report for enforcement of the future Regulation of Firms Program. It uses the current programs in place, including the audit, practice review, investigation, and discipline processes, and avoids creating a parallel process for the CEP that might overlap with other programs or create redundant enforcement. Recommendation #6b also builds on current precedent where registrants subject to practice reviews have their CE activities reviewed and the results of this review are incorporated into recommendations or requirements provided at the conclusion of the practice review process.

3.2.8 RECOMMENDATION #7: INTEGRATION WITH THE REGULATION OF FIRMS PROGRAM

This recommendation addresses the key question: *How should the CEP be integrated with the new Regulation of Firms Program?*

Recommendation #7a: The committee recommends that individual registrants are accountable to Engineers and Geoscientists BC for fulfilling their CEP requirements. Firms registered with Engineers and Geoscientists BC are not accountable for their employees meeting CEP requirements.

Recommendation #7b: The committee expresses their support for the intent of the Advisory Task Force on Corporate Practice to require that firms support their professionals in meeting their individual CE requirements. Furthermore, the committee recommends that the Regulation of Firms Advisory Group further clarify the various mechanisms of support that would be acceptable.

Rationale – Recommendation #7a: Why set these accountability requirements for individuals?

This approach maintains the current standard of an individual professional's responsibility of accountability to Engineers and Geoscientists BC for meeting mandatory regulatory requirements. Until the full implementation of the Regulation of Firms Program, Engineers and Geoscientists BC still only has the mandate to regulate individuals. Even after the Regulation of Firms Program is in place, it will be the responsibility of each professional to demonstrate compliance with their regulatory requirements regardless of their employer status. Keeping the responsibility on individuals recognizes that professionals may change employers or positions at any time and that keeping individual CE records for all employees represents a significant additional burden to place on employers that would not improve the individual's competency.

Rationale – Recommendation #7b: Why support these requirements for regulated firms?

The three pillars of the proposed Regulation of Firms Program are Ethics, Quality Management, and Professional Development. As per the Advisory Task Force's recommended model, to meet the Professional Development requirement, "regulated firms must have a documented professional development policy appropriate for the professional products and/or services provided by the organization". The committee believes that to meet the standard of "appropriateness", each regulated firm's policy must show support for individuals to meet their personal regulatory requirements around CE. The specific support is expected to vary, perhaps widely, for different organizations, but not supporting or actively discouraging employed professionals from meeting their regulatory obligations should not be considered an acceptable policy. This approach is consistent with the current voluntary Organizational Quality Management Program, where employers must allow and/or facilitate professionals to meet other individual regulatory requirements, including document retention, checking of work, field reviews, direct supervision, and use of practice guidelines.

4.0 OTHER CONSIDERATIONS

4.1.1 REGISTRANTS PRACTISING IN OTHER JURISDICTIONS

During multiple rounds of registrant consultation, both prior to the 2015 bylaw vote and in the consultation in 2019, the committee has been asked to consider registrants that practice in other jurisdictions to avoid adding unnecessary administrative burden to these registrants. During the 2019 survey, approximately 30% of respondents indicated that they were registered in another jurisdiction;

with approximately 10% of Engineers and Geoscientists BC registrants taking part in the survey, the committee believes this is likely representative of the overall registrant pool.

Through the recommendations outlined above, we believe that we have balanced the desire of these registrants to avoid a layer of unnecessary bureaucracy with the understanding that this program is intended to improve upon programs used in other jurisdictions. The committee has not recommended that registrants registered in other jurisdictions be completely exempt from the program to acknowledge that we believe characteristics of this program, specifically the required regulatory and ethical learning, are necessary for all registrants regardless of where they are registered.

We believe that requiring compliance for all practising registrants does not represent an undue burden on those registered in other jurisdictions for the following reasons:

- The general program requirements are consistent with the majority of other jurisdictions, including the required number of CE hours over a three-year rolling period;
- A registrant satisfying the requirements of another jurisdiction would be fully compliant with this program provided they have completed some amount of ethical and regulatory training and prepared a CE plan;
- Registrants who do not complete some amount of ethical and regulatory training for another jurisdiction would be able to meet this requirement through free, online learning opportunities provided by Engineers and Geoscientists BC;
- The required CE Plan can be completed on any template as long as the risk-characterization is also completed; and
- Registrants are not required to submit full documentation, eliminating multiple submissions of complete CE documentation.

4.1.2 ACCESSIBILITY FOR CONTINUING EDUCATION OPPORTUNITIES

The committee recognizes that registrants work and live throughout the province and that some registrants have greater access to continuing education opportunities than others, in the form of seminars and courses typically offered in one of the major metropolitan areas of the province. The committee believes that the new CEP emphasizes simplicity and flexibility in a way that will increase the ability of registrants to meet their CE learning requirements regardless of their location. For example, by removing the requirement to meet specific avenues of learning, registrants with reduced access to formal learning opportunities could undertake appropriate informal activities to meet their requirements instead.

Even with the enhanced flexibility, the committee recognizes that Engineers and Geoscientists BC staff will need to review the current practices around the offering of professional development events to ensure that accessibility to learning opportunities is adequate to facilitate all registrants meeting the CEP requirements. Engineers and Geoscientists BC may also need to develop additional tools to connect registrants with learning opportunities beyond those offered by Engineers and Geoscientists BC, including those offered by other regulatory bodies, educational institutions, and industry groups.

5.0 NEXT STEPS

With the completion of Phase 2 and pending acceptance of these recommendations, the committee proposes starting Phase 3, which would focus on guideline and tool development, communication, and implementation planning.

5.1.1 GUIDELINE AND TOOL DEVELOPMENT

Prior to the new CEP being rolled out to registrants, a number of tools and supporting documents will need to be developed, modified, and/or improved, including:

- CE bylaw under the new *Act* (upon regulatory authority to do so);
- A revised CE Guideline;
- CE Plan template;
- Updates to the online Professional Development Recording Centre to make the system more user-friendly; and
- Updates to registration and renewal processes, websites, and tools to integrate with the new CEP.

The committee proposes that committee and staff start to develop these tools and begin to discuss proposed changes with the other departments inside Engineers and Geoscientists BC that will be required to contribute to tool development (e.g. Information Services, Registration).

5.1.2 COMMUNICATION

The committee proposes engaging the Engineers and Geoscientists BC communications staff in developing a communications action plan to allow communication about the new program to start as soon as possible. This action plan would summarize proposed communication actions and milestone dates to ensure the program details are clearly explained to registrants well in advance of the first compliance deadline.

5.1.3 IMPLEMENTATION PLANNING

The committee has developed the following expected timeline for Phase 3:

- **Develop CE Guideline: Nov 2019 – Jan 2021:**
 - Nov 2019 to Jun 2020 – Develop communications action plan. Through focus groups, design and test a CE template and risk-based questions for development of CE Plans.
 - Jun 2020 – CPD Bylaw submitted to Office of the Superintendent of Professional Governance.
 - June 2020 to Jan 2021 – Finalize CE Plan template and write CE Guideline.
 - Fall 2020 – CPD Bylaw comes into effect under new *Act*.
 - Jan 2021 – Seek Council approval on new CE Guideline and tools, including CE Plan template.
- **Communication and Approval of CE Bylaw: Feb – Dec 2021**
 - Jan to Dec 2021 – Implement communications action plan. Announce mandatory program and engage registrants through a variety of avenues to communicate new program requirements.
- **Implementation: Jan 2022 onwards**
 - Jan 2022 – Start of Continuing Education Program
 - Jan 2023 – First reporting deadline (i.e. reporting on CE activities in 2022)
 - Jan 2025 – End of first three-year reporting period; first compliance check point for three-year CE Hour requirement

