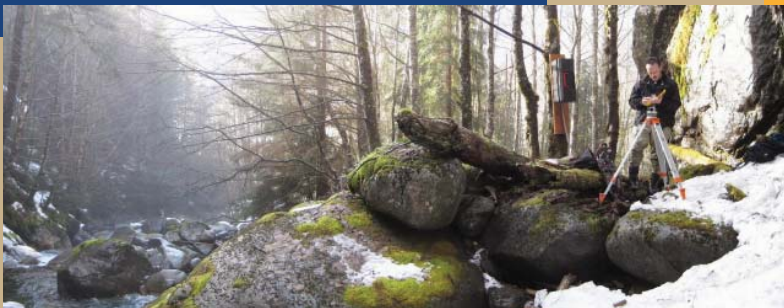
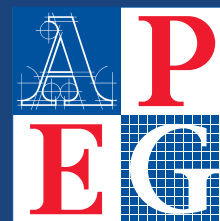


The Association of Professional Engineers and Geoscientists of BC



Report of the Professional Renewal Task Force



Professional Engineers
and Geoscientists of BC
www.apeg.bc.ca

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PREFACE

Over a 21-month period, the Professional Renewal Task Force presented recommendations to Council, subject by subject, for discussion and decision. Council has approved all of the recommendations as set out in this report.

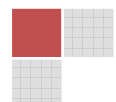
Council recognized that implementing some of these recommendations would only require a reallocation or additional financial resources, while other recommendations would also require policy changes, bylaw revisions and legislative changes. Council has already embarked upon the implementation of recommendations in several areas.

Development of this Professional Renewal Program has required a huge support effort by standing committees of APEGBC, members of Divisions and Branches, and staff of the organization. It has truly been a collaborative effort.



Marilyn Pattison, PhD

Professional Renewal Task Force Chair and Government Appointee to Council



1.0 EXECUTIVE SUMMARY

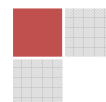
Both the privilege and duty of self-regulation are at the core of the professions of geoscience and engineering in British Columbia. It is APEGBC's legally authorized mandate to control entrance into the professions, govern quality assurance of professional practice, discipline members, and if necessary, prohibit practice by anyone who is found to be incompetent or in violation of the *Engineers and Geoscientists Act* or the Code of Ethics. It is also our responsibility to ensure that our membership is current, competent, and always striving for excellence in the practice of professional engineering and professional geoscience. Through this combined authority and responsibility, we protect the public interest.

In May 2007, APEGBC Council passed a motion to develop a strategy for the continuous renewal of the professions in the public interest. To support this work, the Professional Renewal Task Force was created in September 2007. This task force, comprising a diverse group of members, was led by Marilyn Pattison, PhD, a government appointee to Council. Including experienced practitioners and those new to practice, sole practitioners and those who practise within medium to large size firms, task force members represented a diversity of practice disciplines and geographical regions of the province.

In a proactive effort to address ongoing regulatory challenges faced by the Association, the task force was charged with determining whether APEGBC's programs were contributing to the end goal of effective and responsible self-regulation that protects the public, and making recommendations to bring improvements to these programs.

The Professional Renewal Program was developed in consultation with members and other major stakeholders. Using information gained through member surveys and research on best regulatory practices, a total of 38 recommendations were made in eight areas:

1. **Public Confidence and Code of Ethics** - The task force recommended that Council declare the centrality of the public interest to APEGBC's mandate, and promote and enhance the use of the Code of Ethics.
2. **Registration** - Recommendations were made for the creation of a web interface that will allow applicants for registration to monitor the progress of their applications, the development of discipline-specific and practice-specific competencies for assessing qualification, and the development of assessment tools for application reviewers, registration interviewers, candidates and employers.
3. **Professional Guidelines and Standards** - Recommendations for Professional Guidelines and Standards included developing a national compendium of practice guidelines, working with government to prioritize the areas for which practice guidelines should be prepared, developing guidelines for organizations regarding professional risk management and quality assurance, and offering training and education resources to members and employers for APEGBC practice guidelines.
4. **Continuing Professional Development** - The task force recommended to Council that it support the implementation of a mandatory continuing professional development program including annual reporting.



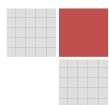
EXECUTIVE SUMMARY *cont'd*

5. **Practice Review** - The implementation of a mandatory requirement for members to disclose their areas of practice was recommended by the Professional Renewal Task Force, as was a revision of the name of the Practice Review Program to better reflect its role as an educational and professional development process. Recommendations were also made for use of a detailed analysis of results from completed practice reviews to identify demographic elements in the membership that are in need of additional support, and implementation of a new funding model for the practice review program based on cost recovery. This would include the implementation of a voluntary professional risk management and quality assurance program for organizations providing engineering and geoscience services.
6. **Enforcement** - Recommendations for Enforcement included developing a current position and written materials on what constitutes the practice of professional engineering and professional geoscience within the meaning of the *Engineers and Geoscientists Act*, developing guidelines for direct supervision and areas of practice overlap with other professions, establishing collaborative relationships with other agencies and organizations that are dealing with registered and unregistered engineering or geosciences practitioners including information sharing agreements and other strategies to reduce unregistered practice, and creating understanding at government ministries and agencies of the implications of current and potential legislation that creates designated persons to carry out regulatory roles.
7. **Investigation and Discipline** - The Task Force recommended that legislation and policy directing the Investigation and Discipline Program be revised to simplify and empower processes and to expand the avenues available for complaint resolution. Authority to participate in interprovincial information sharing and implement mobility rules should be sought. Greater involvement of laypeople in the investigation and discipline process was also recommended.
8. **Compliance Management** - The topic of “Compliance Management” refers to the gathering of experiences, insights and other information, issues and trends from various sources that can be developed into materials and provided to the membership as a means of individual enhancement, excellence and quality assurance. To this end, the Professional Renewal Task Force developed a number of recommendations regarding the establishment of a PEER Program - Professional Education, Enhancement and Renewal. The PEER Program would transform the focus from complaints, investigation and discipline to an innovative, value-added, learning program.

Implementing program improvements in some instances requires changes to policies that are under the control of APEGBC's Council. In other situations, bylaw amendments or legislative amendments to the *Engineers and Geoscientists Act* will be required. Varying levels of staff, volunteer and financial resources will be necessary to implement the recommendations.

To support and facilitate the continued implementation of the professional renewal program recommendations, Council approved the development of a yearly work plan and annual audit to assess progress. The level of work undertaken each year will be dependent on the level of resources available.

The task force completed their assignment in 21 months and well within the budget allotment.



EXECUTIVE SUMMARY *cont'd*

PUBLIC CONFIDENCE AND CODE OF ETHICS

RECOMMENDATION 1

Declare the centrality of the public interest to APEGBC's mandate, defining it as a commitment to public confidence in the provision and regulation of safe and ethical professional engineering and geoscience services, and manifesting this orientation in all APEGBC planning, decision making, evaluation, issues management and communications. *(Approved by Council December 5, 2008)*

RECOMMENDATION 2

Screen and revise where prudent APEGBC registration processes, practice standards and guidelines, continuing competence monitoring, practice reviews, and the handling of concerns and complaints in keeping with contemporary public policy and law, and the APEGBC Code of Ethics with the intent of harmonizing public accountability and fairness to members. *(Approved by Council December 5, 2008)*

RECOMMENDATION 3

Promote and enhance the use of the Code of Ethics as the driving force and principal instrument to guide members in the provision of safe and ethical professional services and to preserve the confidence of clients, industry, government, other regulators and the public at large in the professions. *(Approved by Council December 5, 2008)*

REGISTRATION

RECOMMENDATION 4

Implement the *smart* web interface that will allow applicants for registration and the associated volunteer reviewers to become active partners in information exchange. *(Approved by Council December 5, 2008)*

RECOMMENDATION 5

Develop a competency framework including:

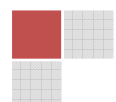
- a. Core and discipline-specific competencies that meet the current standards;
- b. Area of practice-specific competencies, e.g. project management, engineering and geoscience faculty; and
- c. English language competency for practice. *(Approved by Council December 5, 2008)*

RECOMMENDATION 6

Develop and implement assessment, measurement and training tools for each competency for use by reviewers, interviewers, candidates and employers. *(Approved by Council December 5, 2008)*

RECOMMENDATION 7

Approve the allocation of \$354,000 in external costs, plus up to \$150,000 in internal costs over a two-year period subject to appropriate resourcing being available. *(Approved by Council December 5, 2008)*



EXECUTIVE SUMMARY *cont'd*

PRACTICE STANDARDS AND GUIDELINES

RECOMMENDATION 8

Develop a national compendium of practice guidelines. *(Approved by Council December 5, 2008)*

RECOMMENDATION 9

Consistent with government's increased reliance on self-regulated professions to protect the public interest, develop a strategic approach in working with government and industry to:

- a. Prioritize the areas of practice for which practice guidelines should be developed; and
- b. Fund their development. *(Approved by Council December 5, 2008)*

RECOMMENDATION 10

Develop guidelines on professional risk management and quality assurance programs that are consistent with the *Engineers and Geoscientists Act* and Bylaws (e.g., direct supervision, in-house checking, field review, peer review, etc.) for use by BC organizations providing engineering and/or geoscience services. *(Approved by Council Dec 5, 2008)*

RECOMMENDATION 11

Offer to members training on all APEGBC Council endorsed practice guidelines, and guidelines for organizations providing engineering and/or geoscience services in BC through various delivery mechanisms (e.g., seminars, web-based materials, workshops). *(Approved by Council Dec 5, 2008)*

CONTINUING PROFESSIONAL DEVELOPMENT

RECOMMENDATION 12

Implement for members a mandatory compliance with guideline, mandatory reporting program for continuing professional development:

- a. Association sets minimum expectations (mandatory);
- b. Members must undertake CPD based on relevance to practice;
- c. All practising members must report. *(Approved by Council March 13, 2009)*

PRACTICE REVIEW

RECOMMENDATION 13

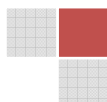
Use a detailed analysis of results from completed practice reviews to identify demographic elements in the membership that are in need of practice support. *(Approved by Council March 13, 2009)*

RECOMMENDATION 14

Implement a mandatory requirement for the member to disclose their areas of practice. *(Approved by Council March 13, 2009)*

RECOMMENDATION 15

Revise the name of the Practice Review Program to better reflect its role as an educational and professional development process. *(Approved by Council March 13, 2009)*



EXECUTIVE SUMMARY *cont'd*

PRACTICE REVIEW *cont'd*

RECOMMENDATION 16

Implement a new funding model for practice review focused on cost recovery. *(Approved by Council March 13, 2009)*

ENFORCEMENT

RECOMMENDATION 17

Develop a position and written materials on the practices of professional engineering and professional geoscience within the meaning of the *Engineers and Geoscientists Act*. *(Approved by Council June 19, 2009)*

RECOMMENDATION 18

Develop a guideline on direct supervision. *(Approved by Council June 19, 2009)*

RECOMMENDATION 19

Develop guidelines on areas of practice overlap with other professions under demand-side legislation or otherwise. *(Approved by Council June 19, 2009)*

RECOMMENDATION 20

Strengthen relationships with BC regulatory agencies that are dealing with registered and unregistered engineering or geoscience practitioners and develop information sharing agreements. *(Approved by Council June 19, 2009)*

RECOMMENDATION 21

Develop a framework of cost-effective intelligence-gathering devices through IT tools and arrangements with government agencies, crown corporations and others to protect the public by identifying persons offering professional engineering and geosciences services. *(Approved by Council June 19, 2009)*

RECOMMENDATION 22

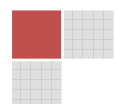
Collaborate with CCPG, Engineers Canada and their members on identification and implementation of local and national strategies to reduce unregistered practice. *(Approved by Council June 19, 2009)*

RECOMMENDATION 23

Create understanding at government ministries and agencies of the implications of current and potential legislation that enable unregistered practice, and the need to consult with APEGBC and others on demand-side legislation that involves the engineering or geoscience professions. *(Approved by Council June 19, 2009)*

RECOMMENDATION 24

Prepare an annual enforcement strategy for Council approval that takes into account the risks posed to public health, safety or welfare or the environment by various activities and practice areas. *(Approved by Council June 19, 2009)*



EXECUTIVE SUMMARY *cont'd*

ENFORCEMENT *cont'd*

RECOMMENDATION 25

Regularly inform the membership of the Association's enforcement and recruitment activities.
(Approved by Council June 19, 2009)

INVESTIGATION AND DISCIPLINE

RECOMMENDATION 26

Create a power to make rules regarding the disciplinary process. (Approved by Council September 11, 2009)

RECOMMENDATION 27

Authorize the use of Alternative Dispute Resolution. (Approved by Council September 11, 2009)

RECOMMENDATION 28

Create a power to mandate discussions and extended power for making non-binding recommendations. (Approved by Council September 11, 2009)

RECOMMENDATION 29

Empower the Registrar to sort/direct complaints, while ensuring that adequate checks and balances are in place to uphold accountability within the investigation and discipline system. (Approved by Council September 11, 2009)

RECOMMENDATION 30

Create the power to require evidence of fitness to practice from trained medical professionals, to provide physical and mental health support for the members, and to enforce fitness standards through appropriate treatment-oriented processes. (Approved by Council September 11, 2009)

RECOMMENDATION 31

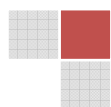
Enable Council to appoint laypeople on investigation and discipline related committees and enable the committees to decide what cases laypeople should be involved with. (Approved by Council September 11, 2009)

RECOMMENDATION 32

Authorize the creation of inter-provincial disciplinary information sharing and mobility rules. (Approved by Council September 11, 2009)

RECOMMENDATION 33

Examine the role of the complainant in the investigation and discipline process and authorize Council to make rules regarding the processing of complaints. (Approved by Council September 11, 2009)



EXECUTIVE SUMMARY *cont'd*

COMPLIANCE MANAGEMENT

RECOMMENDATION 34

Establish a proactive quality assurance program focused on the professional development of members through a knowledge management process and that:

- a. The program be named "Professional Education, Enhancement and Renewal" (PEER);
- b. Council prioritize the deployment of a staff person to build and support the PEER Program;
- c. Staff be directed to prepare an Annual Implementation Plan, based on available resources until sufficient resources are available to support the full implementation of the PEER Program;
- d. Appropriate legislative authority be sought or confirmed for information gathering and sharing agreements with other regulatory authorities; and
- e. Relevant metrics be identified to measure the effects of the PEER Program. *(Approved by Council September 11, 2009)*

RECOMMENDATION 35

Educate the public and other stakeholders in the practices of professional engineering and professional geoscience utilizing the PEER Program as appropriate. *(Approved by Council September 11, 2009)*

RECOMMENDATION 36

Assign responsibility for the PEER Program to the Professional Practice Committee and amend its terms of reference to:

- a. Include responsibility for the PEER Program and make the PEER Program its key purpose;
- b. Permit persons who are not members of Council to be appointed to the Committee; and
- c. Permit appointment of laypeople to the Committee. *(Approved by Council September 11, 2009)*

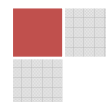
REPORTING RECOMMENDATIONS

RECOMMENDATION 37

Prepare an annual audit of the Professional Renewal Program reporting on the progress over the past year, the work plan for the upcoming year and the financial commitment to successfully advance the program. *(Approved by Council September 11, 2009)*

RECOMMENDATION 38

Prepare and publish a formal report documenting the work of the Professional Renewal Task Force including process, member surveys and recommendations in time for the 2009 Annual General Meeting. *(Approved by Council September 11, 2009)*



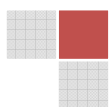
2.0 INTRODUCTION

As a self-regulating body, it is incumbent on APEGBC to review policies, procedures and legislation to ensure that we are, in fact, regulating the professions of engineering and geoscience to the utmost of our ability. This kind of ongoing self-assessment is necessary to ensure that we are continuing to serve the public interest as the public's needs and the nature of engineering and geoscience practice changes over time.

The primary motivation for change to the current regulatory model is to enhance public protection. There is increasing recognition within the Association and government of a need to address practice concerns by more successfully promoting and achieving high standards of professional practice.

The purpose of introducing a new model is to increase the effectiveness, visibility and efficiency of the regulatory process—especially peer review, discipline and continuing professional development (CPD)—in a way that is administratively feasible, brings value to members, and holds paramount the protection of the public interest.

To respond to this challenge, APEGBC established an Association-wide quality assurance initiative termed Professional Renewal in 2007. This program of self-examination and stakeholder input assessed how APEGBC's programs were meeting the expectation of effective and responsible self-regulation that protects the public with a view to setting out a strategy for professional renewal.



3.0 TASK FORCE MANDATE

The Professional Renewal Task Force (PRTF) was created in September 2007 (see Terms of Reference – Appendix A) to develop a Professional Practice Renewal Framework that would be broadly supported by all, and that would uphold and protect the public interest and renew the professions through a results-based quality assurance program.

To guide their work, the task force developed a list of 10 characteristics that describe the role and functions of a self regulatory body of professionals. From this, a diagram to provide a visual perspective of the various components of the professional renewal process was developed. The diagram can be found on page 11 of this report.

As outlined in the diagram, the task force undertook to assess all of APEGBC's regulatory programs—including registration, practice standards and guidelines, practice review, continuing professional development, enforcement of non-registered practice, investigation and discipline, and compliance management—to measure how they compare to the practice standards of other regulatory bodies within British Columbia and across Canada. APEGBC's commitment to the public interest and Code of Ethics was also reviewed and suggestions for improvement made.

The task force was led by Marilyn Pattison, PhD, a government appointee to APEGBC's Council. Professional engineers and professional geoscientists who practise in a diversity of disciplines and in various regions of the province were appointed to the task force. In addition, advisors whose practice areas and experiences were different than those of Task Force members were appointed to act as a sounding board.

Task Force Members

Marilyn Pattison, PhD (Councillor and Chair)
Lindsay Bottomer, P.Geo. (Councillor)
Ward Bowman, P.Eng. (CEBC Representative)
Emily Cheung, P.Eng. (Councillor)
John Haythorne, P.Eng., LLB*
Eric McQuarrie, P.Eng.
Lianna Mah, P.Eng.
Mahmoud Mahmoud, P.Eng., PhD
John Manson, P.Eng.
George Prince, P.Eng.
Mike Wrinch, P.Eng., PhD (Councillor)

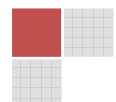
Advisors

Lee Failing, P.Eng.
Bob Gerath, P.Geo.
Greg Gosson, P.Geo., PhD
Russ Kinghorn, P.Eng.
Christy Love, EIT*

Staff Support

Derek Doyle, P.Eng.
Executive Director & Registrar
Peter Mitchell, P.Eng.
Director, Professional Standards and Development
Gillian Pichler, P.Eng.
Director, Registration & Licensing
Janet Sinclair, RT
Director, Communications & Engagement
Geoff Thiele, LLB
Director, Investigation & Discipline
Rakesh Kumar
Senior Corporate Affairs Assistant
Frances Picherack, Petrine Consulting Inc.
Consultant

**John Haythorne, P.Eng., LLB and Christy Love, EIT were unable to complete their terms due to other commitments.*

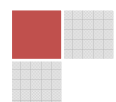
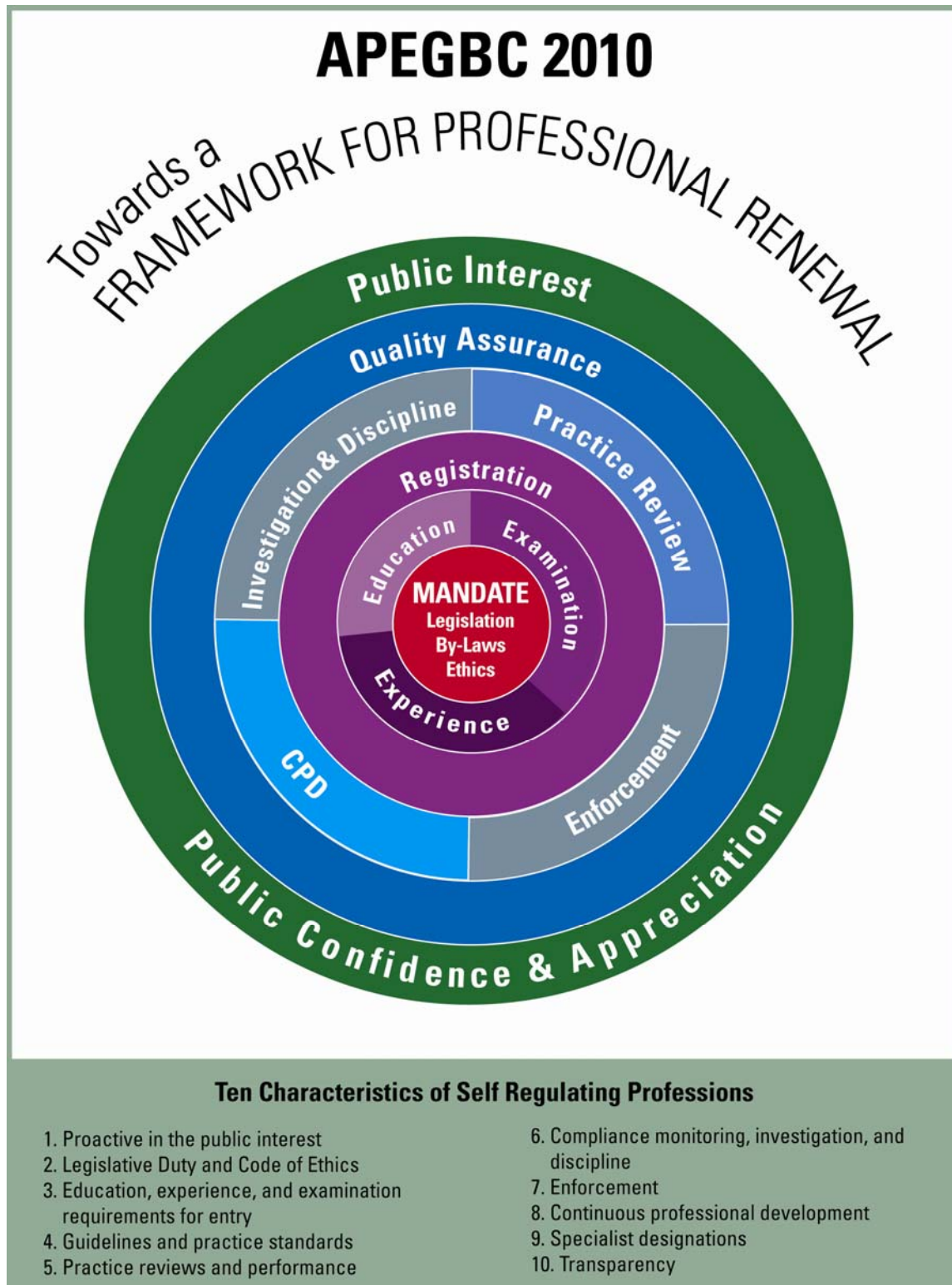




From left to right: Mahmoud Mahmoud, P.Eng., PhD; Rakesh Kumar; Gillian Pichler, P.Eng.; Peter Mitchell, P.Eng.; Geoff Thiele, LLB; Janet Sinclair, RT; Marilyn Pattison, PhD; Russ Kinghorn, P.Eng.; Mike Wrinch, P.Eng., PhD; Ward Bowman, P.Eng.; John Manson, P.Eng.; Derek Doyle, P.Eng.

Absent from photo: Lindsay Bottomer, P.Geo.; Emily Cheung, P.Eng.; Eric McQuarrie, P.Eng.; Lianna Mah, P.Eng.; George Prince, P.Eng.; Lee Failing, P.Eng.; Bob Gerath, P.Geo.; Greg Gosson, P.Geo, PhD.

Professional Renewal Framework



4.0 CONSULTATION PROCESS

The Professional Renewal Task Force consulted with a number of stakeholders throughout the review process. In addition to APEGBC members, the task force consulted with other regulators both provincially and across Canada, employers, government and industry associations. These groups were asked to provide input on APEGBC's current regulatory practices and to suggest areas for improvement. In the case of government, a broad commitment to assist with necessary legislative amendments was sought. A public opinion survey was also undertaken to determine the public's awareness of APEGBC and to gain insight into what it deemed to be the most important functions of a regulatory body.

Member Consultation

The first member survey conducted by the task force was done in April 2008 (see Appendix B and C for survey details). Over 5,400 members provided comment on issues such as registration, specialist designations, practice standards and guidelines, practice review, investigation and discipline, enforcement, continuing professional development, the public interest, transparency, the Code of Ethics, and APEGBC's legislative framework.

Using the feedback garnered from the survey, the task force prioritized six areas for assessment and improvement: the public interest, registration, practice standards and guidelines, continuing professional development, practice review, and legislative reform.

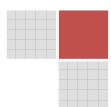
Just over six percent of the membership (1,639 members and licensees) responded to a second survey on the Professional Renewal Program in September 2008. This survey gave members an opportunity to provide more specific input to improvements being considered for the registration process and the development and implementation of practice standards and guidelines.

In both member surveys, respondents were given the opportunity to provide open-ended comments in addition to answering multiple choice questions.

In addition to the member surveys, members were regularly advised of Task Force activities through *Innovation* magazine, *Connections* e-newsletter, and the *Link* (a newsletter circulated to all committee, task force, board, branch and division chairs).

Other Regulators

APEGBC consulted with numerous regulatory bodies throughout the province and across Canada to study how these organizations approach their regulatory roles. Consultations were carried out with staff of provincial and national regulators either through phone interviews or through group meetings where a number of regulators were represented (such as the organization of Executive Directors and Registrars of BC). This external assessment has been very beneficial in that it has allowed the task force to review the effectiveness of different regulatory practices and to determine which ones might best work for APEGBC and its members.



Government

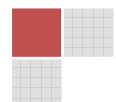
A number of officials—both elected and within the civil service—were consulted regarding the Professional Renewal Program. Feedback regarding improvements to processes that facilitate labour mobility and labour force development and that protect the public interest has been positive.

Employers

Employers within the consulting field and other engineering and geoscience organizations have provided input on various elements of the Professional Renewal Program. They have indicated that greater practice support through guidelines and standards would be beneficial and that qualification assessment of applicants for registration must be streamlined. Some employers expressed interest in becoming partners with APEGBC to explore and develop certain aspects of the program.

Industry Associations

Industry associations, particularly the Consulting Engineers of BC (CEBC) were active participants in the development of the Professional Renewal Program. To demonstrate commitment to this collaboration, CEBC was invited to provide an appointee to the Professional Renewal Task Force.



5.0 RECOMMENDATIONS

A. PUBLIC CONFIDENCE AND CODE OF ETHICS

In committing to a program of professional renewal in 2007, Council recognized that the public interest is the foundation of its overall role as a self-regulatory body, and is an important focus for its own comprehensive review.

In the April 2008 Professional Renewal Member Survey, 92.6% of survey respondents agreed that protecting the public and serving the public interest is the primary role of a self-regulating body. 55.8% agreed APEGBC should be more proactive in protecting the public interest.

Government has stated the importance of operating in the public interest in the recently amended *Engineers and Geoscientists Act* by enacting that “It is the duty of the association to uphold and protect the public interest respecting the practice of professional engineering and the practice of professional geoscience” (Section 4.1(1)(a)).

Ongoing monitoring of public policy development has revealed a clear and concise theme of expectation of accountability to the public as it relates to quality assurance.

Recommendations Approved by Council

Recommendation 1

Declare the centrality of the public interest to APEGBC’s mandate, defining it as a commitment to public confidence in the provision and regulation of safe and ethical professional engineering and geoscience services; and manifesting this orientation in all APEGBC planning, decision-making, evaluation, issues management and communications. (Approved by Council December 5, 2008)

Recommendation 2

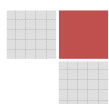
Screen and revise where prudent APEGBC registration processes, practice standards and guidelines, continuing competence monitoring, practice reviews, and the handling of concerns and complaints, in keeping with contemporary public policy and law, and the APEGBC Code of Ethics with the intent of harmonizing public accountability and fairness to members. (Approved by Council December 5, 2008)

Recommendation 3

Promote and enhance the use of the Code of Ethics as the driving force and principal instrument to guide members in the provision of safe and ethical professional services and to preserving the confidence of clients, industry, government, other regulators and the public at large in the professions. (Approved by Council December 5, 2008)

Rationale for Recommendations

1. Reflects evolution of clarity of public interest for the Professional Renewal Task Force and members
 - Respects member responses and comments
 - Moves the public interest beyond “motherhood and apple pie”

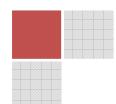


RECOMMENDATIONS - PUBLIC CONFIDENCE AND CODE OF ETHICS

- Embraces members' suggested three-pronged approach: public interest mandate, Code of Ethics, communications. Theme: Just Do It.
 - Will reinforce and refine public interest orientation and literacy of Council as it develops a framework for revision of the *Engineers and Geoscientists Act*, which members also agreed Council should take forward.
2. Relevance to Council/governance level and external stakeholders
- Council not being tied to specifics, rather moved into the Public Interest "Zone" as a place from which it deliberates and makes decisions.
 - Code of Ethics very meaningful for Council at the governance level: key to mandate.
 - Code of Ethics a very meaningful instrument for members and obviously embraced by members, who generally suggested we use it more actively.
 - Code of Ethics is the practice and legal nexus and overall frame of reference for the link between practice guidelines, practice review, monitoring, inquiry or investigation in response to a complaint, and APEGBC authority to act.
 - Code of Ethics very useful link to other regulatory mechanisms, e.g., requires that members remain competent.
3. Feasibility: Links public interest and Code of Ethics to committee and department initiatives
- Awareness of and sensitivity to the public interest is taking on significant steam and substantive impact in treatment of other mechanisms mentioned in Recommendation 3.
 - The current level of review at the Committee and Leadership Team levels is demonstrating impact of commitment to the public interest in all program areas, as significant changes to processes and procedures are being considered.
 - The Code of Ethics is emerging as a rediscovered guide and authority with potential to influence the evolution of specific programs or processes in their current evolution, e.g., continuing competence, practice review.
 - Code of Ethics is an excellent bridging tool for discussion with firms regarding workplace performance and operational standards, especially if firms have a code of conduct.
 - Code of Ethics has respectful and meaningful standing not only with members, but also with government, other regulators, and the public for public protection and public confidence purposes.

Budget

These initiatives are not expected to incur any additional direct cost to APEGBC. Rather, these themes would be advanced in Association messaging and included in specific future initiatives.



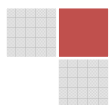
RECOMMENDATIONS - PUBLIC CONFIDENCE AND CODE OF ETHICS

Overview of Survey Results - Public Confidence and Code of Ethics

Survey Two, Question #1

APEGBC should establish processes to ensure the protection of the public interest is central to the membership and the work of the Association.

Responses	Number	%	Summary of Comments
Agree	1,117	72.3%	<ul style="list-style-type: none">• Members consistently linked public interest to mandate• Members see Code of Ethics as key instrument for implementation• Members cautioned against introducing additional processes or procedures• Members suggested three-pronged approach: public interest mandate, Code of Ethics, communications: Just Do It!
Neutral	335	21.7%	
Disagree	93	6.0%	
TOTAL	1,545	100.0%	
Comments	174	12.0%	



B. REGISTRATION

In evaluating the qualifications of future professional engineers, professional geoscientists and licensees, APEGBC strives to ensure that applicants understand the process, and that the registration policies and processes are efficient, effective, fair and transparent while maintaining the standards of entry to practice that allow us to meet our duty of protecting and upholding the public interest.

Last year, APEGBC received approximately 1,600 applications for professional registration. Twenty-three percent were for registration under interprovincial mobility agreements; the remaining were first time applicants, of which 39% were trained outside of Canada.

In assessing the best practices related to qualification assessments for registration, the following proposition was considered:

“Continue to streamline the registration process with a view to reducing complexity and improving transparency, objectivity, fairness, and processing time, and strengthening the capacity to assess entry-level competence of diversely prepared applicants.”

Recommendations Approved by Council

Recommendation 4

Implement the smart web interface that will allow applicants for registration, and the associated volunteer reviewers, to become active partners in information exchange. (Approved by Council December 5, 2008)

Recommendation 5

Develop a competency framework including:

- a. Core and discipline-specific competencies that meet the current standards;***
 - b. Area of practice-specific competencies, e.g. project management, engineering and geoscience faculty; and***
 - c. English language competency for practice.***
- (Approved by Council December 5, 2008)***

Recommendation 6

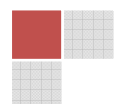
Develop and implement assessment, measurement and training tools for each competency for use by reviewers, interviewers, candidates and employers. (Approved by Council December 5, 2008)

Recommendation 7

Approve the allocation of \$354,000 in external costs plus up to \$150,000 in internal costs over a two-year period, subject to appropriate resourcing being available. (Approved by Council December 5, 2008)

Rationale for Recommendations

The Task Force proposition on registration was very well received by members. Members cautioned that standards of entry should be maintained, and English language competency for practice assured. Members identified the registration proposition as a high priority for APEGBC, with emphasis on streamlining the process. They also felt that shared funding from members, applicants and possibly



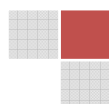
RECOMMENDATIONS - REGISTRATION *cont'd*

government and employers is appropriate, but that high application fees from applicants can constitute a barrier to entry into the professions.

Budget

- Recommendation 4 is funded from the current budget, including a grant from government, and is part of the Information Technology Implementation Project.
- Recommendations 5 through 7: APEGBC has received a commitment for approximately 20% of the funding from the Ministry of Advanced Education's Bridging Immigrants to Work Initiatives Program.
- Funding for the balance will be sought from others, including organizations with a vested interest in the outcome of APEGBC's work.
- The ongoing operation and maintenance of the system post development and implementation will be funded from application fees.
- A detailed budget, project schedule and business plan have been developed for Recommendations 5 through 7, above. A summary is included below.

Project	Overall Development & Implementation Cost to APEGBC 2009-2010 (Does not include in-kind resources allocated by others)	Funded by:
APEGBC Competency-based Assessment	\$218,000 in external costs \$ 25,000 in new internal resources <u>\$100,000</u> in reallocation of existing internal resources <u>\$343,000</u>	Government : \$100,000 Others: \$143,000 APEGBC <u>\$100,000</u> (in-kind) <u>\$343,000</u>
English Language Assessment Tool	by Engineers Canada	Engineers Canada
APEGBC Volunteer-training Scheme	\$136,000 <u>\$ 25,000</u> in reallocation of existing resources <u>\$161,000</u>	Others: \$136,000 APEGBC <u>\$ 25,000</u> (in-kind) <u>\$161,000</u>
Sub-Total	\$379,000 in new external and internal costs \$125,000 reallocation of existing internal resources (supervision by existing staff, photocopying, meeting resources, accounting, and other overhead)	
GRAND TOTAL	\$504,000	



RECOMMENDATIONS - REGISTRATION *cont'd*

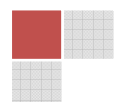
Overview of Survey Results - Registration

Survey Two, Question #2 - My response regarding the registration proposition is:

	%	RESPONDENTS	<u>Summary of Comments</u> <ul style="list-style-type: none"> Do not compromise standards of entry or level of scrutiny when simplifying and streamlining process (majority of comments) Treat all equally regardless of origin (several responses) More streamlining needed for internationally trained engineers (several responses) Ensure English Language Competency (several responses)
Agree	83.1%	1,208	
Neutral	12.8%	186	
Disagree	4.1%	60	
TOTAL	100.0%	1,454	
Comments	11.4%	162	

Survey Two, Question #3 - The renewal of the Registration Process is a top priority for APEGBC

	%	RESPONDENTS	<u>Summary of Comments</u> <ul style="list-style-type: none"> High priority; not top priority (most respondents) <ul style="list-style-type: none"> depends what other priorities are; there are other higher priorities what is the list of priorities? Process not broken, may need streamlining at most (several comments)
Agree	34.6%	500	
Neutral	53.3%	771	
Disagree	12.1%	175	
TOTAL	100.0%	1,446	
Comments	5.7%	82	



RECOMMENDATIONS - REGISTRATION *cont'd*

Survey Two, Question #4 - The costs of the renewal of the registration process should be: (PLEASE CHOOSE ALL THAT APPLY)

	%	RESPONDENTS	<u>Summary of Comments</u> <ul style="list-style-type: none"> Costs should be borne by both applicants and members on a cost-sharing basis (with a wide range of cost splits suggested) (most respondents) <ul style="list-style-type: none"> application fees should not be onerous, creating a barrier to applicants who can least afford them members should be responsible as it is an association process As the public is affected, costs should be borne by the public/taxpayers via provincial or federal government grants (many respondents) Employers should pay (several respondents) Operational efficiencies should reduce costs (several respondents)
Borne by applicants	65.7%	945	
Borne by members	49.5%	713	
Other (please specify)	12.7%	183	
TOTAL	n/a	1,439	
Comments	19.2%	276	



C. PRACTICE STANDARDS AND GUIDELINES

As a part of the Professional Renewal initiative the Professional Renewal Task Force carried out a fundamental review of the regulatory tools APEGBC has in place to deal with how the practice of the professions are influenced at both the individual and organizational levels.

One of the fundamental findings from this review was that the Association has not yet implemented programs that promote high standards in the use of professional risk management and quality assurance by organizations, which in turn have a direct influence on how the professions of engineering and geoscience impact the public.

It became clear that APEGBC could more effectively deliver on its primary mandate “to uphold and protect the public interest respecting the practice of professional engineering and the practice of professional geoscience” by advancing professional risk management and quality assurance programs in organizations that provide products and/or services requiring the application of professional engineering or geoscience.

To guide the work of the Professional Renewal Task Force on this subject, the following proposition statement was developed:

“Refine, develop and promote practice standards and guidelines for professional engineers, professional geoscientists and all organizations providing engineering and geoscience services, along with training and proactive support for implementation in a collaborative manner that enhances public safety and quality assurance through a culture of continuous improvement.”

Recommendations Approved by Council

Recommendation 8

Develop a national compendium of practice guidelines. (Approved by Council December 5, 2008)

Recommendation 9

Consistent with government’s increased reliance on self-regulated professions to protect the public interest, develop a strategic approach in working with government and industry to:

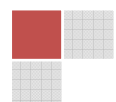
- a. Prioritize the areas of practice for which practice guidelines should be developed; and***
- b. Fund their development. (Approved by Council December 5, 2008)***

Recommendation 10

Develop guidelines on professional risk management and quality assurance programs that are consistent with the Engineers and Geoscientists Act and Bylaws (e.g., direct supervision, in house checking, field review, peer review, etc.) for use by BC organizations providing engineering and/or geoscience services. (Approved by Council December 5, 2008)

Recommendation 11

Offer to members training on all APEGBC Council endorsed practice guidelines and guidelines for organizations providing engineering and/or geoscience services in BC through various delivery mechanisms (e.g., seminars, web based materials, workshops). (Approved by Council December 5, 2008)



Rationale for Recommendations

In British Columbia there are two fundamental levels of influence that impact how the professions of engineering and geoscience are performed:

- 1) At an individual level through the practice of the professions by APEGBC members;
- 2) At an organizational level through the entities that employ engineers and/or geoscientists and provide various products and/or services requiring the application of professional engineering and/or professional geoscience.

These recommendations address both levels of influence in a proactive manner and are supported by the survey results and comments.

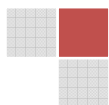
Budget

Recommendation 8 - The activity will be carried out by staff pursuing this matter with Engineers Canada. Moving this concept forward will be coordinated through meetings of the Staff Liaison Group, which the Executive Director attends. No new budget is required.

Recommendation 9 - External funding is sought for the development of these guidelines so there is no direct budget implication except for staff time, which is addressed through the current operating budget.

Recommendation 10 - The development of these guidelines will be funded through the Professional Renewal proposition dealing with practice reviews. This will include fees collected from carrying out practice reviews on organizations on a voluntary basis.

Recommendation 11 - There are no budget implications related to this recommendation as all such training programs will be offered on a cost-recovery basis.



RECOMMENDATIONS - PRACTICE STANDARDS AND GUIDELINES *cont'd*

Overview of Survey Results – Practice Standards and Guidelines

	Response to the proposition (Survey Two, Question #5)		Response to APEGBC developing Guidelines for Organizations ¹ (Survey Two, Question #6)		Response to APEGBC providing training to all Members and organizations providing engineering and/or geoscience services (Survey Two, Question #7)	
	%	Number of Respondents	%	Number of Respondents	%	Number of Respondents
Agree	72.5	1,032	58.9	783	73.4	1,045
Neutral	19.8	282	27.7	368	18.3	260
Disagree	7.7	109	13.4	179	8.3	119
Total	100	1,423	100	1,330	100	1,424
Comments	10.7	152	12.6	168	11.5	164

Thematic Summary from Comments

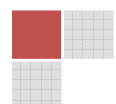
The following is a summary of the comments received on the proposition:

- Organizational guidelines around professional risk management and quality assurance must be tied to the regulatory duty of APEGBC (e.g., use of seal, maintenance of files and documentation, in-house checking, peer review, field review, direct supervision, and other matters of a due diligence nature).
- Practice guidelines must not be prescriptive so as to restrict members from exercising their professional discretion in providing innovative solutions.
- Practice guidelines should be coordinated across all engineering jurisdictions in Canada.
- These guidelines would assist in developing a common level of expectation amongst the client, the profession, government, the public, government agencies and authorities having jurisdiction when a particular professional activity is carried out.
- Practice guidelines must support members providing an appropriate level of service and adherence to the requirements in the *Engineers and Geoscientists Act* and Bylaws especially in organizations where non-engineers/-geoscientists control policies and procedures

The following is a summary of the comments received regarding APEGBC developing organizational guidelines:

- Guidelines on organizational risk management and quality assurance programs are to:
 - Provide support to members' practices and to assist them in meeting their obligations to the public as defined by the *Engineers and Geoscientists Act* and Bylaws;

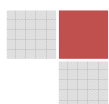
¹ Guidelines for Organizations - These APEGBC Guidelines would be developed for organizations providing engineering and/or geoscience services and would provide guidance on the development of professional risk management and quality assurance programs which are consistent with the requirements under the *Engineers and Geoscientists Act* and Bylaws regarding quality management issues related to field reviews, project documents, checking procedures, direct supervision, use of seal, structural concept review, liability insurance.



- Address the documentation associated with completing a professional activity;
 - Be goal oriented and principle based in meeting the quality assurance requirements under the *Engineers and Geoscientists Act* and Bylaws.
- Look at adopting existing organizational guidelines in place elsewhere in other engineering/geoscience jurisdictions and/or collaborate with other provinces and the professional liability insurance industry.
- Get the professional liability insurance industry to financially support and promote organizations to develop organizational risk management/quality assurance guidelines that are consistent with the requirements under the *Engineers and Geoscientists Act* and Bylaws.
- Be equally relevant to large and medium sized organizations as well as sole practitioners. Cannot be one size fits all.
- Should have one member (P.Eng. or P.Geo.) within the organization identified as the member responsible for the risk management/quality assurance program.

The following is a summary of the comments received regarding APEGBC providing training to organizations:

- If practice guidelines for individuals and organizations are a requirement, APEGBC must be careful not to use this captive market as a large revenue generator.
- Use existing service providers and identify where they can be sourced.
- Include online training/interactive focus groups so members and organizations can share their approach to organizational risk management and quality assurance.



D. CONTINUING PROFESSIONAL DEVELOPMENT

The question of whether to implement a mandatory continuing professional development (CPD) program has been long-standing for APEGBC. For the last two decades, the idea of professional development requirements has been considered by a number of committees, task forces and councils.

It is now standard for regulatory bodies to require professionals to participate in an ongoing professional development program. Almost all regulated professions in BC—this includes architects, doctors, lawyers and accountants—and most engineering and geoscience regulators in Canada require members to participate in and report their professional development activities. The ability to easily access professional development has also increased over the years, with options for greater flexibility and new distance learning technologies.

As a self-regulatory body, APEGBC must first and foremost act in the public interest. An Angus Reid survey conducted last year indicated that the public expects regulators to determine that the professionals they license are competent and safe practitioners. One way in which the public has confidence that this is demonstrated is through requirements such as mandatory continuing professional development.

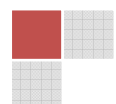
Currently APEGBC members may voluntarily report their continuing professional development hours. In 2008, 40.9% of practising members reported that they had participated in CPD during that calendar year.

The Professional Renewal Task Force approved the following proposition on which to base a decision on member requirements for continuing professional development (CPD):

“Develop mechanisms that ensure members remain competent, current and safe practitioners, and through which members and the Association can demonstrate to the public, members and other professions members’ commitment to professional development.”

Using the above proposition, the task force considered four potential options:

1. Reliance on Code of Ethics
 - Member determines own needs
 - May undertake CPD based on needs
 - May report if practice reviewed or under investigation.
2. Personal Professional Development Plan
 - Member determines own needs
 - Implements plan based on needs
 - Reports only when asked or reports to a peer.
3. Voluntary Compliance with Guideline and Voluntary Reporting (Status quo)
 - Association outlines minimum expectations (not mandatory)
 - Those members who choose to participate undertake professional development based on relevance to practice
 - Members who choose to report have a mechanism to do so.



RECOMMENDATIONS - CONTINUING PROFESSIONAL DEVELOPMENT

4. Mandatory Compliance with Guideline, Mandatory Reporting (*Option recommended by CPD Committee*)
 - Association sets minimum expectations (mandatory)
 - Members must undertake CPD based on relevance to practice
 - All practising members must report.

In deciding which option to recommend, the task force measured the options against the following ground rules:

1. Clearly demonstrates to the public that all practicing members are keeping up to date;
2. Serves as a strong incentive to all practising members to do it—not just those who would have done it anyway;
3. Minimum expectations are clearly outlined and met;
4. Program requirements align with members' practice;
5. Auditable for transparency; and
6. Meets best practice standards.

The following background information was also considered:

- The practices of other regulatory bodies with respect to member requirements for CPD. The overwhelming majority of professions have mandatory compliance with a guideline and mandatory reporting.
- The results from the public opinion survey that indicated the public largely supports mandatory professional development programs for engineers and geoscientists.
- The results of the member survey that indicated 63% of members agreed that *undertaking* professional development should be mandatory. 47% agreed that *reporting* should be mandatory, while 31.1% disagreed, and 21.9% didn't know or were uncertain.
- The number of practising members that reported compliance with the CPD guideline for 2008 (was 40.9%). 29.5% reported doing at least 30 hours.

Recommendation Approved by Council

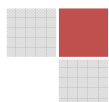
Recommendation 12

Implement for members a mandatory compliance with guideline, mandatory reporting program for continuing professional development:

- a. ***Association sets minimum expectations (mandatory);***
- b. ***Members must undertake CPD based on relevance to practice;***
- c. ***All practising members must report. (Approved by Council March 13, 2009)***

Budget

The resources to implement a mandatory program are already in place. It is recognized that a revision of the CPD Guideline may be required and that task could be undertaken by the CPD Committee. The cost of undertaking a bylaw vote would be minimal as it could be done at the same time as the council election.



E. PRACTICE REVIEW

The Association's Practice Review Program is a valuable tool for quality assurance, as well as an educational and professional development process for the benefit of the membership. A practice review involves a general review of a member's practice including scope of practice, technical competence, quality assurance, use of seal and record keeping. Council determines the proportion of reviews to be conducted in specific disciplines from which members are randomly selected. This makes up over 97% of the practice reviews carried out; the remainder may be performed as a result of a discipline hearing.

Since the program's inception in 1994, 80% of reviewed members have been found in compliance and 16% have required practice improvement. The remaining 4% have been directed to the Investigation Committee and/or the member signed a Letter of Undertaking to address the issues raised in the practice review.

The most common practice deficiencies identified in practice reviews continue to relate to matters involving compliance with the quality assurance requirements under the *Engineers and Geoscientists Act* including maintenance of appropriate design and review files, formalized in-house checking procedures, use of seal, and following the appropriate practice guidelines.

Practice Review Proposition Statement

Develop for organizations a voluntary practice review protocol with audit function that complements existing individual practice reviews and applauds participation, improves efficiency and adds value for all while recognizing existing quality management procedures within an organization.

Recommendations Approved by Council

Recommendation 13

Use a detailed analysis of results from completed practice reviews to identify demographic elements in the membership that are in need of practice support. (Approved by Council March 13, 2009)

Recommendation 14

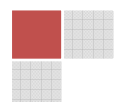
Implement a mandatory requirement for the member to disclose their areas of practice. (Approved by Council March 13, 2009)

Recommendation 15

Revise the name of the Practice Review Program to better reflect its role as an educational and professional development process. (Approved by Council March 13, 2009)

Recommendation 16

Implement a new funding model for practice review focused on cost recovery. (Approved by Council March 13, 2009)



RECOMMENDATIONS – PRACTICE REVIEW *cont'd*

Rationale for Recommendations

Practice reviews of individual members provide direct support to members/licensees as an educational and professional development process for their benefit, as well as a proactive quality assurance check on their practices. The more strategically such practice reviews are carried out from a risk-based approach, the greater benefit they will be to that demographic segment of the membership that is in greatest need. In order to maximize the effectiveness of the risk-based approach, it is essential that a mandatory process is implemented in which members are required to provide APEGBC, on an annual basis, specific information on the nature of their practice.

The most effective way APEGBC can engage organizations in supporting the professional practice of employees who are APEGBC members is to assist the organizations so that they have in place policies and procedures that are consistent with the requirements under the *Engineers and Geoscientists Act* and Bylaws.

The Practice Review Mission Statement states that the intent of the program is to be “an educational and professional development process for the benefit of its membership, as well as a proactive quality assurance check on members’ practices.” Changes were made to the program in 2002 consistent with the Mission Statement approved by Council as recommended by the Practice Review Committee. In order to take the program to the next level in terms of enhancing its role as an educational and professional development process, the Practice Review Committee is currently considering changing the name of the program to better reflect this mandate (e.g., Professional Renewal Program, Practice Maintenance Program, Practice Improvement Program, etc.).

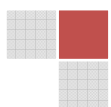
APEGBC can continue to meet its primary mandate of protecting the public’s interest by maintaining the current level of expenditure in carrying out individual practice reviews of members. However this can be carried out more strategically by identifying, using a risk based approach, the specific demographic element within a given field of practice that is in greatest need of support.

Finally, a key component for the organizational professional risk management and quality assurance program proposed is that practice reviews would be carried out on those organizations that have voluntarily expressed an interest in being involved in the program. This would include receiving formal confirmation through a certificate of accomplishment from APEGBC that they meet the quality assurance management requirements under the *Engineers and Geoscientists Act* and Bylaws. A fee will be charged to all organizations which participate in this program and receive such confirmation. This proposed annual fee will be used to offset the cost of administering the program and preparing a manual of guidelines on organizational professional risk management and quality assurance (see Section 6C Practice Standards and Guidelines).

In addition, revenue will be generated by offering professional development seminars to organizations on the various APEGBC guidelines related to quality assurance practices that are required under the *Engineers and Geoscientists Act* and Bylaws.

Budget

Staff time will be needed to implement a revised form to be used for collecting information on member’s areas of practice. In addition, staff time will be required to enter the data collected into the membership database.



RECOMMENDATIONS – PRACTICE REVIEW *cont'd*

The budgetary implications regarding the detailed analysis of various fields of data collected upon the completion of practice reviews is nil as this will be carried out by existing staff.

The development of a manual of guidelines on organizational professional risk management and quality assurance is estimated at \$60,000. It is anticipated that this cost will be recovered through contributions from participating organizations within the private and public sector and by the annual fee charged to those receiving a professional risk management and quality assurance certificate of accomplishment from APEGBC.

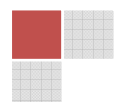
The proposed new funding model will mean that practice reviews will be carried out in a way that increases the opportunity to recover more of the costs associated with the administration of the program than currently occurs. It is proposed that organizations that receive a certification of accomplishment from APEGBC indicating they have implemented professional risk management and quality assurance policies and procedures that are consistent with the quality assurance requirements under the *Engineers and Geoscientists Act* be charged a fee. It is proposed that for this annual fee, APEGBC will identify these organizations on the Association's website and promote them in their various publications. Recommendations regarding the establishment of such an annual fee will be provided by those organizations from the private and public sector participating in the Organizational Professional Risk Management and Quality Assurance Pilot Program. The Consulting Engineers of BC also have representation in the Pilot Program.

Overview of Survey Results – Practice Review

	Is Practice Review an Important Tool in Quality Assurance? (Survey One, Question #7)		Is a Risk-Based Approach to Practice Review Appropriate for use by APEGBC? (Survey One, Question #8)		Are alternative forms of practice review, such as relying upon APEGBC approved corporate quality management systems, worthy of examination? (Survey One, Question #9)	
	%	Number of Respondents	%	Number of Respondents	%	Number of Respondents
Agree	60	1,345	56	1,245	40	894
Neutral	27	614	34	762	46	1,031
Disagree	13	287	10	231	14	309
Total	100	2,246	100	2,238	100	2,234
Comments	12	261	10	217	10	225

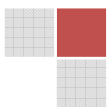
Thematic Summary from the 703 Comments Received

- The professional risk management and quality assurance programs within an organization have a huge impact on the practice of the professions.
- Practice review must be value added to facilitate professional development.



RECOMMENDATIONS – PRACTICE REVIEW *cont'd*

- Focus practice reviews on those who work for organizations providing professional engineering and/or geoscience services that have a direct and immediate impact on the public.
- Any professional risk management and quality assurance program implemented by APEGBC must be flexible enough to be relevant to all sizes of organizations and recognize existing programs that organizations have in place as long as they meet the basic requirements under the *Engineers and Geoscientists Act* and Bylaws.



F. ENFORCEMENT

Section 22 of the *Engineers and Geoscientists Act* provides Association members with the right to practice engineering or geoscience and the right to use certain professional titles. The Association has an enforcement procedure to take action against:

- Individuals who are not licensed members and are providing or offering to provide professional engineering or geoscience services, or are using a restricted title;
- Companies that do not employ members and are providing or offering to provide professional engineering or geoscience services, or are using a restricted title in their company name.

If a company or individual is found to be in violation of Section 22 of the *Engineers and Geoscientists Act*, and refuses to accept the Association's suggested resolution, legal action may be sought to prevent that company or individual from continuing unauthorized practice or use of a restricted title. Damages of up to \$25,000 may be assessed. Past experience has shown that registration, rather than legal action, is often a preferred outcome for all parties concerned.

There are a number of challenges that arise in enforcing against unregistered practice. These include:

- Lack of clarity regarding what constitutes the practices of professional engineering and professional geoscience within the meaning of the *Engineers and Geoscientists Act*, including the geographic reach of the *Engineers and Geoscientists Act* (e.g., job sites outside BC or Canada)
- Lack of clarity of the term *direct supervision*;
- Lack of resources to obtain information that identifies who is practising professional engineering or professional geoscience without a license.

Enforcement Proposition Statement

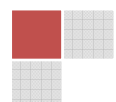
- 1) *To fulfill its duty to enforce the provisions in the Engineers and Geoscientists Act relating to unlawful practice and use of title, there needs to be clarity as to what constitutes practice and what titles are restricted;*
- 2) *Information gathering strategies are needed to determine the extent of the problem;*
- 3) *Recruitment strategies are needed to increase compliance. Use of the legal process to enforce the Engineers and Geoscientists Act should be limited to cases where there is a direct threat to the environment or public health, safety or well-being;*
- 4) *Prevention strategies are needed to limit proliferation of the problem.*

Overview of Survey Results - Enforcement

91.6% of respondents agreed that it is important to the public interest that only those who are members of APEGBC or non-members supervised by members be permitted to perform tasks within the defined scope of practice.

72.6% of respondents agreed that APEGBC should put more effort into ensuring that professional engineering and geoscience are practised only by those who are qualified and registered to practise in BC or supervised by members who are qualified and registered to practise in BC (8% disagree).

Comments varied greatly but pointed to: the need for greater clarity or understanding regarding the definitions of "direct supervision" and the practices of professional engineering and geoscience; the need for recognition of diverse qualifications and foreign professional designations; a risk-centered approach to various engineering and geoscience activities; the need for means to deal with areas of practice overlap; and focusing on registration initiatives rather than enforcement options.



RECOMMENDATIONS - ENFORCEMENT *cont'd*

Recommendations Approved by Council

Recommendation 17

Develop a position and written materials on the practices of professional engineering and professional geoscience within the meaning of the Act. (Approved by Council June 19, 2009)

Recommendation 18

Develop a guideline on direct supervision. (Approved by Council June 19, 2009)

Recommendation 19

Develop guidelines on areas of practice overlap with other professions under demand-side legislation or otherwise. (Approved by Council June 19, 2009)

Recommendation 20

Strengthen relationships with BC regulatory agencies that are dealing with registered and unregistered engineering or geosciences practitioners and develop information-sharing agreements. (Approved by Council June 19, 2009)

Recommendation 21

Develop a framework of cost-effective intelligence-gathering devices through IT tools and arrangements with government agencies, crown corporations and others to protect the public by identifying persons offering professional engineering and geoscience services. (Approved by Council June 19, 2009)

Recommendation 22

Collaborate with the Canadian Council of Professional Geoscientists, Engineers Canada and their members on identification and implementation of local and national strategies to reduce unregistered practice. (Approved by Council June 19, 2009)

Recommendation 23

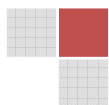
Create understanding at government ministries and agencies of the implications of current and potential legislation that enable unregistered practice and the need to consult with APEGBC and others on demand-side legislation that involves the engineering or geoscience professions. (Approved by Council June 19, 2009)

Recommendation 24

Prepare an annual enforcement strategy for Council approval that takes into account the risks posed to public health, safety or welfare or the environment by various activities and practice areas. (Approved by Council June 19, 2009)

Recommendation 25

Regularly inform the membership of the Association's enforcement and recruitment activities. (Approved by Council June 19, 2009)



Rationale for the Recommendations

It is important to provide clarity both internally and externally as to what constitutes the exclusive practice of professional engineering and professional geoscience. By providing this clarity, some of the people who unknowingly violate the *Engineers and Geoscientists Act* will voluntarily comply, either through registration or cessation of the unlawful activities, enabling us to focus our activities on identifying those who are willfully continuing to breach the *Engineers and Geoscientists Act*.

Information-sharing agreements with other provincial regulators would enable the agencies to advise APEGBC of cases where an unregistered person or person registered elsewhere is practising in BC. These agreements would also address a number of other quality assurance related issues.

The Canadian Council of Professional Geoscientists has created a Licensure Compliance Committee that is examining the issue of non-registration of geoscientists and various ways to assess and address the problem. It is anticipated that lessons learned from the work of the Licensure Compliance Committee will be useful in dealing with unregistered engineers as well. We have also had some discussions with our counterparts at APEGGA regarding the issue of practice by unregistered practitioners.

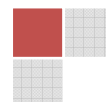
Demand-side legislation can put the public at risk if the competencies required to perform the work are not considered and addressed. We believe it is important to focus resources on willful violators who, because of the nature of their work or their industry, pose a significant threat to the public safety, health or the environment.

Budget

Each of the recommendations has some budget implications. Currently the Association has very limited capacity for staff to increase or change their activities relating to enforcement/non-registration without cutting back on other activities. To be successful, the information gathering and distribution, recruitment, and preventative strategies set out in the Recommendations will involve long-term, continuing commitments to address the problem and are not suitable for short-term contract positions. The clarification strategies may be suitable for a short-term contract as they require different skills and are discrete tasks.

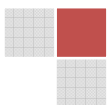
The 2008-2009 budget included funding for a new position relating to enforcement. However, when the fee delegation bylaw was defeated in September 2008, recruitment for the position was put in abeyance due to questions about the ability to maintain funding for the position in future years. Funding for the position was included in the draft 2009-2010 budget, but due to the defeat in April 2009 of a bylaw to increase the member fee, some or all of that spending was eliminated from the budget. Based on our current resources and commitments, it is estimated that we could achieve the following amount of each of the noted activities:

i.	Develop Guides	10%
ii.	Information Sharing Agreements	10%
iii.	IT Tools	10%
iv.	CCPG and Engineers Canada collaboration	10%
v.	Government and Demand Side Legislation	10%
vi.	Annual Enforcement Strategy	10%
vii.	Member Information	15%



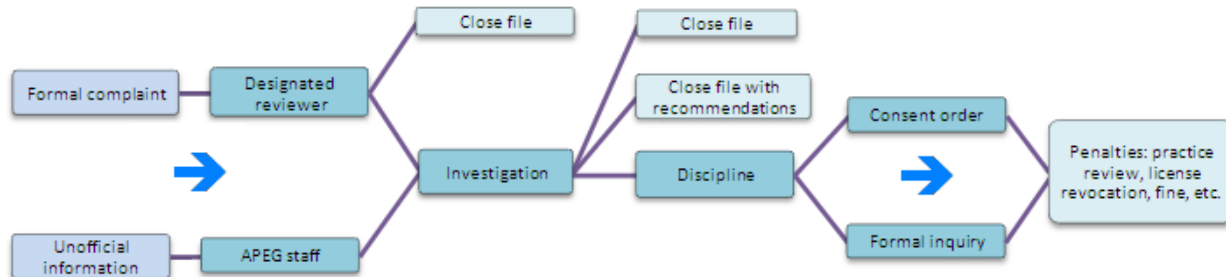
RECOMMENDATIONS - ENFORCEMENT *cont'd*

The Professional Renewal Task Force recommended and Council accepted that should budgetary concerns limit the ability to implement all of the recommendations, the development of guides and collaboration with the Canadian Council of Professional Geoscientists and Engineers Canada be given priority.



G. INVESTIGATION AND DISCIPLINE

The current process for dealing with complaints at APEGBC is rigidly defined and narrowly constrained by the *Engineers and Geoscientists Act*: it is only capable of addressing “blatant non-compliance”. The range of options currently available to APEGBC for dealing with complaints is set out below:



Specific concerns have been raised regarding:

- 1) Less serious practice issues;
- 2) Practice issues with a psychological/physical health dimension;
- 3) Lack of alternative means of resolving complaint; and
- 4) Lack of clarity over the roles of participants in the process.

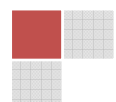
The primary thrust of the recommendations considered by the Professional Renewal Task Force was that the Association needs the authority to address each complaint in a measured and appropriate way. APEGBC should seek to provide more “off ramps” from our current disciplinary highway to help us reach expeditious and just resolutions to complaints.

Survey Results – Investigation and Discipline

Only 52.6% of respondents agreed that APEGBC is responding adequately to investigation and discipline given the challenges of today. 41.3% were uncertain or did not know and 7% disagreed.

Approximately 20% of commentators supported creating additional options, but many were not sure what those should be.

The underlying powers to implement many of the approved recommendations would likely need to be authorized in legislation; the specifics may potentially be left to bylaws, or may be prescribed by statute depending on the nature of the recommendation. Further examination of the recommendations will need to be conducted as part of the Association’s consultation process with members and stakeholders regarding the drafting of new legislation.



RECOMMENDATIONS – INVESTIGATION AND DISCIPLINE *cont'd*

Recommendations Approved by Council

Recommendation 26

Create a power to make rules regarding the disciplinary process. (Approved by Council September 11, 2009)

Recommendation 27

Authorize the use of Alternative Dispute Resolution. (Approved by Council September 11, 2009)

Recommendation 28

Create a power to mandate discussions and extended power for making non-binding recommendations. (Approved by Council September 11, 2009)

Recommendation 29

Empower the Registrar to sort/direct complaints, while ensuring that adequate checks and balances are in place to uphold accountability within the investigation and discipline system. (Approved by Council September 11, 2009)

Recommendation 30

Create the power to require evidence of fitness to practice from trained medical professionals, to provide physical and mental health support for the members, and to enforce fitness standards through appropriate treatment-oriented processes. (Approved by Council September 11, 2009)

Recommendation 31

Enable Council to appoint laypeople on investigation and discipline related committees and enable the committees to decide what cases laypeople should be involved with. (Approved by Council September 11, 2009)

Recommendation 31

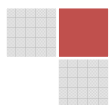
Enable Council to appoint laypeople on investigation and discipline related committees and enable the committees to decide what cases laypeople should be involved with. (Approved by Council September 11, 2009)

Recommendation 32

Authorize the creation of inter-provincial disciplinary information sharing and mobility rules. (Approved by Council September 11, 2009)

Recommendation 33

Examine the role of the complainant in the investigation and discipline process and authorize Council to make rules regarding the processing of complaints. (Approved by Council September 11, 2009)



Commentary to Recommendations

Recommendation 26

This would authorize the Discipline Committee to make orders relating to hearings to ensure that they proceed in as timely, fair and cost-efficient means as possible. (*Approved by Council September 11, 2009*)

Recommendation 27

The *Engineers and Geoscientists Act* allows Alternative Dispute Resolution of cases that have been referred to the Discipline Committee for a hearing. This new power would allow use of Alternative Dispute Resolution throughout the complaint process, as appropriate.

Recommendation 28

This power would require a member to come to a discussion of his/her conduct, and to make oral recommendations. This would provide a means for dealing with practitioners with less serious practice or ethical concerns who may just need advice or warning in person.

Recommendation 29

This would empower the Registrar or his delegate to triage complaints initially, sending them on the appropriate route. Checks and balances will be created to ensure that there is oversight of the Registrar's decisions by the relevant committees, as well as annual reporting.

Recommendation 30

Fitness to practice has serious implications for both the public and the practitioner. Any fitness to practice issues must be handled respectfully and on the basis of expert medical opinion.

Recommendation 31

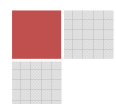
Laypeople bring a different perspective and experience and may be capable of more objectivity on certain issues. They help address concerns about protection of the public interest. The committees would still retain the power to decide when laypeople should participate.

Recommendation 32

Portability of disciplinary sanctions would prevent members practising in BC to avoid the effect of discipline in another jurisdiction. APEGBC's Discipline Committee would be empowered to recognize the action taken elsewhere and apply the same sanction in BC. There also needs to be a means of obtaining this information without contravening privacy legislation.

Recommendation 33

The role of the complainant needs to be clarified, especially if there are going to be more ways and means to resolve complaints. Council needs to have the ability to set and modify as necessary the rules, rather than having them fixed in the *Engineers and Geoscientists Act*.



H. COMPLIANCE MANAGEMENT

Compliance Management refers to the gathering of experiences, insights, issues and trends from various sources that can be developed into materials and provided to the membership as a means of individual enhancement, excellence and quality assurance. This type of process is referred to as “knowledge management”. The knowledge management process has four stages: extract data from various sources; examine the data and decide how to use it; educate the membership; and evaluate the effectiveness of the education—“the four E’s”.

To support a compliance management approach at APEGBC, the Professional Renewal Task Force developed a number of recommendations regarding the establishment of a “PEER” Program – Professional Education, Enhancement and Renewal.

The PEER Program would transform the focus from complaints, investigation and discipline to an innovative, value added, learning program. Existing quality assurance programs would continue, but cover a much broader spectrum of issues and methods through which quality assurance issues can be identified and addressed.

Recommendations Approved by Council

Recommendation 34

Establish a proactive quality assurance program focused on the professional development of members through a knowledge management process, and that:

- a. The program be named “Professional Education, Enhancement and Renewal” (PEER);***
- b. Council prioritize the deployment of a staff person to build and support the PEER Program;***
- c. Staff be directed to prepare an Annual Implementation Plan, based on available resources, until sufficient resources are available to support the full implementation of the PEER Program;***
- d. Appropriate legislative authority be sought or confirmed for information gathering and sharing agreements with other regulatory authorities; and***
- e. Relevant metrics be identified to measure the effects of the PEER Program. (Approved by Council September 11, 2009)***

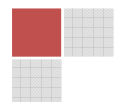
Recommendation 35

Educate the public and other stakeholders in the practices of professional engineering and professional geoscience utilizing the PEER Program as appropriate. (Approved by Council September 11, 2009)

Recommendation 36

Assign responsibility for the PEER Program to the Professional Practice Committee and amend its terms of reference to:

- a. Include responsibility for the PEER Program and make the PEER Program its key purpose;***
- b. Permit persons who are not members of Council to be appointed to the Committee; and***
- c. Permit appointment of laypeople to the Committee. (Approved by Council September 11, 2009)***



I. IMPLEMENTATION AND AUDIT OF THE PROFESSIONAL RENEWAL PROGRAM

The purpose of the Professional Renewal Task Force was “to develop a Professional Renewal Framework that would be broadly supported by all, upholds and protects the public interest and renews the professions through a results-based quality assurance program.”

A time frame of 24 months was provided to develop the framework. Council authorized the assignment of a person whose primary task would be to support the task force, the support of the staff leadership team and a budget of \$150,000.

Following a broad based survey of the membership, the task force identified eight specific topics for attention. This was done based upon the survey results from 5,400 members and their detailed comments. The prioritized topics were: public confidence and the code of ethics; registration; practice standards and guidelines; continuing professional development; practice review; investigation and discipline; enforcement; and compliance management. The task force recognized that following their work there would be a need to amend legislation, revise and formulate bylaws, and revise and formulate policy. This work would be taken up by others once the task force had substantially completed the examination of the specific topics. The governance framework was not specifically addressed since these matters are in the care of the Governance Committee, which continuously studies issues of this type and brings forward recommendations to each Council meeting. The task force has completed the work in 21 months and has expended \$38,000 of the funds allocated.

Council has considered and decided upon all the matters brought forward by the task force. It is the hope of the task force that the actions decided by Council will lead, over time, to the transformation of the professions, the strengthening of public confidence and enhanced protection of safety, health and the environment in the practice of the professions. However for this to be realized, the task force is of the view that a formal commitment to annually planning the next steps of implementation, allocating resources accordingly and auditing the progress of the Professional Renewal Program are essential. Accordingly, the task force framed a recommendation for Council’s consideration to enshrine these actions.

The task force also recommended that a formal report be drafted, documenting its work, so that those that follow will not find it necessary to cover the same ground. Requests have also been received from academics, government staff and other regulators that we document our work as a small contribution to the work of others.

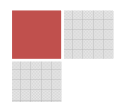
Recommendations Approved by Council

Recommendation 37

Prepare an annual audit of the Professional Renewal Program reporting on the progress over the past year, the work plan for the upcoming year and the financial commitment needed to successfully advance the program. (Approved by Council September 11, 2009)

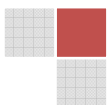
Recommendation 38

Prepare and publish a formal report documenting the work of the task force including process, member surveys and recommendations in time for the annual meeting. (Approved by Council September 11, 2009)



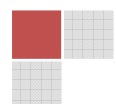
IMPLEMENTATION AND AUDIT *cont'd*

Following approval of the final recommendations, Council stood down the Professional Renewal Task Force with thanks on September 11, 2009.



APPENDIX I: TERMS OF REFERENCE

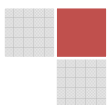
1. Name: Professional Practice Renewal Task Force
2. Type: Advisory to the Council
3. Purpose and Function: To develop a Professional Practice Renewal Framework that will be broadly supported by all, upholds and protects the public interest and renews the professions through a results-based quality assurance program.
4. Function: The functions will include, but are not limited to:
 - (i) Provide direction to Staff in publishing an article on the advantage to meet the ten requirements of a self regulating profession that upholds and protects the public interest in the practice of engineering and geoscience. This article will emphasize the importance of Quality Assurance in discharging our duties.
 - (ii) The Task Force will invite comments on the first article and will synthesize the feedback.
 - (iii) Publish a further article based upon (ii) that is focused on quality assurance and professional risk management. The Task Force may differentiate between professionals with a direct and immediate impact on public safety, health and environment from those with an indirect and distant impact on public safety.
 - (iv) Oversee the design and the implementation of the consultation process that will allow the Task Force to formulate a set of recommendations to go to Council for approval in principle. The article in iii) will set out a schedule for consultation with branches, committees, other associations, governments, stakeholders and the Ministry of Advanced Education.
 - (v) Prepare a staged implementation plan following Council decision and publish in a final article or report for all.
5. Membership: The task force should strive to include at least one professional geoscientist, professional engineer, a government appointee from Council, an engineer from Consulting Engineers of BC, one member from the Standards of Practice Improvement Task Force for continuity, a foreign trained engineer, a past president, a recently registered Canadian trained engineer or geoscientist, a senior engineer practicing in the municipal and/or provincial sectors and others at Council's pleasure. One member may represent more than one category above.
6. Method of Appointment: By Council.



TERMS OF REFERENCE *cont'd*

7. Terms of Office: Appointments will be for two years, or until the Task Force concludes its work. Initial appointments to take place September 2007 with work to begin immediately.
8. Selection of Chair: The Chair is appointed by Council.
9. Quorum: Three members
10. Frequency of Meetings: Meetings at the call of the Chair.
11. Conduct of Meetings: Stakeholders meeting representation can vary from one to many depending upon the situation. The Task Force may meet electronically, in person or combinations thereof.
12. Review: The Task Force shall provide advice to Council as each phase of the work is completed.
13. Support Staff and Funding: APEGBC will assign a person whose primary task will be to support the Task Force. The Leadership Team will also be available to support the Task Force. \$150,000 will be committed to advance this work.
14. Minutes and Records: Records of the Task Force work will be maintained by support staff.

Approved by Council September 7, 2007 (CO-07-78-1)



APPENDIX II: PROFESSIONAL RENEWAL SURVEY ONE – APRIL 2008

Both the privilege and duty of self-regulation are at the core of the professions of geoscience and engineering in British Columbia. It is APEGBC's legally authorized mandate to control entrance into the professions, govern quality assurance of professional practice, discipline members, and if necessary, prohibit practice by anyone who is found to be incompetent or in violation of the Engineers and Geoscientists Act or the Code of Ethics. It is also our exclusive responsibility to ensure that our membership is current, competent, and always striving for excellence in our professions. Through this combined authority and responsibility, we protect the public interest.

But in today's world, is what we are doing enough? Can it be said to be reactive rather than pro-active? Should we do more than registration, quality assurance or policing, as some call it? What should we be doing to advance the professions and to assist our members in their progress towards excellence? What should we be doing to provide greater assurance to the public that their interests are being protected? How do we demonstrate that we are constantly and continuously striving to raise our standards of professional knowledge and skill? How do we, in positive and constructive ways, encourage our members to learn and improve their performance so that a culture of quality assurance can flourish? What can or should we do to assure excellence in self-regulation along with excellence in practice?

In May 2007, APEGBC Council passed a motion to develop strategy for the continuous renewal of the professions in the public interest. Through a broad professional renewal program, APEGBC intends to examine whether all its programs are contributing to the end goal of effective and responsible self-regulation that protects the public. In the end, it is about bringing clarity to where APEGBC fits in the bigger picture of public safety and how it can support members in maintaining practice excellence.

The Professional Renewal Program will be developed in consultation with members, other major stakeholders and external sources over the next year. In this first phase of consultation, we are seeking your thoughts via member survey on a broad range of questions that we need to consider in developing a strategy for professional renewal. The survey is designed to stimulate and invite dialogue, and you are encouraged to put forward your thoughts and ideas at the beginning of this process of review and renewal.

In each phase of consultation, the Task Force will review the results and use your input in the design of options for further input. In the last phase, we will seek your response to the concepts we are considering presenting to Council. We expect to report to Council with recommendations in December 2008.

Professional renewal cannot occur in isolation. I encourage you to make your voice heard by taking the time to complete the Professional Renewal Survey. We would like to hear from you, the members, to determine what areas we should examine and which regulatory best practices we should assess and implement.



APPENDIX II: PROFESSIONAL RENEWAL SURVEY ONE *cont'd*

Your opinions are very important to us. Your responses will be used to focus our effort on priority topics. We will then develop alternative actions and again seek your input on these alternatives. Finally, we will develop recommendations for regulatory improvement to be submitted to Council for consideration

Protecting the Public Interest

Under the APEGBC Code of Ethics, members have an obligation to “uphold the values of truth, honesty and trustworthiness and safeguard human life and welfare and the environment.” The public is increasingly expecting self-regulating bodies to demonstrate transparency, fairness and accountability in all processes and it is important that APEGBC meet the public’s expectations and maintain their trust.

1. Protecting the public and serving the public interest is the primary role of a self-regulatory body.

Strongly Agree___ Agree___ Uncertain___ Don’t know___ Disagree___ Strongly Disagree___

Comment _____

2. Should APEGBC be more proactive in protecting the public and serving the public interest?

Strongly Agree___ Agree___ Uncertain___ Don’t know___ Disagree___ Strongly Disagree___

Comment _____

Guidelines and Practice Standards

Most professional regulators have guidelines and standards governing various areas of practice. APEGBC regularly builds on the existing base of practice guidelines and standards. While priority in developing these standards is governed by a variety of factors, chief among them is the relative degree of risk posed to the public.

3. Are practice guidelines and standards important to the self-regulation of professions?

Strongly Agree___ Agree___ Uncertain___ Don’t know___ Disagree___ Strongly Disagree___

Comment _____

4. Does APEGBC have the necessary guidelines and practice standards in place to guide members when needed?

Strongly Agree___ Agree___ Uncertain___ Don’t know___ Disagree___ Strongly disagree___

Comment _____



APPENDIX II: PROFESSIONAL RENEWAL SURVEY ONE *cont'd*

Continuing Professional Development (CPD)

In response to public and government pressures, there is a clear trend toward mandatory continuing professional development (CPD), including reporting of same. Our geoscientist and engineering colleagues in Alberta, Saskatchewan, Nova Scotia, PEI, Newfoundland and New Brunswick; and the APGO in Ontario have adopted mandatory continuing professional development programs. Also known as mandatory continuing competence, this trend is apparent in other professions such as accounting, pharmacy, medicine and architecture. Under the APEGBC Code of Ethics, members are required to “keep themselves informed in order to maintain their competence.” Reporting CPD activities is currently voluntary at APEGBC.

5. Should *undertaking* professional development activities be mandatory for professional engineers and geoscientists in BC?

Strongly Agree ___ Agree ___ Uncertain ___ Don't know ___ Disagree ___ Strongly Disagree ___

Comment _____

6. Should *reporting* professional development activities be mandatory for professional engineers and geoscientists in BC?

Strongly Agree ___ Agree ___ Uncertain ___ Don't know ___ Disagree ___ Strongly Disagree ___

Comment _____

Practice Reviews and Performance

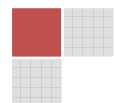
Practice review (audit) programs designed to support quality assurance are a core mechanism used by self-regulating professions to improve public trust and confidence, and support the membership through learning. In some provinces, the requirement for self-regulatory bodies to audit members' practices is a provision in their governing legislation. This is seen with the self-regulation of some health professions.

Some approaches include using a risk-based approach, where high-risk and special focus areas receive more attention from practice review. For APEGBC, using a risk assessment approach means identifying practice areas representing direct and immediate risk to the public being subject to a higher frequency/degree of oversight/scrutiny. Company practice reviews, and use of accreditation programs could also be considered. Practice reviews can be a learning tool for more of the membership through a streamlined process that can be applied more frequently and therefore affect practice more widely.

7. Is Practice Review an important tool in quality assurance?

Strongly Agree ___ Agree ___ Uncertain ___ Don't know ___ Disagree ___ Strongly Disagree ___

Comment _____



APPENDIX II: PROFESSIONAL RENEWAL SURVEY ONE *cont'd*

8. Is a risk-based approach to practice review appropriate for use by APEGBC?

Strongly Agree ___ Agree ___ Uncertain ___ Don't know ___ Disagree ___ Strongly Disagree ___

Comment _____

9. Are alternative forms of practice review, such as relying upon APEGBC approved corporate quality management systems, worthy of examination?

Strongly Agree ___ Agree ___ Uncertain ___ Don't know ___ Disagree ___ Strongly Disagree ___

Comment _____

Investigation and Discipline

Investigation and discipline are key public protection mechanisms for self-regulating professions. In most professions, these activities are typically triggered by written complaints. While this is a key public protection mechanism, in today's world relying solely on complaint-driven formal legal processes may not be enough. Mechanisms that require members to improve their performance as a result of concerns or complaints may be needed, for example, mandatory mentoring from a senior member. Other mechanisms to respond to complaints could also be beneficial, such as alternative methods of complaints management and dispute resolution. These have yielded high satisfaction in other professions and could be adapted to APEGBC.

APEGBC currently deals with issues with a member's practice when a formal complaint is laid. Once a formal complaint is received, it goes through the investigation and, if warranted, discipline processes. Investigation may result in an order which a member must choose to accept in its entirety or proceed to a hearing.

10. Is APEGBC responding adequately to investigation and discipline, given the challenges today?

Strongly Agree ___ Agree ___ Uncertain ___ Don't know ___ Disagree ___ Strongly Disagree ___

Comment _____

Practice of the Profession by Non-members

If a profession is self-regulating, the public derives confidence from knowing that all those practicing and using the designated title are regulated. Most professional regulators are authorized in legislation to require that anyone performing activities within the scope identified in legislation be registered. (This may include members in training and in some professions, depending on legislation, student members).

The practice of engineering or geoscience in BC is different than most other professions in that work that is within the restricted scope of practice, can be done by those who are not members of APEGBC as long as a registered member directly supervises and takes responsibility for that work. In cases where



APPENDIX II: PROFESSIONAL RENEWAL SURVEY ONE *cont'd*

professional work is being undertaken by someone who is not registered or not being supervised by someone who is registered, APEGBC will take enforcement action. The enforcement process is initiated by notifying the offending party that they are in breach of the *Engineers and Geoscientists Act*. If the party continues to practice without obtaining registration with APEGBC, recourse is limited to an injunction and potential damages of up to \$10,000. (Note: Following this survey, this amount was increased to \$25,000.)

11. Is it important to the public interest that only those who are members of APEGBC or non-members supervised by members of APEGBC be permitted to perform tasks within the restricted scope of practice?

Strongly Agree ___ Agree ___ Uncertain ___ Don't know ___ Disagree ___ Strongly Disagree ___

Comment _____

12. Should APEGBC put more effort into ensuring that engineering and geoscience is practiced only by those who are qualified and registered to practice in BC, or supervised by members who are qualified and registered to practise in BC?

Strongly Agree ___ Agree ___ Uncertain ___ Don't know ___ Disagree ___ Strongly disagree

Comment _____

Requirements for Registration

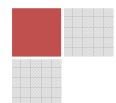
It is standard practice for self-regulatory bodies to require applicants to demonstrate a minimum level of education and experience to qualify for registration. Many professions also require an applicant to pass examinations to demonstrate knowledge of the competencies required for successful practice. Currently, regulatory challenges associated with mobility and multi-jurisdictional trade agreements draw increased attention to the efficiency, transparency and fairness of registration processes. This is resulting in a trend toward competency based experience requirements such that applicants and their referees have a clear understanding of what competencies must be demonstrated to meet experience requirements for registration.

APEGBC determines that applicants are qualified for registration through review of education and experience. Applicants must also complete law and ethics training, an exam that assesses legal and ethical knowledge, and provide at least three references.

13. Is APEGBC responding adequately to the registration challenges of today, including those related to applicants with foreign credentials?

Strongly Agree ___ Agree ___ Uncertain ___ Don't know ___ Disagree ___ Strongly Disagree ___

Comment _____



APPENDIX II: PROFESSIONAL RENEWAL SURVEY ONE *cont'd*

Specialist Designations

Many self-regulating professions have specialist designations. These may serve a number of purposes in the marketplace such as demonstrating advanced training and competency in a subject area. The regulation of these specialist designations presents both benefits and challenges.

APEGBC currently has a specialist designation for structural engineers, StructEng. Those who are given this designation must demonstrate appropriate education and pass either an oral or written exam. Registrants in this category must also participate in and report continuing professional development activities on a yearly basis.

Under professional renewal, options for the treatment of specialist designations could be considered.

14. Are specialist designations for professional engineers and geoscientists necessary for the protection of the public interest?

Strongly Agree___ Agree___ Uncertain ___ Don't know___ Disagree ___ Strongly Disagree___

Comment _____

15. If APEGBC recognizes additional specialist designations, should the regulation of these specialists be different than that of non-specialists?

Strongly Agree___ Agree___ Uncertain ___ Don't know___ Disagree ___ Strongly Disagree___

Comment _____

Transparency

Self-regulating professions are held to high standards of fairness, transparency and accountability. Registration decisions, discipline of members, practice audits, and professional development participation are often referenced as processes that the public believes should be open to public scrutiny.

Recent initiatives that demonstrate APEGBC's increasing commitment to transparency include the establishment of an independent, non-statutory Fairness Panel to provide open, timely, arms-length internal reviews of appeals of registration decisions to verify that the actions taken and decisions made are transparent, objective, impartial, fair and consistent with the relevant policies and procedures. APEGBC also demonstrates transparency in the discipline process in that discipline hearings are open to the public and all complaints that result in disciplinary action are published. BC's Freedom of Information legislation also allows applicants to receive, upon request, the contents of their registration files, including decisions made and comments on their eligibility.



APPENDIX II: PROFESSIONAL RENEWAL SURVEY ONE *cont'd*

16. Which of the following processes (not content) should be open to scrutiny by the applicant or member affected? (Mark as many as appropriate)

Registration decisions___ Investigation___ Discipline___ Practice Review___

Comment _____

17. Which of the following processes (not content) should be open to public scrutiny? (Mark as many as appropriate)

Registration___ Investigation___ Discipline___ Practice Review___

Professional development activity reporting___

Comment _____

Legislative Duty and Code of Ethics

As a result of developing trends and issues affecting APEGBC and other self-regulating professions, many regulators are undertaking legal review and reform, and some are seeking specific legislative changes. APEGBC has identified a number of reasons to seek changes to its legislation to enable it to more effectively and efficiently carry out its mandate and operate in the public interest. There is current appreciation by government, Council and the membership that a major rewrite of the eighty-eight year old Act will be necessary in order to modernize language, definitions and concepts; and realign APEGBC's authority with its changing accountabilities and requirements as a governing body today.

18. Should the *Engineers and Geoscientists Act* and Bylaws be modernized?

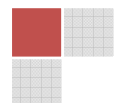
Strongly Agree___ Agree___ Uncertain___ Don't know___ Disagree___ Strongly Disagree___

Comment _____

19. Should the Code of Ethics be reviewed as part of the Professional Renewal process?

Strongly Agree___ Agree___ Uncertain___ Don't know___ Disagree___ Strongly Disagree___

Comment _____



APPENDIX III: PROFESSIONAL RENEWAL SURVEY TWO – SEPTEMBER 2008

Public Interest

1. APEGBC should establish processes to ensure the protection of the public interest is central to the membership and the work of the Association.
Agree ____ Neutral ____ Disagree ____

Registration

Proposition Statement:

Continue to streamline the registration process with a view to reducing complexity and improving transparency, objectivity, fairness, and processing time; and strengthening the capacity to assess entry-level competence of diversely prepared applicants.

2. My response regarding the registration proposition is:
Agree ____ Neutral ____ Disagree ____
3. The renewal of the registration process is a top priority for APEGBC.
Agree ____ Neutral ____ Disagree ____
4. The costs of the renewal of the registration process should be: (PLEASE CHOOSE ALL THAT APPLY)
Borne by applicants ____ Borne by members ____ Other (please specify) ____

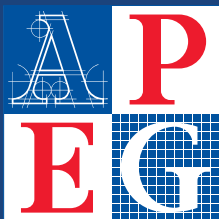
Practice Standards and Guidelines

Proposition Statement:

Refine, develop and promote practice standards and guidelines for professional engineers, professional geoscientists and all organizations providing engineering and geoscience services; along with training and proactive support for implementation in a collaborative manner that enhances public safety and quality assurance through a culture of continuous improvement.

5. My response to the proposition regarding Practice Guidelines and Standards is:
Agree ____ Neutral ____ Disagree ____
6. APEGBC should develop guidelines for all organizations providing engineering and geoscience services in the use of professional risk management and quality assurance programs consistent the Act and Bylaws.
Agree ____ Neutral ____ Disagree ____
7. For all practice guidelines and standards, APEGBC should make training and support available to members/licensees, and all organizations providing professional engineering and geoscience services.
Agree ____ Neutral ____ Disagree ____





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