ASSOCIATION OF BC FOREST PROFESSIONALS

Standards of Professional Practice: Guidelines for Interpretation

June 2014

Guidelines

Effective Date: January 4, 2002

Amendment - April 28, 2004: The Standards of Professional Practice were ratified by members in December 2001 and came into force on January 4, 2002 as Bylaw 17. Subsequent to passage of the new *Foresters Act* in June 2003 and revision of the association's bylaws in September 2003, bylaw references in this document have been updated.

Amendment - January 2010: The Standards of Professional Practice were amended to include interpretation of a new standard—Safety.

Amendment - June 2014: The Standards of Professional Practice were amended to include an interpretation of the standard—Measure or Verify.

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Standards of Professional Practice

What are standards of professional practice?

Standards of professional practice ("standards") of the Association of BC Forest Professionals (ABCFP) are mandated by Section 9(1)a(i) and Section 9(1)a(iii) of the *Foresters Act*, under which council is directed to appoint a practice review committee for the purpose of setting and maintaining standards of practice and for conducting reviews of members' professional practice. These standards are intended to focus on certain general principles, which assist in defining and demonstrating the high levels of forestry professionalism in British Columbia. They do not raise the bar of professional standards beyond the high standards that already exist today.

The word "standard" is common in forestry. It generally describes a baseline for technical aspects of work. Standards of professional practice differ in that they describe measures of professional performance.

These standards are a practical guide for a member's everyday professional practice. They apply to all practice areas regardless of specialization. They deal with professional practice expectations related to competence, independence, integrity, due diligence, stewardship and safety. The standards do not prescribe technical forest management standards.

The standards are, first and foremost, a tool designed to help professionals assess their practice relative to the expectations of peers, colleagues and the profession as a whole. The standards are performance baselines against which professionals may be measured if their practice is called into question. Each of these standards therefore flows from the *Foresters Act* of British Columbia (the *Foresters Act*) and ABCFP bylaws, including the Code of Ethics.

Objectives

The objectives for these standards include the provision of:

- Performance benchmarks for daily practice and conduct;
- Additional means for the public to know what they can expect from practitioners;
- Indicators of quality;
- Support for legislated rights to practice and title;
- Recognition of the obligations that come with professional practice privileges; and

- Principles to evaluate ones practice through self-assessment, peer review and individual learning plans.

Why have standards?

There are many reasons for publishing standards. The following paragraphs highlight some, but certainly not all, of the more important reasons.

The *Foresters Act* grants exclusive privileges of practice and title to members of the Association of BC Forest Professionals. Within the forestry context, these privileges are rare. Quebec and Ontario are the only other jurisdictions in Canada where an exclusive right to practice is granted. In granting this privilege to ABCFP members, the legislature recognizes the need for the public, government, employers, and clients (to name but a few) to rely on the wise application of professional judgment and discretion as well as the accountability that comes along with such application. To maintain the privileges of exclusive rights to title and practice, the entire profession must continually earn public trust and confidence through demonstrated competence, independence and integrity. These standards of professional practice were written with these principles in mind.

The standards augment the *Foresters Act* and the Code of Ethics in further defining expectations of conduct and practice of forest professionals. Publishing the standards for reference by members and the public should help increase confidence and respect for the profession and should also serve to strengthen the forest professional's ability to exercise independent judgment.

Members have identified the need for professional practice standards in numerous discussions with council and staff at the many meetings and workshops held around the province in recent years.

Finally, the standards will help the forest professional:

- Illuminate areas of practice which may need improvement through further education or training;

- Justify training opportunities to their employer;

- Assess the quality of present or potential peers, employees, consultants, or supervisors[1]; and

- Monitor the progress of any enrolled members they sponsor.

1 Standards can assist a forest professional to evaluate fellow professionals with whom he or she may have an existing working relationship. They can also be used to help a forest professional evaluate someone they wish to hire, or for whom they are thinking of working.

Requirements for Success

To succeed, the standards must be:

- Proactive;
- Clearly written and easily understood;
- Achievable;
- Useful;
- Applicable to everyday practice;
- Measurable;
- Enforceable in the event that a question about competence or conduct arises; and
- Timeless in applicability.

Professional Standards: Competence

Four pillars of professional practice are embodied in the *Foresters Act*: competence, independence, integrity and accountability. The first of these pillars is competence. Dictionaries variously define competence as:

properly qualified; answering all requirements; having sufficient capacity, ability or authority; possessing the requisite physical, mental, natural, or legal qualifications; sufficient for the necessities of the work.

Competence goes beyond formal qualifications. It has to do with sufficiency of qualifications to deal with the matter in question. It includes knowledge, skill and the ability to use them effectively in the public interest.[2] **Three essential components of competence are knowledge, completeness and correctness, and professional care.** Standards for each of these components are described below.

Bylaw 12.2.1 Knowledge Standard

Competent members maintain sufficient knowledge in their field(s) of practice.

Guidelines for Interpretation

As members of a self-regulating profession with exclusive rights of title and practice, forest professionals hold themselves out as being knowledgeable in the practice of

2 Annotated from the Code of Professional Conduct published by the Canadian Bar Association.

professional forestry. The public, client and employer are entitled to assume that the forest professional has the ability and capacity to deal adequately with any matters undertaken on their behalf. A forest professional should not accept an assignment without honestly feeling either competent to handle it, or able to become competent without undue delay, risk or expense to the public resource, client or employer.[3]

Bylaw 11.4.6 requires that the members keep informed in their field(s) of practice and are aware of current issues and developments in forestry. Bylaw 11.3.7 calls on members to practice only in those fields where training and ability make them professionally competent. Bylaw 11.3.9 further mandates that members only express a professional opinion when it is founded on adequate knowledge and experience. To be judged knowledgeable, a member must be able to answer the following two questions of themselves affirmatively: (1) Do I have the necessary knowledge to complete the task? (2) Does this level of knowledge meet the expectations of my peers and the profession?

Forestry practice is rooted in the natural sciences but also draws on humanities and philosophy; social, mathematical, chemical and physical sciences; engineering and planning. Professional forestry education recognizes these aspects of practice.

The art and science of forestry is constantly growing and evolving. Practitioners must continually reassess and upgrade their knowledge to ensure continuing competence. This translates into the duty of, and commitment to, lifelong learning that characterizes most professions. Competent professionals continuously evaluate whether they are practising within the limits of their training and experience. Where a member does not have this knowledge, his or her options are to (1) decline the assignment; (2) acquire the knowledge if it is possible to do so without undue delay or expense to the client or employer; or (3) consult with appropriate specialists. 3 Supra, note 2. Also see Bylaw 11.5.4.

Actions

The following list describes some of the activities members can undertake to meet the standard:

- Participate in continuing education activities;
- Keep current on readings in academic, professional and trade publications;
- Participate in discussion groups, technical committees and professional committees;
- Develop a circle of mentors, colleagues and peers with whom to engage in

3 Supra, note 2. Also see Bylaw 11.5.4.

regular communication; and

- Share knowledge and expertise with others.

Bylaw 12.2.2 Completeness and Correctness Standard

Competent members ensure their work is complete, correct and clear.

Guidelines for Interpretation

All work must:

- Be scientifically and technically sound;

- Recognize and respect the many, and sometimes competing, values and interests in forest management and provide sound professional judgment as to how to accommodate these interests and values consistent with the first requirement of the Code of Ethics (Bylaw 11.3.1);

- Include the relevant considerations and implications;

- Provide clear analysis of all practical options;

- Balance expectations of the public, professional colleagues and the client or employer;

- Be supported by sufficient rationale so that, where required, others can implement recommendations or prescriptions for action and meet the objectives and commitments embodied in the work;

- Be free of errors and omissions;

- Meet all legal requirements; and

- Be clearly understandable for the intended recipient.

Where the scope of the work product or opinion is qualified or limited in some way, the professional must state clearly those qualifications or limitations. Where the nature of the work product requires or implies objectives, the professional must provide specific, measurable objectives so results can be audited for achievement.

Bylaw 12.2.3 Professional Care Standard

Competent members exercise appropriate judgment and discretion with due care.

Guidelines for Interpretation

Members owe duties of care to the environment, the public, their clients or employers, and their profession and colleagues.

The concept of due care is similar to, but not the same as, the concept of due diligence. It is defined as the degree of care that is required of a person to prevent an undesirable outcome. It is the degree of care a prudent professional would exercise under the same or similar circumstances. It implies the absence of negligence. In other words it is that degree of care that a prudent professional can be expected to exercise to avoid reasonably foreseeable negative consequences if such care is not taken. Due care is care proportioned to any given situation, its surroundings, peculiarities and hazards. It may and often does require extraordinary care.[4]

The standard of professional care is a comparative one. The member must ask the following question, "What would a similarly educated, similarly situated professional do when faced with the same or a similar situation?" This standard takes experience, public or stakeholder input, practice circumstances, as well as the individual circumstances of the situation into account.

In deciding whether the standard of professional care has been met, it is important to distinguish between the professional standard or expectation (which the professional must meet) and what might be a common practice of the day. Just because a particular practice may be common (or carried out by a segment of peers) it does not elevate that practice to the standard expected of the professional or the profession. Rather, it is the professional standard which must be met.[5]

Your professional judgment must be demonstrably reasonable and justified. You should document reasons in support of sensitive professional judgment decisions.

4 Adapted from Black's Law Dictionary

5 A simplified example of what is meant by this concept is the oft quoted example of a posted speed limit on a roadway. The posted limit is akin to the "professional standard." If a number of people feel the limit is too low and decide to drive faster than the limit (practice of the day) it does not change the fact that the limit is the standard. The person caught speeding cannot rely on the defence that he or she should not suffer the consequences on the basis that some, many, or everyone else was speeding as well.

Bylaw 12.2.4 Measure or Verify Standard

Competent members provide professional work that is measurable or verifiable and can provide a rationale as to the methods used in measuring or verifying.

Guidelines for Interpretation

Members deliver professional work that is measureable or verifiable and can provide a rationale as to the methods used in measuring or verifying by incorporating the following in their professional work:

i. Identifying the end result[6] or objective of the professional work and forest practice;

ii. Identifying what the measurement or verification will apply to, within the specific components[7] of forests[8];

iii. Identifying where the accountabilities reside for those components of forests

iv. Providing the ways that the specific components of forests can be measured;

v. Recommending a method of measure for the future;

vi. Relevant and realistic outcomes of forest practice and the expected time frames that are to be measured.

vii. Ensuring the appropriate expertise and methods are applied to the measurement.

6 End result is the outcome expected to be achieved in the management of forests, forest lands forest resources and forest ecosystems. For example, an end result is the outcome of several results or strategies in an FSP under FRPA.

7 Specific components of forests refers to characteristics such as stocking, visual quality, volume, hectares of forest land, etc. articulated in the objectives of the landowner.

8 Forests means forests, forest lands, forest resources and forest ecosystems as described in the *Foresters Act*.

Professional Standards: Independence

Bylaw 12.3.1 Independence Standard

Members hold paramount, public interest and professional principles.

Guidelines for Interpretation

Professional independence is a group of characteristic actions resulting from the duty of care that arises out of the social contract with the public created when exclusive practice and title privileges are granted. This contract is one based on trust and confidence.

Independence is demonstrated by an objective application of professional judgment and expert knowledge to a given set of circumstances. Objectivity is a state of mind, a quality that lends value to the member's services. It is a distinguishing feature of the profession. The principle of objectivity imposes an obligation to be impartial and intellectually honest.[9] In the same sense, professional independence might also be described as the unfettered application of professional judgment and expert knowledge to a given set of circumstances.

There is a difference between being neutral and being independent. Foresters can advocate and take positions and still be independent, so long as they are objective, intellectually honest, and the various aspects of the issue being advocated are explicitly recognized and considered.

The forests of British Columbia are a public resource. The obligation of independence written into the *Foresters Act* recognizes that government, industry and others have interests in the resource that may differ from public interest and professional principles. In most cases, these other interests will be consistent with public interest and professional principles. In cases where there is a conflict, a member will hold paramount the public interest and professional principles.

Being professionally independent does not give a member the right to ignore or disregard laws, standards, resource objectives or policies with which that member may disagree. It does give the member the right to question these and, where appropriate, the duty to advocate for change. The exercise of professional independence therefore plays an important role in the evolution of laws, standards, resource objectives or policies.

Members must promote a culture of professional independence. To do so they must be independent in their attitudes, actions and practice. Members must be independent from:

- Their employer or client;

9 Extracted from the code of professional conduct for the American Institute of Certified Public Accountants.

• Special interest groups. Members must reach independent decision, despite pressure that may be exerted by local, provincial, national or international interest groups. Members who belong to special interest groups must still exercise professional independence;

• Majority groups. Being professionally independent means, where appropriate, being innovative, adapting to change and not being constrained to "mainstream thinking" or "joining the latest fad;" and

• Their own personal biases. Members recognize their own personal biases or opinions in decision making and must take these into account when arriving at an independent decision. In so doing, they objectively consider the full spectrum of views.

Ultimately, the member must, in fact and appearance, be an objective and trusted source of analysis, opinion and options. Achieving this end means that the standard of independence is met.

Professional Standards: Integrity

Bylaw 12.4.1 Integrity Standard

Members, in private life, professional practice or outside professional activities, always conduct themselves honourably and in ways which sustain and enhance their professional integrity and the integrity of the profession as a whole.

Guidelines for Interpretation

One word or phrase cannot seem to capture the fullness of the meaning of integrity. Dictionaries variously define integrity as:

[T]he quality of character and the state of being complete, that is undivided and unbroken. Integrity includes the essence of competence, independence, honesty, honour, fairness, openness, credibility, respect, sincerity, ethical conduct, contribution, conscientiousness and moral soundness. It is the strict adherence to a code of moral values, artistic principles or other standards; complete sincerity or honesty; the state of being unimpaired; soundness, completeness, unity.

Integrity has two interrelated aspects for the practice of professional forestry: (1) personal integrity and (2) integrity of the profession as a whole. Characteristics of integrity reside in the individual but are universal expectations of the profession as a whole. Without personal integrity, there cannot be integrity of the profession.

In a broad sense, the concept of integrity includes all of the standards and discussion above and below. Integrity is a personal attribute that can be measured by observing

the outcomes of a professional's actions, reputation and the respect that is given by his or her peers.

Members conduct themselves with dignity and mannerly respect for all persons with whom they interact. They treat all those they meet in their work, extra-curricular and private life with respectful regard. Respectful regard is a positive attitude. It is the acknowledgement of a person's wisdom derived from education, training, experience and perspective, regardless of employer or affiliation. Respectful regard means that a person's work product, opinions and judgments are given consideration and weight.

Professional Standards: Due Diligence

Bylaw 12.5.1 Due Diligence Standard

Members exercise due diligence by being prudent and doing all work with constant and careful attention.

Guidelines for Interpretation

The standard of due diligence is an all-encompassing standard in that it is a component of each of the standards listed in this document. In its simplest form, due diligence is taking (and documenting) all the necessary steps to ensure that the desired outcome is achieved or that the chances of a negative consequence or outcome are minimized. As such, it is a necessary component of all aspects of practice and professional life.

Being duly diligent connotes, among other things: completeness, correctness, consistency, repeatability and the ability to demonstrate how conclusions were reached. It includes the use of checklists, standard operating procedures or other mechanisms through which it can be demonstrated that all appropriate procedures were followed to ensure no relevant steps or considerations were missed.

Due diligence includes taking all necessary steps to enable the member to demonstrate to those who may question their work that all appropriate factors were considered and steps taken to do the job in a professional manner. A crucial aspect of due diligence, therefore, includes keeping and maintaining appropriate files and filing systems as well as document retention policies and practices.

Actions

The types and varieties of checklists, standard operating procedures or other mechanisms—through which the member can demonstrate all appropriate procedures were followed to ensure no relevant steps or considerations were missed—is as diverse as is the practice of professional forestry itself. Diligent foresters develop these tools for each of the areas of practice in which they engage.

A list of all relevant considerations to be included is neither possible nor appropriate in a document of general application such as this. This said, the following is a list of some overarching considerations to be canvassed when developing due diligence mechanisms.

A member needs to satisfy himself or herself that:

- All relevant legal requirements have been met;

- The member has a clear understanding of client or employer objectives and how they relate to other values or interests which are relevant to the work or may impact it;

- The member is personally familiar with all relevant characteristics of the area[10] affected by the work;

- All appropriate background information has been gathered and incorporated;

- The member has consulted with all appropriate experts or specialists for those areas for which the member is not qualified to practice or express an opinion;

- When external advice is sought from a specialist, that specialist is qualified and competent to give that advice and the advice given makes sense based on the member's own personal knowledge;

- When data is collected by another person, that person is qualified and competent to collect that data and the data collected makes sense based on the member's own personal knowledge;

- Sufficient data was collected and was it collected as per required standards; and

- The member has made a proper assessment of risks and outcomes.

As stated above, a crucial aspect of due diligence includes keeping and maintaining appropriate files and filing systems as well as document retention policies and practices. This includes an obligation to ensure that the member personally keeps copies of their work and all relevant background information—ancillary

10 The word "area" has numerous contexts. It can mean a physical location so that, for example, when a professional forester is doing site-specific work (such as a prescription) the word will include the geography, site conditions, ecology, etc. It can also mean the "subject area" of the work in question.

documents[11]—on which it is based. This obligation also extends as far as ensuring that the client or employer has systems in place to retain this information so that other people who may be called on to rely on the member's work are able to access the information in the future. The obligation to keep personal copies of the work and ancillary documents may be relieved if the member can ensure that the client or employer has systems in place to retain them, maintain their integrity, archive them and provide the member with access to those documents if and when required (including to defend the member's reputation or integrity if called into question).

Professional Standards: Stewardship

Bylaw 12.6.1 Stewardship Standard

Members demonstrate stewardship by balancing present and future values against the capacity of the land[12] to provide for those values.

Guidelines for Interpretation

Stewardship is the care of natural resources taking into consideration the values of the landowners and society. Stewardship includes the application of an ecological understanding at the stand, forest and landscape levels, and is based upon an ethical responsibility to the land and the place of people in the natural world. Stewardship employs well-crafted solutions tailored specifically to each problem and embraces the diversity and complexity of the task at hand.

All of a member's rights and obligations are exercised in furtherance of his or her stewardship obligations. In a sense, each of the practice standards discussed in this document is a means to the stewardship end. The standards previously discussed in this document all speak to how a forest professional does things correctly. Stewardship speaks to doing the correct or right thing. Stewardship recognizes complex biotic systems, competing interests and values, and obligations to future generations. Stewardship requires the forest professional to constantly evaluate specific or more narrow decisions in light of impacts on the whole range of forest resources and values on a temporal and spatial scale.

The stewardship standard is a crucible through which all professional decisions are evaluated.

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11 These are all documents prepared in support of, or as a precursor to, professional documents (A professional document is any plan or report prepared by a forest professional that requires professional judgment.). Examples of ancillary documents include, but are not limited to: e-mails, conceptual draft notes, field notes, notes on field maps, aerial photo stratification, memos, documentation of phone calls or verbal communication, draft versions, supporting documents or publications and letters. These ancillary documents may be needed to support professional judgment decisions. If employer's filing systems do not include ancillary documents, then members should create their own filing system to include these documents.

12 The word land is not limited to soil but is used in its broadest possible sense to include (without limitation) soil, water, plants, animals, air and the processes upon which they depend.

Professional Practice Standards: Safety

Bylaw 12.7.1 Safety Standard

Members maintain safe work practices and consider the safety of workers and others in the practice of professional forestry.

Guidelines for Interpretation

Forest professionals are key participants in establishing and maintaining a culture of safety in forestry by conducting and promoting safe forest practices, by incorporating safety as an underpinning of their professional practice and by inspiring others to lead in safety.

The ABCFP safety standard is a measure of the professional practice work provided by forest professionals. This standard of practice does not suggest that each forest professional must be a safety expert. However, each forest professional must incorporate the necessary safety elements into their professional work.

Worker safety is the primary responsibility of each worker, supervisor, employer and owner. The safety standard includes this responsibility and imparts an expectation for safety in the public interest. This practice standard supports the profession's part in the leadership of a safety culture and the role of individual forest professionals in safety. Forest professionals are expected to incorporate safety as a foundation of their professional work and to implement safe practices in everything they do.

ABCFP Bylaw 11, the Code of Ethics, also supports these actions. It specifies that the responsibility of a member to the public is "to have proper regard in all work for the safety of others." This statement is a strong moral declaration that, in all the member's work, he or she is expected to consider the safety of others. This includes, but is not limited to, consideration for the safety and well-being of all workers and work sites.

Consideration for safety must be present at all stages of a member's professional practice, from planning to implementation and completion. As a common practice, forest professionals will consider safety in their work by asking relevant questions such as: Is that road grade or switchback safe to build or use with respect to the intended users? Will there be occasional users and what considerations need to be applied, if any? Is this the appropriate method of harvest for this part of the block? Can the plan be implemented safely?

Forest professionals are often required to supervise various activities in the woods, including road construction and maintenance, tree planting, stand management, timber cruising, block layout, timber harvesting, waste surveys, and fire management. In many cases forest professionals are given the supervisory responsibility of ensuring all safety related duties and safeguards are in place

and carried out. Forest professionals are expected to clearly understand their responsibilities under all applicable legislation. An example is the Occupational Health and Safety (OH&S) Regulations of the *Workers Compensation Act*, which identifies obligations for a forest professional as a worker, supervisor, employer, owner or qualified registered professional.

If a forest professional believes he or she is not qualified, or lacks sufficient knowledge, to deal with a particular safety matter, then that professional is expected to arrange for someone who is qualified to take on the responsibility and/or to bring his or her own qualifications up to the appropriate level through training, experience, courses and mentoring.

Measures for Implementation

The following list describes some measures that members can undertake to meet the ABCFP practice standard and demonstrate their commitment to safety and cultivating a safety culture. It is not all-inclusive.

- Understand the role of worker safety and the professional responsibility in the safety practice standard;
- Identity additional worker training needs, if appropriate;
- Participate in continuing education activities;
- Keep current with the requirements of all applicable legislation such as the Occupational Health and Safety (OH&S) Regulations of the *Workers Compensation Act*, WorkSafeBC regulations and policies, *Foresters Act*, etc;
- Keep current on readings in academic, professional and trade publications;
- Stay up-to-date regarding the application and limitations of applicable equipment, tools and technology;
- Participate in discussion groups, safety committees, technical committees and professional committees;
- Develop and maintain a circle of mentors, colleagues and peers to engage in regular communication that includes the topic of safety;
- Include safety considerations in professional self-assessments and professional development plans;
- Share knowledge and expertise with others;

• Ensure safety considerations are included in plans and practices (procedures and checklists);

• Demonstrate consideration for safety (due diligence) in rationales;

• Act safely on the job, provide a safe example to others; and

• Communicate safety considerations frequently with others who are involved in forest activities.

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