

What You Need to Know About the *Professional Governance Act*



February 2021



Why have regulated professions?

- Registered professionals have an ethical and legal duty to put the interests of the public ahead of their own.
- Regulatory systems grant registrants exclusive rights to practice certain disciplines, and/or to use certain titles.
- This helps the public understand who is qualified to practice in areas where the public interest requires protection.
- The forest profession has been regulated since 1947 due to significant public interest in the use and care of BC's forests.



Getting to Now

Oct
2017

Professional Reliance Review Announced

June
2018

Professional Reliance Report Released

Nov
2018

Professional Governance Act
Made Law (but not in force)

June
2019

Office of the Superintendent of Professional
Governance (OSPG) operational

Feb
2021

PGA in force, Foresters Act repealed



Professional Governance Act

- PGA replaced the *Foresters Act* on February 5, 2021
- PGA grants self-regulation rights to the forest profession (ABCFP)
 - and to BCIA, CAB, EGBC, ASTTBC, (AIBC pending)
- Reserved practice and titles same as *Foresters Act*
- PGA gives OSPG oversight of ABCFP's operations
 - ABCFP bylaws approved and filed with MAG, OSPG audits ABCFP operations
 - forest professionals continue to primarily interact with ABCFP
- PGA allows for regulation of firms who employ professionals



New Obligations for Forest Professionals

- A new Code of Ethical and Professional Conduct
- Statutory duty to report unsafe or harmful practices
- Mandatory reporting of professional development
- Practice reviews that can lead to mandatory actions
- Requirement to provide more information for a public online directory of forest professionals





What is in the new Code and when does it apply?



Code Of Ethical & Professional Conduct



Code contains nine standards

1. Competence
2. Independence
3. Conflict of Interest
4. Due Diligence
5. Integrity
6. Forest Stewardship
7. Safety
8. Professionalism
9. Reporting

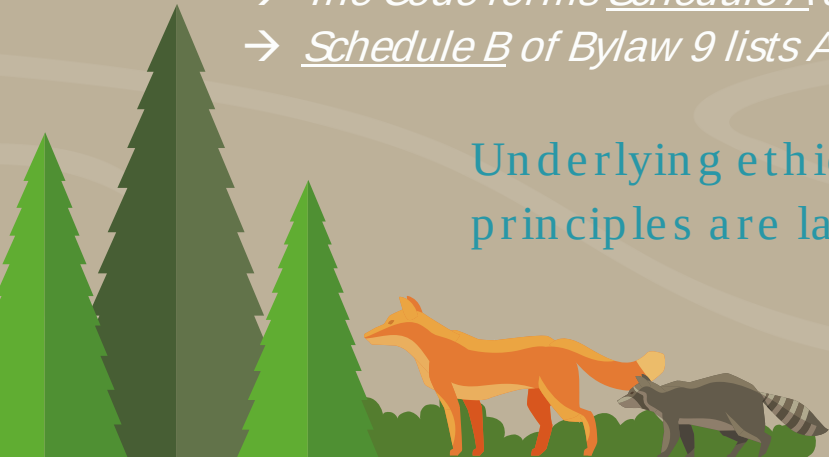
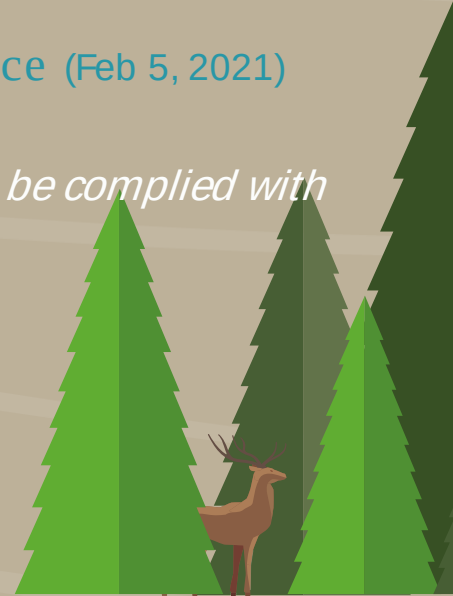
Applies as soon as ABCFP bylaws are brought into force (Feb 5, 2021)

→ The Code forms Schedule A of Bylaw 9

→ Schedule B of Bylaw 9 lists ABCFP practice guidance that must be complied with

Underlying ethical and professional principles are largely the same

Interpretative Guide and E-Course available soon



What is the purpose of the
new reporting duty, and
what triggers it?



'Duty' to Report – PGA, Section 58

Aims to strengthen reporting of serious concerns about the conduct or competence of a registrant that may pose risk of significant harm to the environment, or to the health or safety of the public

→ *Triggers: risk of significant harm; any PGA registrant, reasonable and probable grounds, engaged in regulated practice*

PGA establishes reporting as both an ethical and statutory duty

- *Built into the ABCFP's Code of Ethical & Professional Conduct (Standard 9a, 9b)*
- *Statutory duty aims to address barriers for reporting (i.e. reprisal protection), sets penalties for not reporting, extends duty to employers*

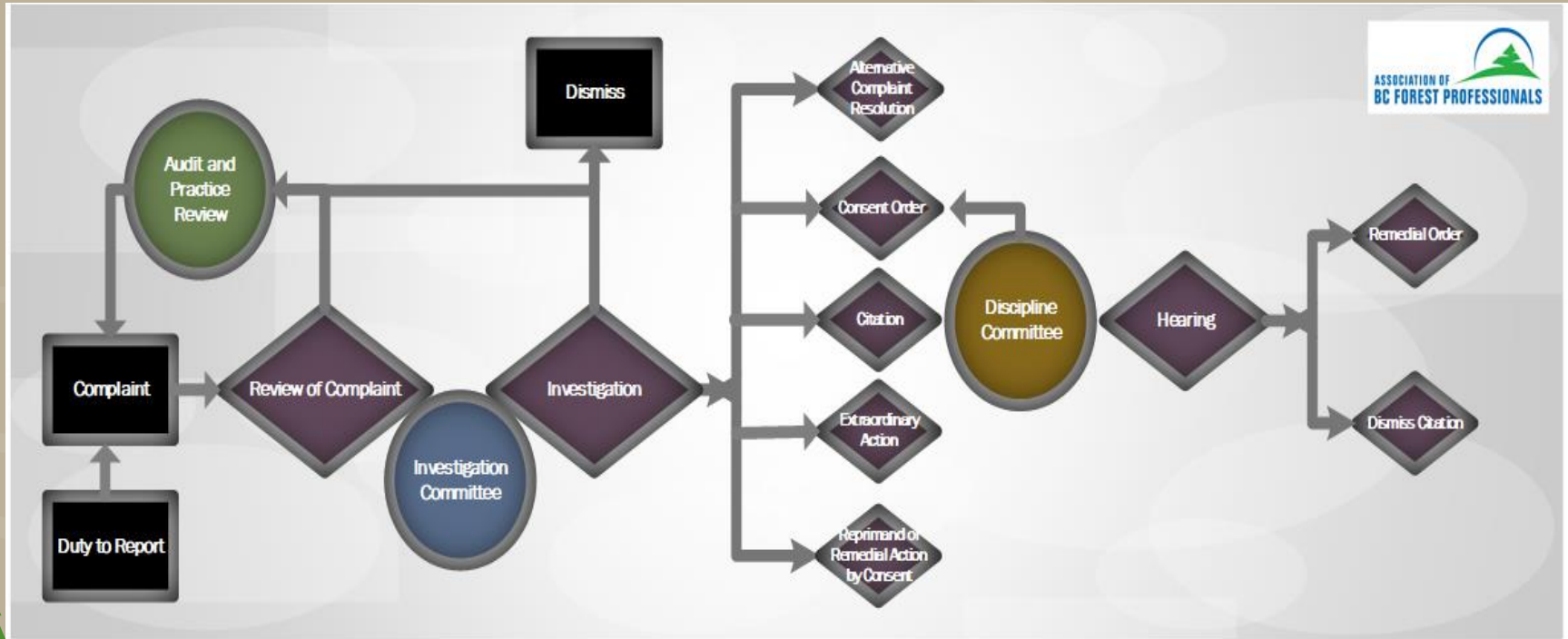
Existing reporting obligations under the *Foresters Act* continue alongside new duty *Standard 9(c)*



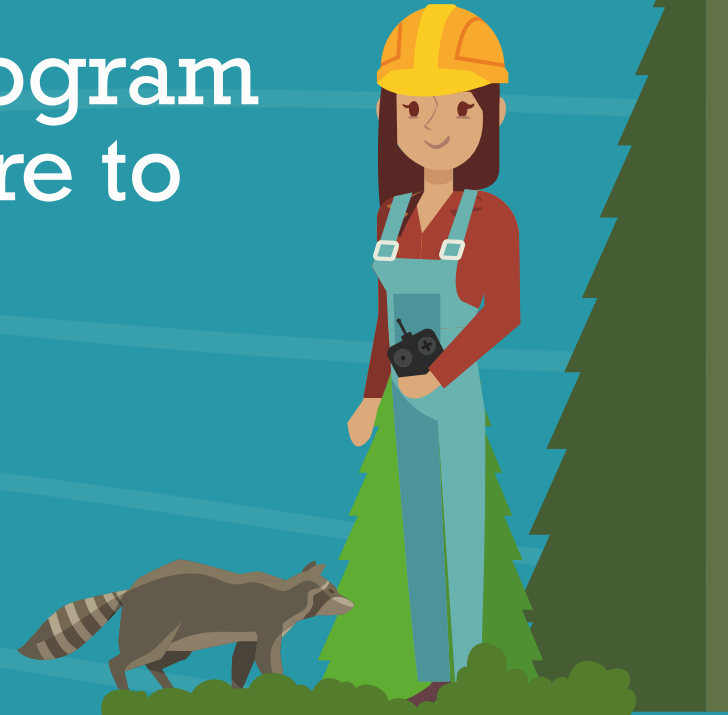
How does the incoming
complaint process compare
to the current one?



Complaint and Investigation Process under the PGA



How does the audit program
under the PGA compare to
the current one?



Practice Audit Program*



Competence Audits: examines general competence and skills

Professional Conduct Audits: performance based (technical)

Practice Reviews are done similar to professional conduct audits but can lead to mandatory actions including:

- education or training
- imposition of a limit or condition on your practice
- a formal complaint investigation

** implementation December 2021*



What are the new continuing professional development (CPD) requirements under the PGA?



Continuing Professional Development

A program that fosters learning, not hour counting

30 hours of CPD annually related to:

- Professional competencies
- Declared areas of professional practice
- Interpersonal competencies

First report due November 30, 2022



What information about forest professionals will be shared on the new public register?



Online Register for the Public



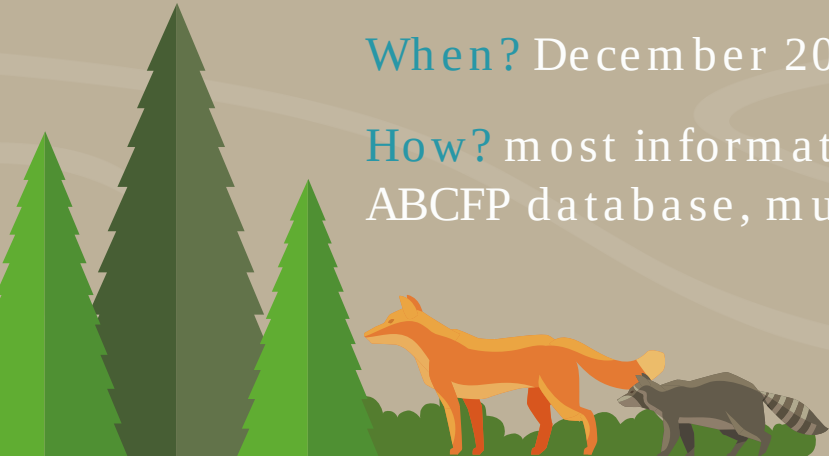
Who? Current and past registrants (10 years)

What's new? declared practice areas, limits/conditions on practice, disciplinary notations, employer and contact details, municipality of personal residence

Why? Improved transparency to support professional accountability

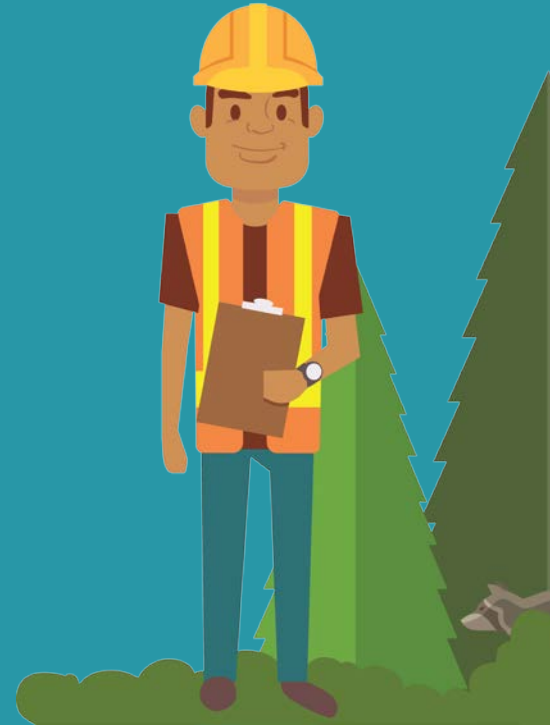
When? December 2021

How? most information already in internal ABCFP database, must be validated as current





What are the benefits of
firm regulation and how is
the ABCFP preparing?



Firm Regulation

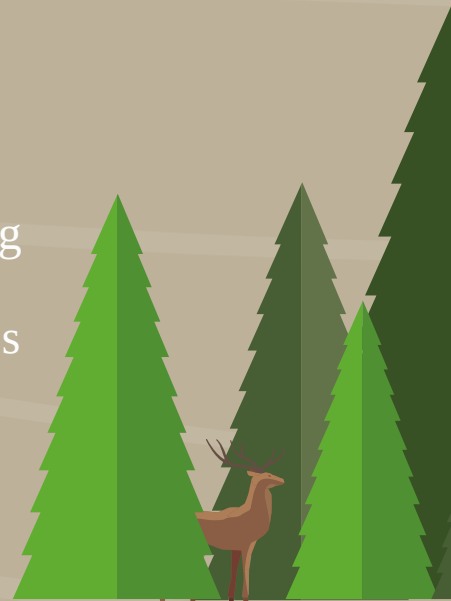


Why? Public demonstration that a firm supports professional decision making by having processes and procedures in place to foster effective and proper use of professionals in their employ.

Benefits:

- * partners in growth and development,
- * link learning to practice and employment,
- * recruitment advantage
- * reduced costs of combined and planned learning

When? 3-5 years, work with other professions





Thank you!

Watch for more information and notices from the ABCFP over the coming days, weeks and months to help you understand your new obligations under the PGA.

