



HOLDING FOREST PROFESSIONALS TO ACCOUNT

Forest professionals are expected to adhere to a code of ethics and standards of professional practice, both of which are explained in detail in the bylaws of the Association of BC Forest Professionals (ABCFP). In simpler terms, these bylaws require forest professionals to do the following:

- Ensure they are competent in their practice
- Retain their independence and integrity
- Be willing to be held accountable for their decisions and recommendations
- Exercise due diligence
- Act ethically in their practice

What Does a Complaint Look Like?

Each year, the ABCFP receives six to 12 complaints against members, an amount similar to other regulators given the size of our membership. This process can be used by the public or by Association members to seek accountability for the work or conduct of forest professionals that does not comply with the *Foresters Act*, bylaws, or resolutions of the ABCFP.

Here are examples of some of the types of complaints the ABCFP receives:

- Professional negligence and breach of ABCFP bylaws and/or the *Foresters Act*.
- Improper construction of crossings and missing the appropriate paperwork.

- Instructing the complainant to modify plot data for silviculture surveys relating to plot locations and tree counts.
- Providing consulting services to clients while working for an employer who did not condone this activity.
- Failing to be duly diligent in the management of free-growing declarations and seed transfers.
- Failing to disclose conviction of an indictable offence in Canada within the previous 10 years.
- Submitting substandard and inaccurate appraisal data.

How Does a Complaint Unfold?

How are members held to account if they aren't competent or don't act ethically? Each complaint is carefully

TRUXPO 2018
TRUCKS FOR ALL TRADES

**MAY 11-12
2018**

NEW & EXPANDED
WWW.TRUXPO.COM

For more information and to secure your exhibit space at this premier event, please contact:
Mark Cusack, National Show Manager
mcusack@mpltd.ca
Toll Free: 1.888.454.7469

TRADEX Your way ahead
BCTA
BC TRUCKING ASSOCIATION

considered since there are always different sides to a story and all the facts may not be apparent until a proper investigation is conducted.

The ABCFP complaint process has five key stages and is based on principles of fairness in administrative law. This means that an ABCFP member is innocent until proven otherwise. The process also provides the member with an opportunity to respond to the initial complaint and the subsequent investigation report should the case be investigated. Because there are multiple stages of review and response, the process can take one to two years to complete, a time frame that is not unusual across regulatory associations.

Opinion Versus Law

Another dynamic in the complaint process is the varied values and expectations the public holds about resource management. In some cases, these expectations do not align with the values assigned in current law by the government on behalf of the public. This means that even when the expectations of a segment of society are not met, the legal system may not view that as a breach of

professional obligations when all other laws of the land have been followed.

The ABCFP's Regulatory Scope

A further complication can be about the scope of the Association's complaint process. The ABCFP has no regulatory mandate over companies and employers should the complaint be related to a tenure holder's obligation. In these instances, other accountability mechanisms such as the provincial government's compliance and enforcement practices or the Forest Practices Board may be more appropriate.

Understanding the Decision

If a member is found guilty of the complaint, they can be fined, suspended, required to take remedial courses or stripped of their practice rights. The ABCFP strives to be transparent about the outcomes of investigations into complaints. Complaint decisions are published by the Association and include as much detail as possible regarding the circumstances, while respecting the privacy of the parties involved and the confidentiality of evidence. While it is not possible for each decision to include all

information that led to a decision due to the limitations of disclosure, we post case digests on our website at www.abcfp.ca.

Maintaining the Public Trust

Ultimately, the complaints process is tied to maintaining public trust in the profession. Public trust requires the regulator to have and use its complaints processes effectively and the ABCFP takes this responsibility seriously. Across regulatory associations, the disciplinary process is evolving with the goal being to seek remediation, learning, and corrective action.

Outside of the complaints process, the ABCFP strives to support its members by delivering a high standard of professional practice. To this end, the Association randomly conducts practice reviews as well as a peer review program to help members ensure they are best meeting their professional obligations.▲

Casey Macaulay, MA, RPF, is the Registrar & Director of Act Compliance for the Association of BC Forest Professionals (ABCFP). He can be reached at 778.471.1950 or cmacaulay@abcfp.ca.

Marine Towing & Materials Handling

northarm.bc.ca



Supply & Distribution of Fuels, Lubricants & Propane
Transportation of Machinery, Dangerous Goods, Aggregates & Wood Products

VANCOUVER Office & Dispatch Ph. 604.321.9171 MASSET FUEL SALES Ph. 250.626.3328



NORTH ARM
TRANSPORTATION LTD.