

Practice Review Standards Committee



Practice Review Standards Committee

Members

- Dave Gurnsey - Chair
- Calvin Bourassa
- Steve Drew
- Rachel Kohlman
- Malcolm Vanstone



Practice Review Standards Committee

Mandate

- Review articles on public trust in the professions
- Review “Practice review” processes at our sister associations across Canada
- Review our Acts & Regulations
- Consider whether the process would apply to only professional land surveying or the broader practice of professional surveying.



Practice Review Standards Committee

Mandate (cont)

- Compile the information for fall seminars
- Review membership feedback.
- Recommend to Council:
 - Whether the SLSA Council should consider implementing “practice review”;
 - If so, how it should be structured;
 - Staffing
 - Funding
 - Implementation strategy



Competency Review Discussion

Other Professions in SK – APEGS (Engineers)

- No formal Practice or Competency Review
- CPE (Continuing Professional Education)
 - Began to audit CPE points January 1, 2019
 - Prior to that CPE was mandatory, but no requirement to report
- No Practice Review in Sask, However Alberta (APEGA) has what was described as “deep practice review” and has been in place for a few years



Competency Review Discussion

Other Professions in SK – APEGS (Engineers)

- Current list of Committees
 - Education Board
 - Discipline Committee
 - Investigation Committee
 - Governance Board
- Website has information for the public on how to file a complaint and reports from past discipline hearings



Competency Review Discussion

Other Professions in SK – SAA (Architects)

- No formal Practice or Competency Review
- Association is currently structured very similar to the SLSA
- CPE (Continuing Professional Education)
- Complaints reported to council. Council reviews and directs to the professional conduct committee if deemed valid.
- Nothing in bylaws requiring review of practitioners work



Competency Review Discussion

Other Professions in SK – SAA (Architects)

- Current list of Committees
 - Executive Committee (council)
 - Practice Committee
 - Education Committee
 - Communication Committee
 - Professional Conduct Committee
- Website has information for the public on how to file a complaint



Competency Review Discussion

Other Professions in SK – Law Society

- Initial process implemented in 2003
 - Voluntary review and advice for new sole practitioners and small firms
 - Mandatory review that could result from a complaint and investigation
- 2014 – changes to Act and Rules
 - Mandatory review and advice for new sole practitioners and small firms



Competency Review Discussion

Other Professions in SK – Law Society (cont)

- Mandatory review if deemed necessary
 - Repeated and/or unaddressed accounting errors
 - Sudden surge of contact from individuals with questions about a member's conduct
 - Observations of Law Society staff of conduct
 - A number of low-level complaint matters
- May include review of
 - files
 - books



Competency Review Discussion

Other Professions in SK – Law Society (cont)

- records, including electronic records
- office management systems
- No current process for spot or systematic reviews



Competency Review Discussion

Other Jurisdictions – Canada Lands

- Practice Review Process in place since 2004
- The ACLS implemented the practice to meet the expectation that the public be protected by ensuring competent practice thru peer review
- The Surveyor General Branch no longer completes an in-depth review of plans, focusing only on a list of 27 critical items before a plan is filed in the CLSR



Competency Review Discussion

Other Jurisdictions – Canada Lands (cont)

- Practice Review Department
 - Part time Practice Review Manager, 3 days per week
 - 1 office and 1 field assistant
 - 55 reviews were completed in 2019
 - \$106,000 budget for 2019
 - Budget is funded by the Plan and Monument Levy
- Reviews are conducted according to a program set out by the Practice Review Committee and authorized by Council



Competency Review Discussion

Other Jurisdictions – Canada Lands (cont)

- Practice Reviews are conducted on a 3 year cycle on plans that are filed in the CLSR
- A file is selected for each surveyor who has filed a plan in that period
- All communications, records, digital data, closure reports, title searches are required to be submitted
- A questionnaire is provided and required to be completed and returned



Competency Review Discussion

Other Jurisdictions – Canada Lands (cont)

- Field inspections can also be part of the Review
 - Budget for field inspection is at the discretion of the Practice Review Committee and Council
 - Only completed on recent surveys where conditions have likely not changed from the time of survey
 - Inspect that survey was completed and monuments were placed
 - Will search for evidence where no evidence was found



Competency Review Discussion

Other Jurisdictions – Canada Lands (cont)

- Practice Review Process is used as an educational process
- Deficiencies found are summarized and sent to the Registrar as part of the report.
- Registrar may request additional files of the surveyor be reviewed.
- Registrar could file a complaint if it was warranted.



Competency Review Discussion

Other Jurisdictions - Nova Scotia

- 135 members
- Have a practice review process, implemented in 1990
- This was implemented due to self governing peer review
- There was no outside review of Surveyors work before this
- Resources required 1.5 staffers, budget of \$100,000
- Funded by charging a fee of \$30 per Plan Prepared plus additional \$5 for any lot after 5 on plan, \$5 per location certificate and RPR



Competency Review Discussion

Other Jurisdictions - Nova Scotia (cont)

- Regulatory body falls under The Fair Registration Practice Act
- Government appointment on council by Minister of Lands and Forestry
- The process can lead to complaints and subsequent discipline if necessary



Competency Review Discussion

Other Jurisdictions – New Brunswick

- Have a Quality Assurance Program
- Implemented decades ago for quality assurance within the association.
- The purpose of the program is not to police members, but to ensure members are proficient, ensuring the public is protected.
- Can lead to discipline but the goal is to correct deficiencies among members .



Competency Review Discussion

Other Jurisdictions – New Brunswick (cont.)

- Three types of reviews:
 - Systematic Plan Review (A review of all aspects of a plan)
 - Systematic Plan/File Review (A review of all job related correspondence including plan review)
 - Comprehensive Review Including Field Visits (All aspects of a job)



Competency Review Discussion

Other Jurisdictions – New Brunswick (cont.)

- Systematic Plan reviews are done on every surveyor, every other year by plan auditors. This involves selecting random plans for a review.
- Systematic Plan/File reviews may occur if poor scores occur on Systematic Plan Reviews.
- Comprehensive Reviews are rare. Complaints or poor scores on the plan review and file review may lead to a Comprehensive Review.



Competency Review Discussion

Other Jurisdictions – New Brunswick (cont.)

Funding:

- The program is funded by a \$35.00 surcharge of plans filed in the plan database.
- All plans, including non registered survey plans, must be filed in the plan database.
- 25% of these funds are required to fund the quality assurance program, the remaining funds are spread into other association budgetary requirements.



Competency Review Discussion

Other Jurisdictions – New Brunswick (cont.)

- Recent changes include merging the Quality Assurance, Continuing Education Committee, and Standards Committee into one committee, which has streamlined the process reducing the number of committee members required from about 15 to 5. In addition there are 5 auditors to handle reviews.



Competency Review Discussion

Other Jurisdictions - Quebec

- Peer Inspection – in place since 1974
- Mandated by government
 - Same requirement for all 46 Ordres
- Committee determines annual plan
 - All new firms
 - Rotate by region
 - Insurance committee may make recommendations



Competency Review Discussion

Other Jurisdictions – Quebec (cont)

- Inspection Department
 - Full time manager
 - 5 or 6 part time inspectors
- Questionnaire
- General inspection
- Special inspection inquiry
 - Ten items
 - supervision
 - office organization
 - client communication



Competency Review Discussion

Other Jurisdictions – Quebec (cont)

- Committee makes recommendations to Council
 - Refresher education
 - Supervised practice
 - Suspension pending refresher education
 - Discipline
- Focus is on education and prevention of complaints



Competency Review Discussion

Other Jurisdictions – Quebec (cont)

- Budget of \$212,000 for 2019 - 2020
 - \$2000 – 5000 per review
 - Funded by annual dues
 - Charge fees for Special Inspection Inquiries



Competency Review Discussion

Other Jurisdictions - Ontario

- Peer Competence Review – in place since 1986
- Land Registry system wanted to cease checking plans
- AOLS received grant from government to set up a system
- Survey Review Department
 - Full time manager
 - 2 full time and 4 part time staff
 - Also chair of the continuing education committee
- Direction arises from their Code of Ethics, Legislation and Regulations



Competency Review Discussion

Other Jurisdictions – Ontario (cont)

- Two types of reviews
 - Comprehensive
 - Systematic
- Systematic reviews are done on every surveyor, every year. This involves selecting random plans for a review.
- Comprehensive reviews are done on a rotating basis
 - Done on firms, not on individual surveyors
 - Five year rotation



Competency Review Discussion

Other Jurisdictions – Ontario (cont)

- Four or more plans are randomly selected
- Review of the files, a field visit and an office visit
- Checklist with a point system
- Detailed report is prepared at the end
- Stickers are affixed to all plans
- Cadastral work only
- Risk management approach – extra focus on types of work where there are more likely to be problems



Competency Review Discussion

Other Jurisdictions – Ontario (cont)

- Funded by plan stickers
- \$250 for systematic review
- \$4000 for comprehensive review
- Emphasis on education and improvement
- Can lead to complaint and discipline



Competency Review Discussion

Other Jurisdictions – British Columbia

- Practice Review Process in place since 2004
- The ABCLS implemented the practice to achieve consistency with other professional bodies and to fulfill their obligations to the “public interest” and the survey fabric
- There is no other review of practitioner’s work



Competency Review Discussion

Other Jurisdictions – British Columbia (cont)

- Practice Advisory Department
 - 3 full time staff members
 - 1 or 2 contract plan reviews per year
 - Annual budget \$400,000
 - Funded thru an electronic checklist fee of \$60 per legal plan
- Reviews are conducted according to the Practice Advisory Program Policy Manual, approved by the Board of Management



Competency Review Discussion

Other Jurisdictions – British Columbia (cont)

- Plan Reviews are conducted on at least one plan per year per member
- Following the Plan Review one of three types of reports are prepared:
 - “Final Plan Review Report” for plans with no deficiencies
 - “Provisional Plan Review Report” if the Department has questions regarding the plan
 - “Conditional Plan Review Report” for unsatisfactory plans with defects



Competency Review Discussion

Other Jurisdictions – British Columbia (cont)

- Practice Reviews will be conducted based on a schedule of members prepared by the Manager each year
- Practice Reviews include a review of the following:
 - Field notes, raw data, sketches, calculations, QA info
 - Relevant plans or proprietary information
 - PDF copy of 1 statute plan and 1 non-statute plan
 - Examination of field notes and survey data
 - Field Inspection
 - Telephone and Office interviews



Competency Review Discussion

Other Jurisdictions - Alberta

- Practice Review Board – 1988



Competency Review Discussion

Other Jurisdictions

Jurisdiction	# of Active Members	Practice Review?
ACLS (Canada)	321	YES ✓
ABCLS (British Columbia)	343	YES ✓
ALSA (Alberta)	454	YES ✓
SLSA (Saskatchewan)	94	NO ✗
AMLS (Manitoba)	57	NO ✗
AOLS (Ontario)	519	YES ✓
OAGQ (Quebec)	1067	YES ✓
ANBLS (New Brunswick)	77	YES ✓
ANLS (Newfoundland)	85	NO ✗
APEILS (Prince Edward Island)	14	
ANSLS (Nova Scotia)	173	YES ✓



Competency Review Discussion

Other Jurisdictions

- Summary
- Most land survey jurisdictions have a process
- Not common in other professions in Saskatchewan



Competency Review Discussion

Why now?

- Public opinion that professions are self serving
 - Is the complaint / discipline process enough?
 - Is the complaint / discipline process fair and transparent?
 - Does a public member on Council provide sufficient transparency?



Competency Review Discussion

Why now?

- Elliot Lake mall collapse – 2012
 - Engineer with 30 year career
 - Suspended following complaint and discipline for under design of a bridge
 - Inspected structure of mall while suspended
 - Two killed in parking structure collapse



Competency Review Discussion

Why now?

- Quebec Engineers
 - 2014 – government appointed two experts
 - 2015 – Ordre submitted response plan
 - 2016 – Ordre placed under trusteeship of government
 - 2017 – Ten point plan
 - Speed up complaints process
 - Double number of practice inspections to 3000/yr
 - 2019 – trusteeship lifted



Competency Review Discussion

Why now?

- Mount Polley tailings dam
 - 2014 – dam failed dumping toxins
 - 2018 – three engineers facing discipline hearings
 - 2018 – engineering firms pay \$108 million to mining company
 - 2019 – five years without charges to mining company



Competency Review Discussion

Why now?

- BC Professional Governance Act
 - 2017 – Professional Reliance Review
 - 2018 – Professional Governance Act
 - Applies to 5 resource related professions
 - Applies to all engineers
 - Will replace Engineers Act over 3 – 5 years
 - Office of the Superintendent of Professional Governance



Competency Review Discussion

Why now?

- Standards for governance
 - increasing public representation and instituting a merit-based nomination process for council;
 - setting common ethical principles;
 - requiring competency and conflict of interest declarations from qualified professionals;
 - strengthening professionals' duty to report unethical conduct of other professionals;
 - providing whistle blower protections to those who report; and
 - enabling professional regulators to regulate firms



Competency Review Discussion

Why now?

- Professional Reliance Review
 - Proposed eliminating
 - Elections for council
 - career and student outreach
 - awards and recognition
 - initiatives to promote diversity within professions
- Cayton Report
 - Regulators cannot be involved in advocacy



Competency Review Discussion

What next?

- Committee will continue to review
- Committee and Council want to hear what members want.

Questions and Discussion

