

Professional Reliance Review

Findings & Coming Changes with the Professional Governance Act

Presentation for EMA of BC

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Background and Context

- **Government direction**
 - Review Professional Reliance model for natural resource decisions.
- **Intended outcomes of the review**
 - Increase transparency & public trust in natural resource decisions
 - Increase certainty for industry
 - Ensure appropriate use of qualified professionals

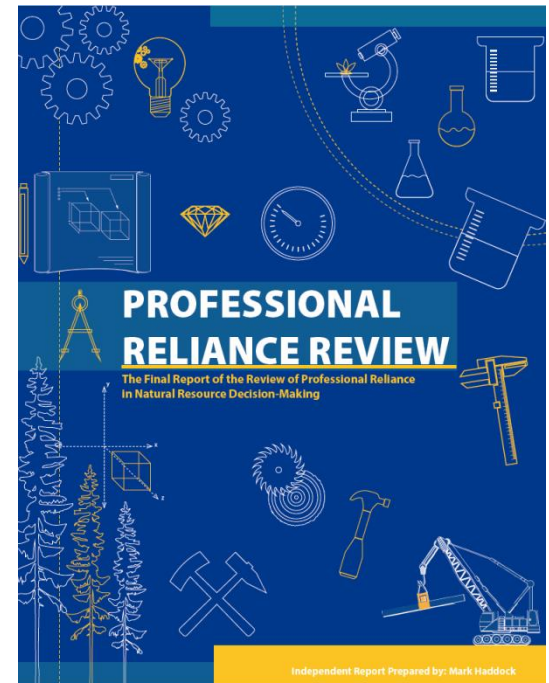
Professions in Scope

- Engineers & Geoscientists (EGBC)
- Agrologists (BCIA)
- Foresters (ABCFP)
- Biologists (CAB)
- Science Technologists & Technicians (ASTTBC)

Professional Reliance - Final Report

Final report released on June 28, 2018

Element	Recommendations
Professional Governance	2
Regulatory Improvement	32
Regime Specific	87
Total	121



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- 1. Establish an Office of Professional Regulation and Oversight, independent from NRS ministries**
- 2. Legislate critical elements of professional governance**

Cabinet direction to address governance recommendations

Bill 49 – Professional Governance Act introduced to House Oct 22, 2018

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- **Competency**
- **Government expectations**
- **Accountability**
- **Public confidence**
- **Improve information**

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- *Environmental Management Act*
- *Forest and Range Practices Act*
- *Forest Act*
- *Greenhouse Gas Industrial Reporting and Control Act*
- *Mines Act*
- *Oil and Gas Activities Act*
- *Public Health Act – Sewerage System Regulation*
- *Riparian Areas Protection Act*
- *Water Sustainability Act*

Professional Governance Problem Statements

Themes from Professional Reliance Review

- Lack of confidence in disciplinary process
- High thresholds for sub-standard QP work
- Capacity & resourcing limitations
- Narrow concept of “public interest”
- Associations advocating for industry sectors
- Reluctance to file complaints

Bill 49: Professional Governance Act

- Introduced on Oct 22, 2018
- Modern governance framework
- If passed, will come into force in stages by regulation
- Full implementation 3-5 years
- First stage will enable the Office of the Superintendent of Professional Governance
- First stage Office functions will include its policy, guidance, investigation and enforcement and whistleblower protection (no reprisals)

Office of the Superintendent of Professional Governance

- Housed within the Ministry of Attorney General
- Centre of expertise of professional governance
- Led by a Superintendent with statutory decision-making authority
- Ensure best practices for professional governance are implemented
- Will include policy and compliance staff

Office Functions

- Provide support and advice to regulatory bodies
- Research and policy development for professional governance
- Implement Act
- Investigate offences under act, including potential breach of whistleblower protection
- Investigate/ recommend additional professions
- Administer rosters if requested by NR ministries
- Report to government annually

Powers of Office Superintendent

- Issue guidelines
- Investigate/audit
- Issue directives
- Appoint public administrator
- Impose administrative penalties
- Enforce offences under the Act

Critical Elements of Professional Governance in PGA

- Council size and committee functions
- Consistent appointment processes
- Continued professional development
- Council can pass bylaws without member ratification
- Complaints and discipline
- remove advocacy with some exceptions

Critical Elements of Professional Governance in PGA

- Duty to report
- Whistleblower protection
- Title and practice rights
- Regulation of firms
- Declarations of competence and conflicts of interest

Intentions Paper

Released Oct 29, 2018

- 1. Right to practice**
2. Regulation of firms
3. Declarations

Comments are welcome until end of January 2019

Intentions Paper

Released Oct 29, 2018

1. Right to practice
- 2. Regulation of firms**
3. Declarations

Intentions Paper

Released Oct 29, 2018

1. Right to practice
2. Regulation of firms
- 3. Declarations – competency and conflict of interest**

Expected Outcomes from PGA

- Appropriate QP is hired and competent
- Professionals give unbiased advice
- Equal oversight of regulatory bodies and registered professionals
- Increase transparency and accountability in PR model
- Increase Indigenous nations' and public trust

Thank You