



OSPG

Office of the Superintendent
of Professional Governance

Annual Report 2019-2020







May 2020

The Honourable Darryl Plecas
Speaker of the Legislative Assembly
Parliament Buildings
Victoria BC V8V 1X4

Dear Mr. Speaker,

It is my pleasure to present the 2019/2020 Annual Report of the Office of the Superintendent of Professional Governance to the Legislative Assembly.

The report covers the period from the Superintendent's appointment in June, 2019 to March 31, 2020 and has been prepared in accordance with section 19(1) of the Professional Governance Act.

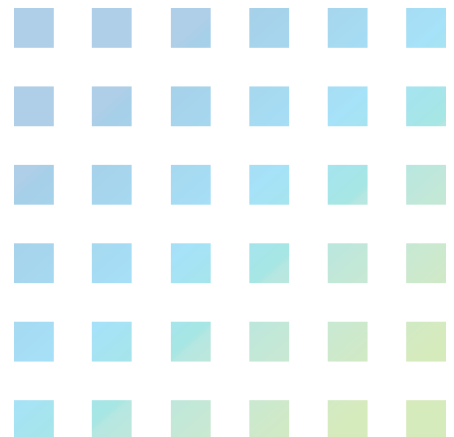
Yours sincerely,

Honourable David Eby
Minister of Attorney General



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Message from the Superintendent

Professionals play an important role in the lives of British Columbians. Private citizens rely on recommendations and advice of professionals to make decisions affecting their daily lives and activities. Similarly, professionals assist governments at all levels in making decisions in a wide variety of areas of public policy as well as issue licences, permits and other approvals.

In order for private citizens and governments to rely on professionals and to protect the public interest, there must be a strong and modern regulatory framework for professionals.

The *Professional Governance Act* (the PGA), enacted in 2018, provides a new regulatory framework for professions in BC. At present, it provides oversight for select professions that provide advice and expertise in the natural and built environment: engineers and geoscientists; professional foresters; applied biologists, agrologists and technologists and technicians in each of these important disciplines.

The PGA modernizes and clarifies the role of the five regulatory bodies that regulate these professions and the relationship between the regulatory body and its registrants. It also creates my role as Superintendent, an independent statutory decision maker, to oversee the regulatory bodies.

In the past, there has not been a dedicated home in the provincial government outside the health sector focussing on professional regulation. The creation of the Office of Superintendent of Professional Governance (OSPG) this past June provides that dedicated home and will ensure there is a strong two-way dialogue between the regulatory bodies and the provincial government. It will also ensure that regulatory bodies have the tools necessary to regulate professions in the modern world, and in the public interest.

This annual report, the first of the Superintendent, is a progress report. It documents some of the key activities undertaken by my Office and the regulatory bodies since June 2019 as we prepare for the implementation of the PGA in the Fall 2020. I am pleased with the progress we have made recognizing that some key issues, like the

full implementation of practice rights, will take more time to implement.

I would be remiss if I did not mention the unprecedented situation related to the outbreak of the Coronavirus. The nature of regulatory work is such that much of it can be done via computer and teleconference. However, it must be acknowledged that the circumstances require adjustments to how we work and interact. There is a high level of concern, and government and regulatory bodies are being drawn into work that takes us away from our focus on PGA implementation. Although we will endeavour to keep focused and on our promised timelines, there may be activities that occur out of our control that affect or delay the work and the schedule that we have outlined. We will do our best to stay on track.

In following years, this annual report will evolve to report on the oversight activities of the OSPG, and the activities of the regulatory bodies which, starting in 2021, will file annual reports with the OSPG.

If you are interested in following the activity of the OSPG throughout the year, I encourage you to review our website at: <https://professionalgovernancebc.ca/>.

Paul Craven

Superintendent of Professional Governance



Modernizing Professional Governance in British Columbia

The regulation of professions in BC has largely been accomplished through a system known as self-regulation. Professional self-regulation is an arrangement between an occupational group or profession and the government to regulate the activities of its registrants. Self-regulation is a privilege granted by government to a profession through legislation along with a right to exclusively use a title (e.g., Professional Forester) and in some cases, the exclusive right to practice the profession.

In this arrangement, government requires professionals to set aside their self-interest in favour of the public interest and relies on an ethos of professionalism that includes a commitment to public service. Government sets up this regulatory framework to protect the public interest and reduce the risks of incompetent and unethical practice.

Some regulated professions who have their own statute are: Architects – the *Architects Act*; Accountants – the *Chartered Professional Accountants Act*. In health care, 26 regulated health professions come under the *Health Professions Act*.

Historically in BC, each profession has had a statute that outlines the parameters of the profession and the responsibilities of the professionals and the regulatory body. Under this model, government has had some control over the practice of the profession while enabling professionals to use their expertise to set and enforce appropriate professional standards.

These statutes and their professions were typically under the responsibility of different government Ministries. As a consequence, professional regulation in the Province varied between professions. The model provided limited oversight and when professional regulatory issues arose, they had to compete for attention with the other priorities, and complex portfolios and activities of each Ministry.

Since the early 1990s, beginning with the health sector, several reports and reviews urged changes to and a modernization of the self-regulation regime (see Figure 1). The reports and reviews of a variety of regulated professions were conducted and have resulted in changes to professional regulation and more government oversight.

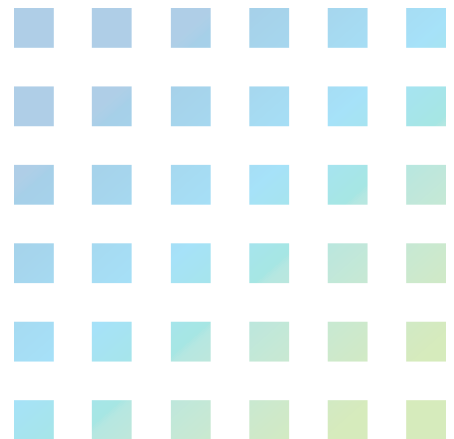


Figure 1: Significant Events in Professional Governance in BC Since 1990

Year	Activity	Conclusion/Result
1991	Seaton Commission Report ¹	Professions were operating under different, inconsistent statutes – leads to significant, undesirable anomalies in the regulation of the professions. Need for increased separation between promoting the interests of the profession, and self-regulatory activities promoting the public interest.
1996	Safe Choices: A New Model for Regulating Health Professions in BC ² .	A review of the <i>Health Professions Act</i> and self-regulation by the Health Professions Council.
2003	BC Ombudsman report on self-governance in health professions	Colleges have failed to act in the public interest and demonstrate a lack of understanding of their legal responsibilities and of the requirements of fairness.
2010	Avison Report ³ on governance issues in the BC College of Teachers	Concluded that they were not acting in the public interest, were dysfunctional, were heavily influenced by the members, and had inappropriate handling of discipline cases.
2012	BC teachers now regulated under the Ministry of Education.	Response to Avison report.
2016	Independent Advisory Group Report ⁴ on conduct and practices in the real estate industry in BC.	The industry's self-regulating body has failed to protect the public from cut-throat and illegal practices and has lost the public's confidence in its ability to police itself.
2016	Government appointed a dedicated Superintendent of real estate, who would take over all regulation and rule-making duties from the council.	The council was not eliminated but was restructured to ensure the majority of members come from outside the real estate industry.
2018	Independent Final Report of the Professional Reliance Review ⁵	Two of the review's recommendations led to the development of the PGA to legislate best practices for professional governance, and to the establishment of the Office of the Superintendent of Professional Governance for consistent and independent oversight of professional regulators
2018	Cayton Report ⁶ on the College of Dental Surgeons	Changes needed to strengthen the public interest and safety aspects of governance, clarifying terms and using more specific language, improving complaints and discipline processes, and increasing transparency.

1 <https://www.llbc.leg.bc.ca/public/Pubdocs/bcdocs/53108/CloserToHomeVol1.pdf>

2 <https://www2.gov.bc.ca/assets/gov/government/ministries-organizations/ministries/health/safe-choices-a-new-model-for-regulating-health-professions-in-british-columbia.pdf>

3 https://www2.gov.bc.ca/assets/gov/education/administration/kindergarten-to-grade-12/reports-and-publications/2010_factfinder_report_bcct.pdf

4 https://www.recbc.ca/wp-content/uploads/IAGReport_June2016.pdf

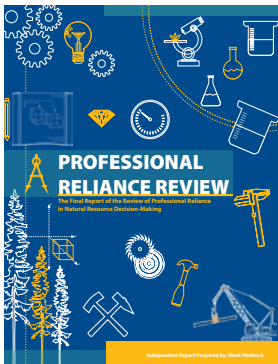
5 https://professionalgovernancebc.ca/app/uploads/sites/498/2019/05/Professional_Reliance_Review_Final_Report.pdf

6 <https://www2.gov.bc.ca/assets/gov/health/practitioner-pro/professional-regulation/cayton-report-college-of-dental-surgeons-2018.pdf>

Origins of the *Professional Governance Act*

In response to concerns about the quality and comprehensiveness of regulation and oversight of natural resource activities, an independent report on professional reliance in the natural resource sector was completed by Mark Haddock in June 2018⁷.

These concerns were also echoed in reports by the Ombudsperson⁸, the Forest Practices Board⁹, and the Auditor General¹⁰. The two main recommendations relating to professional governance in the Haddock Report were:



R1. That government establish an Office of Professional Regulation and Oversight that would have authority similar to that found in the *Health Professions Act*. The Office would be an agent of government, independent from the natural resource sector ministries, and focused on professional governance issues. Ultimately, the intent of the Office would be to oversee professional legislation, develop best practices for governance, and regulate professional organizations as needed.

R2. That government standardize 10 elements of professional governance through umbrella legislation, including a new power to regulate firms, improve council authority to pass certain bylaws, require continuing professional development, clarify public interest duties, and address codes of ethics, reporting duties and whistleblower protection.

Following the Haddock report, the *Professional Governance Act* (PGA) was passed in November of 2018.

In keeping with the recommendation made in the Haddock report, the Office of the Superintendent of Professional Governance (OSPG) was established under the Ministry of the Attorney General in June of 2019. The OSPG strengthens government oversight while being independent from the ministries that regulate sectors in which professionals practice. It provides the impartiality needed to create an effective and trusted framework for professional governance.

The PGA brings five regulatory bodies under one act – the PGA – and provides a consistent governance framework for their professions that incorporates best practices of professional governance. The OSPG is responsible for administering the PGA and for ensuring that best practices for professional governance are implemented. The establishment of the OSPG simplifies and standardizes how professions governed by the PGA are subject to government oversight.

Although the PGA currently only governs professionals in five regulatory bodies in the natural and built environments, its framework can be applied broadly. There are provisions in the PGA to enable oversight of any profession in BC. Professions or occupations that may be considered for inclusion under the PGA generally fall into two categories:

1. Those that are already regulated but would fit within the PGA;
2. Those who are looking to become a professional under the PGA.

⁷ Professional Reliance Review, Mark Haddock, 2018

https://engage.gov.bc.ca/app/uploads/sites/272/2018/06/Professional_Reliance_Review_Final_Report.pdf

⁸ Striking a Balance: The Challenges of Using a Professional Reliance Model in Environmental Protection, BC Ombudsperson, 2014

<https://bcombudsperson.ca/documents/striking-a-balance>

⁹ District Managers' Authority Over Forest Operations, Forest Practices Board, 2015,

<http://www.llbc.leg.bc.ca/public/pubdocs/bcdocs2016/591339/december%202015.pdf>

¹⁰ An Audit of Compliance and Enforcement of the Mining Sector, BC Auditor General, 2016,

<https://www.bcauditor.com/sites/default/files/publications/reports/OAGBC%20Mining%20Report%20FINAL.pdf>

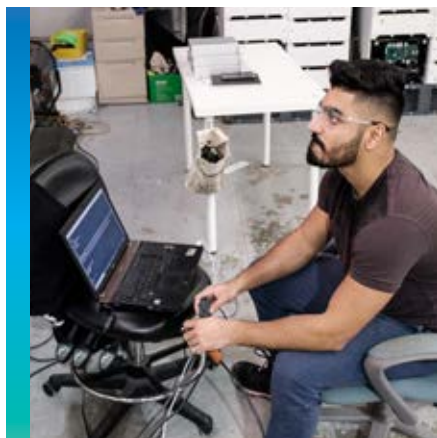
There are a few ways that other professions could be considered for inclusion:

1. Through their request;
2. Through an investigation of the Superintendent; or
3. Through a policy decision/direction of government.

Once the Superintendent has made their determination on the request to include a profession, they make a recommendation to government who makes the final decision.

The five regulatory bodies currently under the PGA are:

ASTTBC TECHNOLOGY PROFESSIONALS



Applied Science Technologists and Technicians of BC

Description: Established in 1958, the Applied Science Technologists and Technicians of BC (ASTTBC) exists to regulate the practice of technologists, technicians and registered technical specialists in the fields of applied science and engineering technology. In 1985, British Columbia passed the *Applied Science Technologists and Technicians Act*.

Number of Registrants: 8,987

Technology professionals practice across a broad range of practice areas such as biomedical engineering, building, civil, electrical, electronics, environmental, fire protection, house inspection, information technology, mechanical, onsite wastewater and other related disciplines in the built and natural environment.

ASSOCIATION OF BC FOREST PROFESSIONALS



Association of BC Forest Professionals

Description: The practise of professional forestry has been regulated since 1947 when foresters first agreed to help protect the public's interest in the province's forests in return for the exclusive right to practise forestry. The Association of BC Forest Professionals (ABCFFP) is responsible for registering and regulating British Columbia's professional foresters and forest technologists.

Number of Registrants: >5,527 (November 30, 2019)

There are two main types of forest professionals in BC – Registered Professional Foresters (RPFs) and Registered Forest Technologists (RFTs). RPFs are responsible for caring for and managing BC's forest for multiple public values including social, recreational, economic uses and wildlife preservation.

RFTs have a narrower scope of practice and are involved in many technical forestry activities such as forest health, forest engineering, silviculture, and more.



BC Institute of Agrologists

Description: In April 1947, the BC legislature passed the *Agrologists Act*, creating the British Columbia Institute of Agrologists (BCIA). The BCIA ensures the competent and ethical practice of its registrants who are professionals in areas including agriculture, food production, environment and resource management.

Number of Registrants: >1,463 (1,763 including retired and student members – March, 2020)

Agrology is the practice of bio-resource sciences to provide knowledge and advice to support the development of the agriculture sector and the health of the society, environment, and economy. Registrants come from diverse fields such as agriculture business, animal science, food science, soil science, natural resource and environmental science.



College of Applied Biology

Description: The College of Applied Biology (CAB) was created through the passing of the *College of Applied Biology Act* (2002). The categories of registrants are: RPBio – Registered Professional Biologist, RBTech – Registered Biology Technologist, RBTech or ABT – Applied Biology Technician.

Number of Registrants: 2,300

Applied biology professionals (ABPs) work in five broad fields of biology: zoology, botany, microbiology, ecology, and biochemistry. ABPs work with and around complex ecosystems with new and evolving science, information and technology. As such, practice implementations emerge and evolve. They provide advice and services to a wide diversity of sectors including but not limited to the public, government, forestry, mining, energy, agriculture, science, non-profit, construction, consulting, research and academia.

The practice of professional applied biology is the provision of science-based advice and services in relation to the long-term sustainability of aquatic and terrestrial ecosystems, their living organisms, habitats, and processes.





Engineers & Geoscientists British Columbia

Description: Engineers and Geoscientists BC (the business name for the Association of Professional Engineers and Geoscientists of the Province of BC) is the regulatory and licensing body for the engineering and geoscience professions in BC. Only registrants of Engineers and Geoscientists BC are legally authorized to practice those professions in the province of BC. To protect the public, they maintain robust standards for entry to the professions, and comprehensive regulatory tools to support engineers and geoscientists in meeting professional and ethical obligations. If these standards are not met, they take action through their investigation and discipline processes.

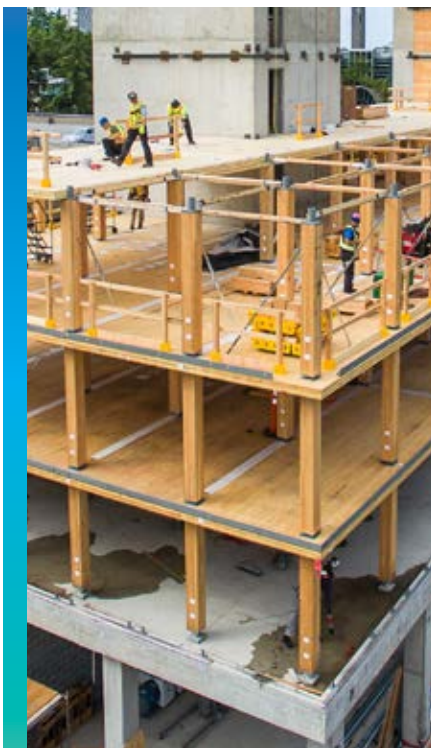
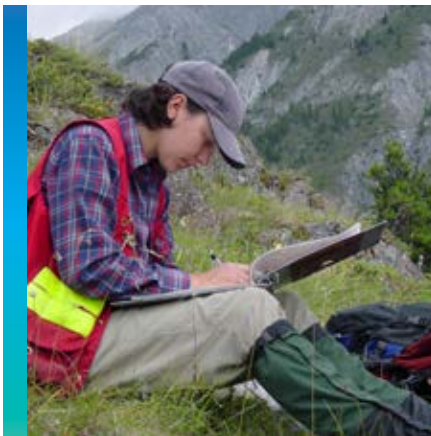
Number of registrants: >37,000 (March, 2020).

100th Anniversary:

In 1919, following the collapse of the Quebec bridge during construction, a group of engineers sparked a cross-country movement to regulate the engineering profession. The first Engineering Profession Act was brought into law in BC in 1920 and led to not only the creation of the Association of Professional Engineers of the Province of British Columbia, but also required BC employers to hire only registered professional engineers to oversee complex engineering projects. In 1990, geoscience became a regulated profession in BC as well, after many years of effort to address areas of practice overlap and concerns over mining resource evaluations.

Throughout the changes of the past century, engineers and geoscientists have found solutions to drive the world forward, and Engineers and Geoscientists BC has continued to ensure high professional and ethical standards are upheld. As we move into the future, we look to new tools to support the continued growth and evolution of these professions, and of the communities in which we work and live. Although our world will change, our purpose will remain the same: to protect the public.

The professionals registered with EGBC include professional engineers, professional geoscientists, engineering and geoscience licensees, members-in-training, and engineering and earth science students.

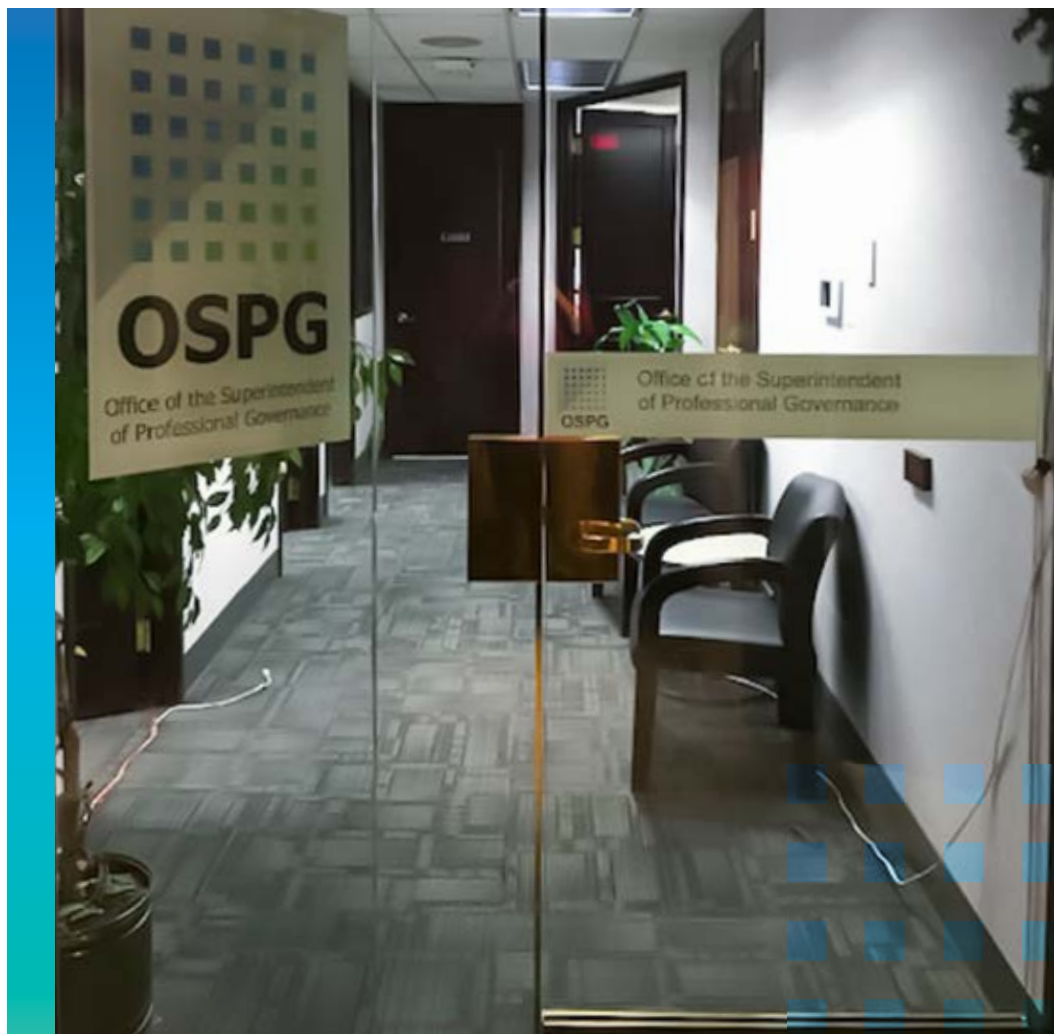


Getting Started

Since the Superintendent was hired nine months ago, a significant amount of work has been done in securing a work space, hiring staff, and establishing the policies, regulations, and frameworks needed to deliver on the mandate of the OSPG. With parts of the PGA already in force, we are moving quickly to transition the regulatory bodies in our mandate to our oversight.

An important part of preparing for the rest of the PGA to come into force is working closely with the regulatory bodies we oversee to transition from their existing acts to the PGA. As part of this work, the OSPG has been meeting monthly with regulatory bodies, and one on one as needed.

This has been critical to develop the relationships required to collaborate on the development of the policies and regulations, and to work together under the new framework of OSPG oversight of their governance.



From Introduction to Implementation

There is much work to be completed to prepare for regulation under the PGA, including many areas that require further policy work and guidance. These “workstreams” have been prioritized to ensure the most important elements are completed first, while building the foundation to complete longer-term priorities.

The regulatory bodies have developed transition plans, are changing council and committee structures, and are revising their bylaws as well as other critical transition work. They are also working closely with the OSPG on the development of policies, programs, and regulations.

Work Underway

The following lists some of the important work that is well underway:

Standards of Good Regulation

One of the OSPG’s tasks in our initial months was to draft “Standards of Good Regulation” to provide parameters for our oversight and measurement of the performance of the regulatory bodies in complying with the requirements of the PGA. These standards are being developed in consultation with an international expert and in collaboration with the regulatory bodies. Once we have completed a draft set of standards, we intend to make these available to the public for comment and input.

Standards of Good Regulation example:

Regulatory body maintains and makes publicly available an accurate and complete register of professionals

Appointment of Lay Council and Committee Members

OSPG’s website includes additional information on lay councillor and committee requirements under the PGA, current vacancies, and how to apply: <https://professionalgovernancebc.ca/how-can-you-become-involved/>

One of the significant changes included in the PGA is the requirement for the appointment of four people outside the profession (“lay” councillors) on the governing councils of the regulatory bodies we oversee. Lay councillors are chosen and appointed by Cabinet as required through a merit-based process. The OSPG is liaising with both the regulatory bodies and the Crown Agencies and Board Resourcing Office (CABRO) to ensure that the appointment/reappointment process for lay councillors is in accordance with government requirements and that the objective of councils having an appropriate balance of lay perspectives can be met. The PGA also mandates lay committee member participation on statutory committees. The OSPG is working collaboratively with the regulatory bodies and CABRO to promote the vacant lay position opportunities and encourage candidate fit to councils and committees.

Elections

The PGA requires regulatory bodies to have a merit-based process election for registrant councillors. Registrants are now nominated through a process administered by a Nominating Committee. Some regulatory bodies already use merit-based processes in their nominating committees, and others have been making the changes necessary to implement this for their election processes in 2019/2020.

Revised Bylaws

We are laying the groundwork on new bylaw structures and review processes that will form the basis of improved professional oversight under the PGA. Although the regulatory bodies had bylaws under their own legislation, they will now have to comply with the requirements under the PGA. The OSPG has worked with the regulatory bodies to determine which bylaws can stay the same, which need to be amended, and what might need to be added. Regulatory bodies are working to complete and submit a full suite of bylaws in time for the full enactment of the PGA.

Complaints and Discipline

In February, we hosted a full-day workshop on Complaints and Discipline with the regulatory bodies, other stakeholders, and identified experts. This workshop focused on the development of consistent Complaints and Discipline processes for the regulatory bodies, and the bylaws and policies required to put them into place.

Regulation of Firms

Section 3 of the PGA allows firms who provide services that fall within the regulated professions to be regulated in a similar manner as individual registrants. Although the details of firm regulation are still to be worked out, it is intended that firms ensure their registrants comply with the PGA in carrying out their duties. The EGBC are leading the way to administer firm regulation and will share their framework with the other regulatory bodies once complete. The Superintendent has also been meeting with some engineering firms to get their perspective on the PGA and firm regulation.

Duty to Report

Under section 58 of the PGA, registrants and firms who work under the regulatory bodies we oversee have a duty to report activities that could pose a significant harm to our natural environment or to the health and safety of the public. They also have a general duty to report any conduct which they have reasonable and probable reasons to believe is contrary to the PGA or regulation. Although some regulatory bodies have had a duty to report in their code of ethics to date, this duty to report is an important new requirement of all registrants under the PGA.

An important support to this requirement is in section 103 which specifies that no reprisals can be taken against a registrant for reporting an activity under their duty to report. Details on how the duty to report and reprisals will work in practice need to be determined, for example, how OSPG and the regulatory bodies receive and investigate these types of confidential reports, and how to respond if a reprisal occurs.

Developing Practice Rights

Determining practice rights is a key component of professional designation and regulation under the PGA. EGBC and ABCFP have defined practice rights in their current legislation – the others do not. The issue identified for those regulatory bodies who do not have practice rights is there is no obligation for an individual practicing the profession to register. This will change if practice rights are determined. The impact of practice rights on other regulated professionals, both within and outside the PGA will have to be worked out. Regulatory bodies are developing proposals to define and phase in practice rights and are consulting with their registrants. The OSPG will be working closely with regulatory bodies on this important area and it is likely that this work will extend into 2021.

Competency and Conflict of Interest Declarations

Work is also underway to develop an approach to competency and conflict of interest declarations that protects the public interest in a practical and pragmatic way without adding unnecessary regulatory burden. The objective of these declarations is two fold: (1) to encourage registrants to reflect on their competencies and ensure conflicts of interest are addressed appropriately; (2) provide greater transparency to the public.

Strengthening the approach in these areas is key to help enhance and maintain public confidence in the system of professional reliance and trust in professionals.

Outreach and Engagement

The OSPG has been doing research and meeting with organizations in BC and Canada with similar functions to gather best practices and determine the best processes and procedures to incorporate into our operations and oversight function. Examples of organizations that the Superintendent and OSPG staff have met with include:

- Office of the Ombudsperson;
- Ministry of Health – Professional Regulation branch
- Forest Practices Board
- Ministry of Jobs, Economic Development & Competitiveness
- Ministry of Municipal Housing
- Ministry of Environment and Climate Change Strategy
- Fairness Commissioners from across Canada

The Superintendent has also been speaking at annual general meetings and other events of the regulatory bodies to create awareness of the OSPG's mandate and the new framework, and to engage with registrants.

The OSPG has been approached by organizations and other professional regulators that are interested in finding out more about governance under the PGA. The OSPG has met with them to provide information on how the model works and to learn more about the organizations and determine their interest.

Indigenous Continuing Education Programs or Requirements

Section 57(1)(f) of the PGA requires the regulatory bodies to have continuing education programs or requirements that support reconciliation with Indigenous peoples in British Columbia. Regulatory bodies either have existing requirements that may be strengthened over time or have taken steps to identify requirements or programs that will be implemented over time. Some examples of the work that is being developed and are underway are as follows:

EGBC has continued to lead the way in addressing the Truth and Reconciliation Commission of Canada's Calls to Action. As a first step in responding to the Calls to Action, Engineers and Geoscientists BC recently completed a pilot project that saw the creation of an Indigenous Engagement Working Group, career outreach to Indigenous youth, as well as professional development events on Indigenous engagement in engineering and geoscience projects.

The ABCFP has made active efforts since the early 2000's to enhance engagement with Indigenous Peoples and the work of the forestry profession. In 2016, the ABCFP made it mandatory for every newly enrolled registrant to complete a learning module on working effectively with Indigenous Peoples as a requirement of becoming a registered forest professional. In order to renew their registration, the ABCFP requires all forest professionals to declare whether they have adequate knowledge of Indigenous peoples, culture, Aboriginal rights and title

interests, and concerns with forest land and resource use, and provides professional development opportunities that include current Indigenous Peoples related offerings (at least one or more of which is free of charge).

Professional Governance Advisory Committee

A requirement of section 6 of the PGA is the creation of a Professional Governance Advisory Committee. The committee membership is comprised of representatives from other ministries and organizations who have an interest in the regulation of professionals. This committee will provide a forum for discussion of issues and matters of interest involving professional governance in BC. The membership list and terms of reference have been drafted and the first meeting of this committee is currently being planned for late Spring 2020.

Challenges

The introduction of the PGA and a shift to a regulatory oversight model requires significant changes in structure, approach, and activities of the regulatory bodies. The extra work required to transition the organizations and their registrants should be acknowledged.

Shifting Culture: From Member to Registrant

One of the major shifts required of regulatory bodies to meet requirements under the PGA is a shift in their cultures to a more singular focus of oversight of their registrants, and away from some activities which advocate for or promote their members and their profession. The OSPG is working with the regulatory bodies on determining limits to advocacy activities. Though the regulatory bodies are focused on making this shift, changing the culture of an organization and its members takes time. The OSPG will continue to support the regulatory bodies as this work continues.

Capacity Challenges

Making the changes required to transition to the PGA while simultaneously carrying on their regulatory functions has been challenging for the regulatory bodies. The PGA is ambitious in its scope and the scale of the changes it requires to be successfully implemented. While the goal is to have all these structures and changes in place prior to transitioning to the PGA, some items may not be fully complete prior to implementation.

By working closely with regulatory bodies as they engage in this work, the OSPG has been able to reduce the impact of these challenges. This includes identifying priority areas for implementation, so that the most critical elements are ready for when the PGA comes into force.

The monthly meetings with all of the regulatory bodies not only gives the OSPG the opportunity to guide and assist the regulatory bodies, they are also to provide them with an additional opportunity to collaborate and share information, strategies, and workload where common processes or approaches are required. This is particularly helpful with their limited capacity and ongoing regulatory mandates.

From Implementation to Operation

From May 2020 until the PGA is brought fully into force in the Fall of 2020, the OSPG will be finalizing the policies and regulations that frame the operations and oversight of the OSPG. To move from the implementation phase to the operations phase of our work, we are adjusting our business structure to fulfill our duties once the PGA is fully in force. This includes developing internal protocols, providing guidance to the regulatory bodies for their governance under the PGA, developing intake and business operations, and creating both audit and investigation programs and processes.

The regulatory bodies will continue to prepare for transition to governance under the PGA, including finalizing and submitting their bylaws, finalizing and readying new processes and procedures, and continuing to collaborate on lower priority and longer term workstream items.



What Comes Next?

Our initial work has largely focused on providing information and guidance to regulatory bodies, registrants and professional regulators about the requirements under the PGA, conducting research and establishing policies based on best practices, and creating guidance and regulations to promote compliance with the PGA.

We expect the PGA to be fully brought into force in the late fall of 2020, at which time the current governance statutes for the five regulatory bodies will be repealed and the five regulatory bodies will be fully operating under the PGA.

The work of the Superintendent and the OSPG will shift to overseeing the activities of regulatory bodies and ensuring compliance with the PGA, while ensuring our work and approach is:

- Fair
- Transparent
- Collaborative
- Flexible
- Responsive
- Accountable

Phase 3: Fall 2020 ++

- The PGA will be fully implemented and the current legislation of each of regulatory body is repealed.
- Initial regulations required for implementation are complete.
- Regulatory bodies' mandatory bylaws are filed and work commences on transitioning other bylaws.
- Implementation of regulation of firms; scope of practice and practice rights, and declarations of competence and conflict of interest will be phased in and continue beyond Fall 2020.
- OSPG will transition from implementation to operations and enforcement.

The OSPG's oversight includes handling administrative matters such as receiving and responding to complaints and concerns of the public and registrants about regulatory governance, reviewing and approving bylaw changes, reporting on activities of the regulatory bodies and the OSPG, and advising the Attorney General on matters related to the administration of the PGA (see Figure 2).

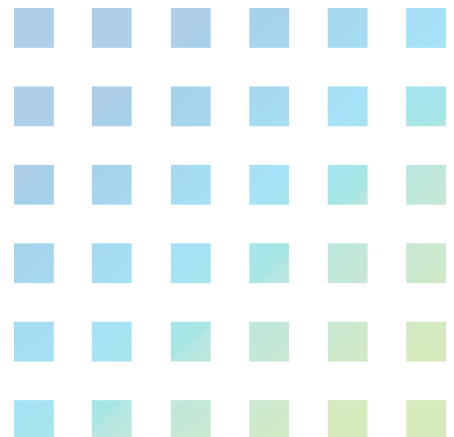


Figure 2. OSPG Areas of Oversight and Operation

IMPLEMENT	REGULATE	REVIEW	RESEARCH	REPORT
Continue implementation and prepare OSPG for operational role	Carry out OSPG statutory duties, and maintain or enhance the regulatory environment	Establish proactive and reactive review processes	Fortify OSPG's role as a centre of excellence for professional governance	Communicate about matters of professional governance
Define reserved practices where appropriate for CAB, BCIA and ASTTBC	Set and update policies, directives and regulations as needed	Track complaints and other indicators of systemic issues and respond as needed with investigations	Conduct research and share best practices through policies, guidance, case studies and training	Receive regulatory body annual reports and publish information in Superintendent's annual report
Empower EGBC to regulate firms and work to expand the framework	Monitor for PGA compliance & carry out enforcement as needed	Assess regulatory body performance against standards of good regulation , following an established process	Evaluate policy effectiveness and document lessons learned	Publish regulatory body performance assessment results
Develop and operationalize a system for competency and conflict of interest declarations	Consider and recommend new designations or amalgamations	Review regulatory body bylaws submitted for filing to ensure they are in the public interest	Establish/ participate in a community of practice with other oversight offices, consultants and researchers	Publish guidelines, directives and information or documents considered to be in the public interest
Ensure OSPG's organization structure, procedures and policies will support its operational and oversight role				Keep the OSPG website current through news updates, case studies, and policy topic papers

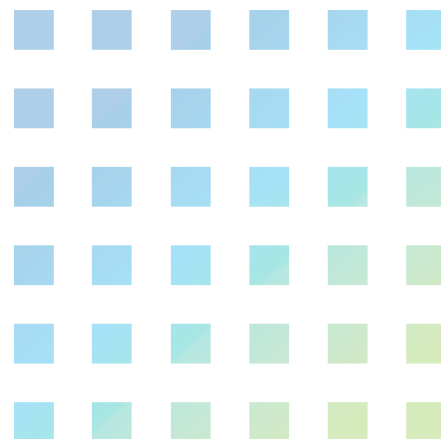
As the transition towards full implementation of the PGA is completed, we will also be working to fulfill our other duties under the PGA, such as creating and publishing information and documents that the Superintendent determines to be best practices and in the public interest, and ensuring regulatory bodies support the implementation of the United Nations Declaration on the Rights of Indigenous Peoples.

Conclusion

The future of professional governance and regulation in BC is promising. The OSPG brings the structure and oversight to the new model of professional governance in BC. The OSPG will ensure the regulatory bodies are complying with the PGA and governing in the public interest.

Regulatory bodies and professionals will be working in an environment with a solid framework and clear and consistent parameters and requirements. They will have an oversight body that promotes and educates on best practices in professional governance, understands their business, and has the responsibility to work with them to ensure the public can rely on the professionals for which they are responsible.

Most importantly, the public will be able to see clarity, transparency, consistency, and accountability of the regulatory bodies and professionals.



Appendix 1: Operating Framework

Our Vision

Effective, trusted and supported professional governance that protects the interests of British Columbians.

What We Do

Research

- To incorporate best practices in professional governance
- To develop policy and guidance
- To assess impacts of policy/regulations on all interested parties

Review

- To identify and respond to systemic or general governance matters
- To assess regulatory body performance against standards
- To ensure regulatory body bylaws are in the public interest

Regulate

- To maintain a modern regulatory framework responsive to changing professional environments
- To support regulatory bodies effectively regulating their registrants
- To enforce compliance with the *Professional Governance Act*

Report

- To transparently communicate about matters of professional governance

How We Do Our Work

We are committed to being:

- | | | |
|---------------|-----------------|---------------|
| ➤ Fair | ➤ Collaborative | ➤ Responsive |
| ➤ Transparent | ➤ Flexible | ➤ Accountable |



