

Familiarization Review Report

2023-2024



OSPG

Office of the Superintendent
of Professional Governance

Familiarization Review Process

Background

At the time the Professional Governance Act (PGA) was brought into force in 2021, the Office of the Superintendent of Professional Governance (OSPG) published a general framework for conducting performance reviews of regulatory bodies. When a new regulatory body comes under the PGA, the standard approach of the OSPG is to conduct a familiarization review to understand how the regulatory body is already meeting or planning to meet the Standards of Good Regulation (the Standards). The OSPG conducted familiarization reviews of the regulatory bodies listed in Schedule 1 of the PGA when it was brought into force in 2021-2022. The report for that familiarization review is available on the OSPG's website. The Architectural Institute of British Columbia (AIBC) was not included in that familiarization review because AIBC was not under the scope of the PGA at that time. AIBC was brought under the PGA on February 10, 2023.

A familiarization review of AIBC was conducted between September 2023 and August 2024. The familiarization review work involved examining each of the 20 standards, grouped into themed subsets of 4-6 standards, and assessing AIBC against draft performance indicators. AIBC provided written responses for each phase, indicating how each standard is met (or planned to be met) along with supporting documentation and data. After review and analysis of the written material, OSPG staff conducted follow-up interviews with relevant staff and subject matter experts from AIBC.

A letter was issued at the conclusion of each phase to communicate findings to AIBC, including:

- areas where a standard appears to be met, and
- areas where there are opportunities to better meet a standard.

This public report marks the final milestone in the familiarization review. Based on data provided by AIBC between September 2023 and August 2024, the report offers a point-in-time analysis of AIBC's performance against the standards. OSPG findings are presented by theme, covering all 20 standards. This report also includes highlights of select best practices that surfaced during this review. These provide some concrete examples of AIBC's commitment to satisfying the letter and spirit of the PGA.

Observations on the Process

The familiarization review process provides a structure for the OSPG and AIBC to establish a common baseline understanding of the extent to which AIBC is currently meeting the Standards. The process was labour-intensive for both the OSPG and AIBC staff – however this high effort was found to be commensurate with the high value of establishing a fulsome baseline for AIBC.

OSPG staff gained a deeper understanding of AIBC operations beyond the areas that were of focus during transition to the PGA. The results of the review continue to highlight that there is no single approach to achieving a given standard and that regulatory bodies of varying sizes and experience levels can use a variety of methods to focus on continuous improvement.

AIBC received concrete feedback from the OSPG to inform their organizational priorities during continued operations under the PGA. OSPG staff will continue to advise and support AIBC with continuous improvement efforts.

Regulatory Body Reviewed in this Report
Architectural Institute of British Columbia (AIBC)

Transparency and Accountability (Standards 1-6)



Standards 1 through 6 describe expected outcomes for transparency and accountability including:

- Ease of access to information on the regulatory body's website.
- Clear delineation of the regulatory body's duty and responsibility.
- Diversity, equity and inclusion within the organization and among registrants.
- Action taken to support reconciliation with Indigenous peoples.
- Self-assessment and continuous improvement.
- Assessment and mitigation of risks to the environment, health and safety.

Best Practice: Standard of Good Regulation 2: Regulatory Body Duties and Responsibilities:

AIBC is clear about its duty and responsibilities as a regulator of the profession of architecture. To ensure it does not engage in inappropriate advocacy activities prohibited by the PGA, AIBC has taken steps to transfer all advocacy activity to the Architecture Foundation of BC (AFBC) and to remove itself from any governance roles at AFBC. This ensures the distinct functions of AIBC and AFBC are clearly understood by registrants and members of the public.

General observations:

- AIBC uses its public website to provide accurate and accessible information about requirements for registration, standards, guidance, processes and disciplinary decisions.
- Information is regularly communicated to registrants and the public through monthly newsletters, notices and news items in addition to AIBC being active on several social media platforms.
- AIBC applies a diversity, equity and inclusion lens to processes and policies that impact its staff, registrants and the public. This is reflected in updates to several policies and procedures and regular reviews of materials with a diversity, equity and inclusion lens. Additionally, the pathways to registration offered by AIBC recognize differences in how applicants attain their education and in their lived experiences.
- AIBC supports the implementation of the United Nations Declaration on the Rights of Indigenous Peoples through its operations by requiring staff to take educational courses on Indigenous reconciliation.
- AIBC examines and [reports on its own performance](#), incorporates feedback, lessons learned, and best practices across all functions.
- AIBC assesses and mitigates risks to the environment and to the health and safety of the public in respect of its registrants. Having a well-developed practice advice program and maintaining a risk register allows AIBC to assess and prioritize risks to the public from the profession and respond accordingly.

Competence, Conduct and Continuing Education (Standards 7-10)



Standards 7 through 10 describe expected outcomes for competence, conduct and continuing education, including:

- Updated standards of professional and ethical conduct, standards of competence and standards of practice.
- Guidance to support registrant understanding of practice standards.
- Academic requirements, trainee programs and continuing education requirements that prioritize the public interest.
- Collaborative relationship with educational providers.

Best Practice: Standard of Good Regulation 8: Up to date guidance and emerging areas of risk:

AIBC has a professional practice advice program for registrants and the public to contact. The program tracks questions and posts a list of frequently asked questions about professional practice on its website so registrants and the public can easily view the most frequently asked questions without having to contact AIBC individually.

General observations:

- AIBC's Practice Advice team and Professional Standards Advisory Group work together to identify areas within the profession that require practice guidance and conduct regular reviews of the professional standards in the Code of Ethics and Professional Conduct as well as the Practice Guidelines.
- AIBC develops a variety of materials to support registrant understanding of practice standards. In addition to offering practice guidance, regular communications are sent to registrants to ensure timely notification of changes in the profession, including changes to bylaws and applicable municipal and provincial legislation. AIBC also develops continuing education materials for registrants in partnership with municipal, provincial and federal counterparts, where applicable.
- AIBC has established the following multiple pathways to registration: Internship in Architecture Program; Mutual Recognition Agreements; and Alternative Qualifications, which includes the Broadly Experienced Foreign Architects Program and the Broadly Experienced Applicant Program. These pathways acknowledge varying academic and experience backgrounds and support entry to the profession.
- With the introduction of the PGA, AIBC expanded its existing continuing education program to include content focused on Indigenous reconciliation, including Indigenous design and working with Indigenous communities.

Registration, Audits and Practice Reviews (Standards 11-14)



Standards 11 through 14 describe expected outcomes for registration, audits and practice reviews, including:

- Accurate and complete register of professionals.
- Transparent, objective and fair registration process.
- Assessment of registrants' standing with the regulatory body.
- Proactive, transparent, objective and fair audit and practice reviews.

Best Practice: Standard of Good Regulation 11: Accurate and Complete Register of Professionals:

AIBC registrants are required through the Code of Ethics and Professional Conduct to ensure they keep the information applicable to them on the register up to date. This is a valuable requirement for ensuring accuracy and transparency of information and registrant responsibility. AIBC conducts oversight to ensure this requirement is being met by registrants. If a registrant does not meet this requirement, AIBC may pursue disciplinary measures.

General observations:

- AIBC has a publicly available register of professionals that is accessible through any webpage on its website.
- AIBC includes descriptive information on registration pathways for all classes of registrants on its website, including for individuals with Canadian credentials and international credentials. Registration pathways also detail the different requirements for individuals from countries with Mutual Recognition Agreements (MRAs) and from countries without MRAs.
- AIBC ensures fairness in the credentialling process by conducting preliminary checks on volunteers to ensure there is no conflict of interest between applicants and credentialling committee volunteers. Where a potential conflict of interest may exist, committee members recuse themselves from the process to be replaced by another committee member.
- AIBC outlines requirements for professional conduct in the Code of Ethics and Professional Conduct.
- All registrants receive regular communications about the requirements that must be met to be in good standing.



Standards 15 through 20 describe expected outcomes for competence, conduct and continuing education, including:

- Risk-based enforcement of title and reserved practice.
- Straightforward and accessible process for raising a concern about a registrant.
- Transparent, objective and fair discipline process.
- Disciplinary decisions are made in accordance with the established process and are consistent with the PGA.
- Regulatory body prioritizes cases to protect the public interest and take appropriate action.
- All parties to a complaint are kept informed and are able to participate effectively.

Best Practice: Standard of Good Regulation 17: Transparent, objective, impartial and fair investigation and discipline process:

AIBC has included in its bylaws the unique ability to award costs payable by the AIBC to the respondent registrant at a disciplinary hearing where the finding favours the registrant. This ensures fairness of the disciplinary process to registrants, a recognition of the financial costs borne by registrants in disciplinary proceedings, and a rigorous review of cases before they are brought before the disciplinary committee.

General observations:

- AIBC enforces title and reserved practice based on risk and the response is targeted and proportionate. Cases to protect the public interest are prioritized.
- AIBC has two dedicated e-mail inboxes to receive complaints from the public: one for illegal practice complaints and one for professional conduct complaints. Staff monitor the inboxes, conduct the initial intake and review of the complaint, and contact the complainant to gather any supporting information needed. Having dedicated inboxes and assigned staff allows AIBC to quickly identify risks associated with complaints and respond accordingly.
- AIBC has taken the unique step of providing remuneration to its volunteers in recognition of their important contribution to core regulatory processes. Remuneration amounts are based on the volunteer position and ensure timely resolutions for investigations and disciplinary proceedings, if applicable.
- When AIBC receives a complaint involving another architecture regulator that also has jurisdiction, it works with the other regulator to determine who is best placed to proceed with the investigation, understanding that both may proceed if that is the desired outcome.
- Draft disciplinary decisions are reviewed by the Director of Professional Conduct and Illegal Practice and the General Counsel for AIBC to ensure consistency with the PGA, AIBC's standards and relevant case law.
- AIBC ensures both respondents and complainants are provided with monthly updates about the status of ongoing investigations and regularly sends written correspondence to both parties through e-mail and letters to ensure a regular flow of communication. AIBC bylaws include timelines for the investigation process and these timelines are reflected in the communications to the parties to the complaint.

Summary and Next Steps

Summary

AIBC was brought under the PGA in 2023, as the now rescinded *Architects Act* needed significant modernization and the PGA addressed all the requirements. In doing so, the profession of Architecture became regulated according to the standardized requirements of the PGA and subject to oversight by the OSPG. The results of the familiarization review show AIBC has worked diligently, both prior to coming under the PGA and after, to implement best practices in modern professional governance. It appears that AIBC's early operations under the PGA are largely aligned with the expectations set out in the Standards.

We acknowledge that each regulatory body coming under the PGA has started with its own experience and history. Performance management is a process of continuous improvement, and each regulatory body is on its own timeline to be responsive to the Standards and subsequent oversight by OSPG. The OSPG will continue to monitor AIBC and the other regulatory bodies under the PGA for continuous improvement and further alignment with the Standards over the coming years.

Future Performance Reviews

Familiarization reviews will continue to be conducted for any new regulatory body within their first year after being established under the PGA. This first baseline assessment of the Standards establishes the extent to which new regulatory bodies under the PGA are currently meeting the Standards. Following the familiarization review process, performance reviews will focus on select topics and be tailored to each regulatory body's individual circumstances.

OSPG Standards of Good Regulation

Transparency and Accountability	1. Regulatory body provides accurate, accessible information about requirements for registration, standards, guidance, processes and decisions.
	2. Regulatory body is clear about its duty and responsibilities, applies policies appropriately across all functions and avoids inappropriate advocacy.
	3. Regulatory body applies a diversity and equity lens to processes and policies that impact its registrants and the people they serve.
	4. Regulatory body takes action within its operations to support reconciliation with Indigenous peoples, including supporting the implementation of the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration).
	5. Regulatory body examines and reports on its own performance, incorporates feedback, lessons learned and best practices across all functions.
	6. Regulatory body assesses and mitigates risks to the environment or to the health and safety of the public in respect of its registrants.
Setting Standards of Competence and Conduct	7. Regulatory body maintains up-to-date standards of professional and ethical conduct, standards of competence and standards of practice.
	8. Regulatory body provides up-to-date guidance to help registrants apply the standards; the guidance addresses emerging areas of risk and appropriately prioritizes.
Education and Continuing Competence	9. Regulatory body maintains up-to-date standards for academic requirements, for entry to the profession and reflect ongoing collaboration with educational institutions to meet identified outcomes.
	10. Regulatory body maintains up-to-date standards for trainee programs and continuing education programs (CEP) that prioritize public interest protection within the profession and Indigenous reconciliation.
Registration	11. Regulatory body maintains and makes publicly available an accurate and complete register of professionals.
	12. Regulatory body has a registration process that is transparent, objective, impartial and fair.
	13. Regulatory body confirms registrants continue to be in good standing.
Audit and Practice Reviews	14. Regulatory body has a transparent, objective, impartial and fair process for proactively assessing the conduct or competence of its registrants.
Complaints and Discipline	15. Regulatory body enforces title and reserved practice based on risk and the response is targeted and proportionate.
	16. Anyone can make a complaint about a registrant related to incompetence, professional misconduct, conduct unbecoming a registrant, or a breach of the PGA, its regulations or the regulatory body's bylaws.
	17. Regulatory body's investigation and discipline process is transparent, objective, impartial, fair, and allows for thorough, evidence-based and proportionate responses to complaints.
	18. Regulatory body ensures all decisions are made in accordance with its processes and are consistent with the PGA and its statutory objectives, the regulatory body's standards, and relevant case law.
	19. Regulatory body prioritizes cases to protect the public interest and takes appropriate action.
	20. All parties to a complaint are kept updated on the progress of their cases and can participate effectively in the process where appropriate.