

Members' Guide to College Audit Process

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Members' Guide to College Audit Process

This **apb** deals with the College of Applied Biology Member Audit – Why does it exist at all? What is the purpose of an audit? Who gets audited? What is entailed? What are the implications of its results?

Background – Why are there audits?

Clause 3(2) of the *College of Applied Biology Act* states:

3(2) The purpose of the college is

- a) to uphold and protect the public interest by
 - i) preserving and protecting the scientific methods and principles that are the foundation of applied biological sciences,
 - ii) upholding the principles of stewardship of aquatic and terrestrial ecosystems and biological resources, and
 - iii) ensuring the integrity, objectivity and expertise of its members, and
- b) subject to paragraph (a):
 - i) to govern its members in accordance with this Act and the rules, and
 - ii) to cooperate with other professional or occupational bodies charged with governing the conduct or competence of their members on a matter the college considers relevant to applied biology.

Governments pass legislation establishing self-governing professions when there is a real and genuine public interest in how certain activities are undertaken. The primary role of a self-governing organization is to ensure that the persons licensed by the organization conform to appropriate standards. Mechanisms used to measure this conformance consist of reactive approaches such as the traditional complaint driven discipline process, and proactive approaches such as the audit process where members to be audited are selected by random draw.

Thus, the College, as a public interest self-governing body, sets the standards for its members and holds them to account for meeting the standards, while the Association is a member interest body that assists its members by providing guidance on to how to meet the standards and obligations that come with the profession of applied biology.

The College of Applied Biology member audit is a proactive quality assessment mechanism to assess how members conduct the administrative requirements associated with the practice of applied biology and membership in the College. While this process is one of the accountability mechanisms set in place to address the public interest, the College Council also views these audits as learning exercises that assist members in conducting self-assessment.

Authority – Do I have to participate in the process if I am selected for audit?

Section 4 of the Act gives the College the ability to establish Rules that are binding on college members, and provides that “professional misconduct” includes a breach of the Rules.

Section 21 of the Act authorizes the College to establish an Audit and Practice Review Committee and provides the authority to establish the audit process by way of a Rule.

Interpretive Guidance:

- Compliance with the rules of the college is MANDATORY. The audit process arises from those rules and, therefore, as members must comply with the rules, participation in the audit program is mandatory.

Section 23 of the Act authorizes the College to move forward with an investigation of a member where that member is believed to have been guilty of professional misconduct. As discussed above, the Act defines professional misconduct as including a breach of the Rules.

Interpretive Guidance:

- Failure to comply with the audit process could result in the member being referred for disciplinary action, which can, among other things, mean a loss of “in good standing” status. This means the member would lose the right to use the title associated with their College membership.

Process – How does this work? (and – why me??)

The college has decided that members will be selected at random from the data base for audit. The intent is that a proportion of members will be audited every year.

Once chosen the member will be sent an audit questionnaire form. The member then completes the form and returns it along with a current resumé and a completed Continuing Professional Development (CPD) form. The information is checked for completeness by College staff; if it is complete, it is forwarded to an auditor, and if not complete it is returned to the member with deficiencies flagged.

The auditor then assesses the responses on the completed form. Where the auditor is of the opinion that the member’s practice is being conducted appropriately, that information is forwarded to the Audit Committee which reviews the file, and communicates the result to the member. The member’s name is removed from the “available-for-audit” pool for three years.

If the auditor finds perceived deficiencies in the way the member is conducting his/her practice then the auditor will seek clarification with the member to resolve these issues. This could be done by way of an e-mail exchange, telephone conversations and/or face-to-face interview.

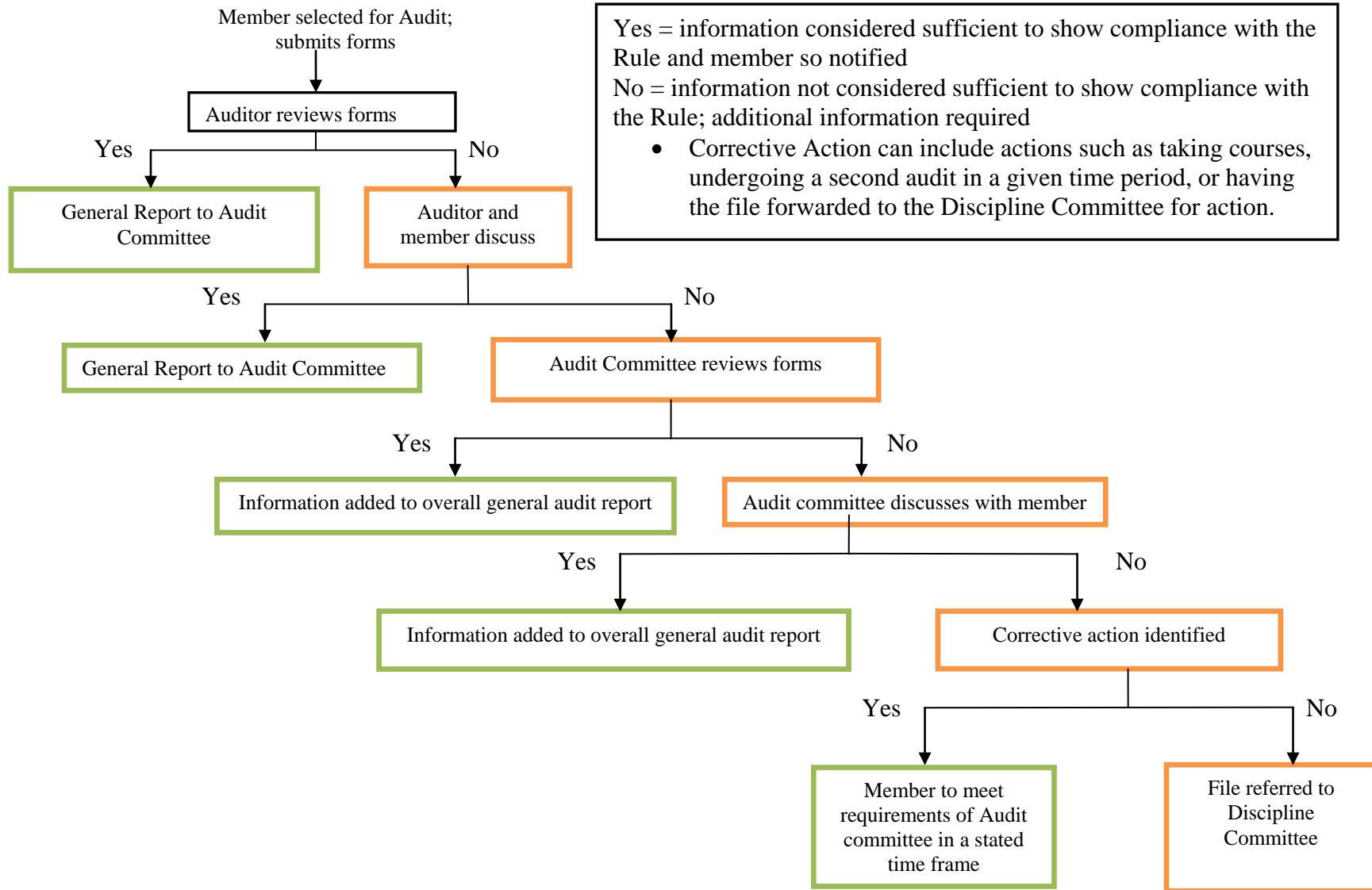
If all the issues are resolved satisfactorily, the file is forwarded to the committee as set out above.

apb advisory practice bulletin #7

Where the issues are NOT resolved, the matter is forwarded to the audit committee for a more formal review. Where the audit committee shares the opinion of the auditor, and where the committee is unable to work with the member to resolve the difficulties, the file could be forwarded to the discipline committee for review.

The College audit process is set out on the flowchart below. This is followed by the audit form itself and explanatory notes.

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Yes = information considered sufficient to show compliance with the Rule and member so notified
 No = information not considered sufficient to show compliance with the Rule; additional information required

- Corrective Action can include actions such as taking courses, undergoing a second audit in a given time period, or having the file forwarded to the Discipline Committee for action.

Explanatory notes

The headings in the notes below follow those of College of Applied Biology Audit Form for ease of cross reference. The actual Audit Program forms are available from the College web site at www.cab-bc.org. Information in italics refers directly to information included on the Audit Questionnaire. Bulleted information is provided as guidance for members in addressing the question, whether as part of a formal College audit, or a self administered audit exercise. As with all guidance information, it is up to the member to determine the degree of reliance to attach. In answering the questions and providing the information requested by the College, it is also up to the member to ensure their information is accurate and, where requested, supported with appropriate documentation.

1. Personal Information

- Please ensure that the information provided is accurate and up to date. In the event any of your information has changed since your last contact with the College, members are encouraged to contact the College and provide the updated information.

2. Technical/Professional Affiliations

List Professional/Technical Societies and/or groups of which you are a member or are affiliated with.

- In providing information on the other groups to which you belong, it makes sense to list memberships in groups that are relevant to your activities as a biologist or technologist. For example – membership in other regulatory organizations, such as APEGBC, ABCFP, ASPB, and in other interest organizations such as American Fisheries Society or Society of Ecological Restoration would be relevant.

3. Practice

a) Current Discipline(s)

- This question is looking to see how well your resume and continuing education activities match your declared practice information, and to ascertain whether you have kept your College information up to date. When you joined the College, you were asked to select Discipline areas from a list provided on the registration form that included:

Bacteriology	Botany	Contaminated Sites
Ecology	Fisheries	Forest Resources
Habitat enhancement	Marine Resources	Microbiology
Resource management		

For this question, you should set out those discipline areas that apply to your present practice. In the event your current discipline statement differs from what you declared when you joined the College, you should consider providing the College office with the updated information.

b) Current Field(s) of Practice

- Rather than the College setting the practice fields, and requiring members to “shoe horn” their practice into the fields provided, the approach taken assumes that members

are the best qualified to provide descriptors for their practice. This question then is asking for you to provide the kinds of things you do in within your declared discipline. For example: if you declared your Discipline to be Wildlife, your practice fields may be generally related to ungulates, carnivores, fur bearing mammals, etc. In the event you consider yourself to be specialist in a particular field, you should provide that information here. Clearly as a member participates in the work force, their expertise will change; consequently, this type of information will change over time. So, while it is acceptable for the member to be working outside of what they originally declared to the College, the member may only practice in areas in which they are competent. Members must be prepared to demonstrate to the auditor how they achieved the training and experience to practice in these different fields, especially where there has been a significant shift in what was originally declared.

c) *List main areas of practice and number of years within each*

- Question is self evident

d) *As a College member, it is your responsibility to ensure that you are aware of the legislation influencing your practice. List the legislation, regulations and legally binding documents (conditions, orders, etc) that influence your work, or that you reference in your practice*

- Members HAVE to know their responsibilities (and liabilities) under the various pieces of legislation governing their fields of practice/disciplines. This includes both provincial and federal legislation, and depending on the nature of practice can also include local government legislation. Members should provide the list of legislation that applies to their practice; where the member feels that their practice is not bound by legislation, the member should be prepared to address why that is the case.
- An Appendix is provided at the end of this document that lists some of the legislation and regulations concerning the practice of applied biology.

e) *List the reference material and/or guidance documents you use in your practice*

- Particular practice areas have particular reference material, such as scientific journals, that provide leading edge information to practitioners. In addition to the traditional published information sources, members may find they benefit from various electronic media, including list serves, etc. There are also a variety of “best practices” guides printed by a number of organizations that members may find they use on a periodic or consistent basis. This question is asking you to document the kind of material that you use as guidance or reference in your practice. Whether you use information of this sort, or not, you should be prepared to provide a justification to the auditor for your choices.

f) *How often do you include your college designation on documents (paper and electronic)?*

- While the College Act and Rules do not require members to use their college designation on documents/work product, only College members are so entitled. Further, it is noted that even if a member does not use their designation, they are still held to account (i.e. lack of use of designation does not mean the work does not have to be up to a college standard).

g) *Although the use of the seal is not mandatory (Rule 13), please indicate the nature of documents on which you have placed your professional seal, or state why you do not use your seal*

- As was the case with the preceding question, omitting to apply your seal does not lessen the standard of work expected, or the accountability to the college for that work. Whether or not you apply your seal when you submit a work product, you are accountable for it. If a member decides not to apply his or her seal (or, for that matter, not to use his or her registration initials), he or she is still obliged to act in accordance with the Act and the College rules. One thing to note: at this time, the application of an electronic seal is not permitted under the College rules.

h) *Do you rely on, seal or sign work performed by others? If so, how do you decide whether to take on this responsibility?*

- When you sign work prepared by someone else you are taking full legal responsibility and professional accountability for that work. As such, you should be undertaking a due diligence procedure prior to effecting signature. Members should document that procedure as the answer to this question. Where members sign off for others and do not have a process they go through prior to signing the product, you should be prepared to provide your rationale to the auditor. One thing to note is that when you do work, you are responsible and accountable for that work whether or not you sign and seal the product. This question is dealing with work that you have not done but which you are signing off.
- A second element of this question goes to how you decide to rely on the work done by others, such as other biologists, technologists and technicians, who may perform a project related service for you, such as data collection. The factors you consider (such as long association with them personal supervision, registration in the area of expertise, etc) in taking the decision to include their work in your project should be set out here.

i) *Please provide a representative list of the documents prepared by others you have sealed or signed within the last 3 years.*

- Question is self evident.

4. Employment

a) *What are your specific job responsibilities – describe in detail or provide your formal job description*

- This question is looking to determine what it is you do in terms of your employment, and your level of responsibility within the work environment
- You should indicate if you are a sole proprietor, in a partnership, are a corporate or government employee, etc, and include your level and reporting relationships
- Where your job is in the field of management/administration, you should note the kinds of decisions, etc, that you make that require you to have knowledge of applied

biology (e.g. structuring and reviewing policy, contributing to and reviewing legislation, reviewing the work of others, etc

b) *Describe how your experience enhances or enables you to practice in your current discipline/field*

- You should include those elements of your job that relate to applied biology, whether or not actual “hands on” biology is involved. For example – if your present job description is administrative in nature, the relevant biology content may be related to your supervising those involved in applied biology, reviewing legislation, drafting policy, etc. While this work itself may not be included within the traditional sphere of applied biology, your knowledge of applied biology and your training as a professional will assist you in meeting the job requirements. The information you provide in this section will assist the auditor in assessing how your stated CPD activities mesh with the nature of your practice. Describe how your experience enhances or enables you to practice in your current discipline.
- Where ever possible, you should try to relate your job responsibilities to the information you provided in the questions on fields of practice and discipline. Where this is not possible, or where the information between these questions does not line up, you should provide written information for the auditor that addresses this situation.

c) *Please attach a copy of a current resume to the end of this form, or in the alternative, provide details below*

- The question recognizes that many members, especially those in the consulting sector, will have a number of resumes available.
- As resumes are often structured to support abilities in a particular project or area, you should consider attaching a resume that covers your particular abilities across your practice area so the auditor will be in a position to consider your CPD activities in concert with the nature of your total practice as opposed to only a segment of your practice.

5. Records Management

As a College member, you are responsible to ensure that your documents/reports/field notes and project correspondence are accessible, recoverable and protected.

- Record keeping is an essential part of maintaining a professional practice. The record keeping process itself involves meeting legal and ethical requirements and standards, as well as other considerations.
- Good records are an essential element of demonstrating competence and due diligence by showing clearly the processes used (i.e. what you did and why you did it that way) to produce a product. Good records are beneficial to both the practitioner and to the client.
- All College members are responsible for ensuring that their project records are maintained in an appropriate manner and should not simply assume that their employers or other organizations are aware of the need to and will maintain documentation adequate to demonstrate competence and due diligence.

- It is important that the records are legible and understandable – not only to the originating practitioner, but to other practitioners as well.
- Practitioners are expected to make conscious decisions about how they are meeting the requirements set out above, and should be in a position to explain to the auditor and possibly necessary others, how and why their particular approach meets the requirement.

a) Storage of project and client material.

- Ensuring that project and client material is accessible and safe requires that the material will be safe from external disturbances such as fire, flood and earthquake.

b) Storage of confidential/proprietary information

- The storage of confidential information applies to information in hard and electronic form.
- Access to sensitive or confidential records must be controlled so that they cannot be obtained or viewed without appropriate authorization.
- Whether the information is in hard copy or electronic form, professionals must ensure that access to those files is restricted. This can include storing the information in a locked file drawer, or on a system protected with passwords (which means that keys and passwords are also protected properly).
- Depending on the nature of the project, confidential information can extend to information about the client, and can include personal and business information.
- Practitioners should ensure that there is a common understanding between the client and the practitioner (including employer where appropriate) as to the ultimate disposition of the data – e.g. is the data confidential (i.e. owned by the client with no further access or use by the practitioner outside of the particular project), or is the data available for use by the practitioner after completion of the project

c) I ensure long term document integrity

- Changes in electronic media means that file formats are not always readable on different machines and/or over time. Where files are retained in electronic format, practitioners must ensure that they are updated to meet current formats
- Some practitioners are in a work environment where they do not have care and control over the actual records, and for reasons for corporate security/confidentiality, individual practitioners may not be permitted to retain individual records and/or files. In such circumstances the practitioner should satisfy her/himself that the employer is aware of the need to take appropriate action.

d) Document retention/destruction

- Unlike the situation with tax information, there is no specified legal time limit for record keeping.
- Professionals must judge which records may be needed in future and take appropriate action.

- Records for complicated, long term or controversial work should be retained for longer periods than simple, short term or standard practice work.

e) *Computer backup*

- The need to back up information stored on computers stems from both hardware and other issues.
- “Information” can consist of project data, client information, emails and contact lists, etc.
- Practitioners need to determine what information needs to be backed up. At a minimum, important records must be duplicated, backed up and updated so as to minimize the risk of loss. In deciding what additional information should be included in backups, in simple terms practitioners should think about what they can’t live without, what would be a great inconvenience to be without, the time required to fully recover the system, the cost associated with the down time, and what the impact would be to the various activities of practice concern.
- In deciding how often information should be backed up, practitioners should consider the kind of information (e.g. photos as opposed to word files), how often the information in question is created and/or amended, how many other people are contributing to/working on the files, etc.
- There are a range of options for backing up computer information, including (and not limited to) automatic backup to hard drive (internal or external), manual tape or DVD backup, storage on USB keys, and automatic/manual offsite on-line backup. In deciding which of these options to employ, practitioners must consider whether the backup system has inherent vulnerabilities that need to be addressed, such as forgetting to perform a manual backup (as opposed to an automatic scheduled backup), whether the backup is stored on the same computer or in the same location as the original data, the impact of a virus on one system infiltrating the backup on another, etc.

f) *Computer Backup Storage*

- In considering where the computer backups should be stored, the practitioner should consider how back up information could be impacted by problems associated with physical damage – whether to the computer (such as liquids being spilled on the system) or to the work environment (such as fire, flood, earthquake), or to the backup mechanism itself (such as the loss of the USB key, or damage to the external hard drive).
- Practitioners should consider whether critical information merits backup to more than one utility.
- Legal issues that practitioners need to consider when using an on-line backup utility include meeting the terms of Canadian and BC privacy legislation (i.e. no personal information from Canada going to other countries).

6. Governing Authorities

- Every member of the College is expected to be familiar with and follow the College Act and Rules, and have a working knowledge of the Code of Ethics

7. Due Diligence and Quality Assurance

Due diligence is required of every practitioner, no matter their area of practice or manner of employment. For the purposes of this audit, due diligence is seen as a personal practice process whereas quality assurance is a corporate process; professional practice has elements of both.

- To be diligent implies that effort has been expended; to be duly diligent means that enough effort for the circumstance has been expended.
- Due diligence is exercising the care that a reasonable professional under the same circumstances would use – reasonable but not necessarily exhaustive – to achieve a desired outcome or prevent an undesired one
- Only a professional with the requisite expertise who acts in a reasonable and prudent manner will meet this test; requisite expertise means having the knowledge, skills and experience appropriate to the task
- To have requisite expertise implies that you understand the likely implications of your decision and recommendations, and to a lesser extent, a test of reasonable understanding if you are implementing the recommendations
- When it comes to knowing “how much is enough”, the test is one of reason, not of perfection; the level of effort expended should be relative to the risk of harm. To ensure due diligence, practitioners must ensure that
 - all legal requirements have been met
 - there is a clear understanding of objectives and their relationship to the project
 - appropriate information is collected and incorporated
 - experts have been consulted/retained where required
 - sufficient data has been collected to ensure proper assessment of risks and outcomes, and
 - appropriate documents, files and filing systems are maintained.
- In other words, in order to exercise due diligence (i.e. execute the required range of project elements to a professional standard of care) a practitioner must:
 - ensure work product is complete and correct
 - be objective when developing conclusions and advice
 - be intellectually honest
 - demonstrate that the required tasks have been done to the standard expected by the profession

a) *Staying within expertise*

- Practitioners stay within their area of expertise by keeping current in their field, following new developments, understanding any new specialities arising, etc

- Practitioners should recognize the difference between having expertise (having ability at a particular level) as opposed to being an expert (being one who is referenced or quoted on particular issues)

b) Use of specialists

- Practitioners should consider how specialists are consulted and be able to demonstrate conscious selection as opposed to blind reliance.
- Practitioners should consider the following in selecting specialists:
 - Are they a member in good standing of a professional organization
 - Have they been disciplined by that organization
 - What is their strategy for maintaining their competence
 - Do they carry Errors and Omissions insurance
 - Is the work they are doing regulated by their professional organization

c) Relevant data

- One way of checking that the data used was appropriate is to document the decision path – if gaps appear, or if something does not “make sense” along that path, then the practitioner may need to consider the implications of those deficiencies.

d) Standards of Practice

- Where a practitioner is not clear on the standard of practice that should be applied to a particular area, it is questionable as to whether the practitioner should be undertaking the activity.

e) Use of new or unusual methods

- The fact that a practitioner is doing something differently from the norm should not imply that the practitioner is practicing inappropriately.
- In such a circumstance however, the practitioner is advised to justify why a particular approach is taken, reference how/where the approach originated and its evolution to the present application, and explain why it is appropriate in this instance.

f) Clearly stated conclusions

- Practitioners must be clear on that the findings and recommendations are so as to ensure that understanding is achieved.

g) Risk assessment

- In demonstrating that the level of effort was appropriate to the potential risks, the practitioner should, where appropriate, consider employing and documenting the risk assessment methodology.

h) Differences of professional opinion

- The fact that work has been undertaken by a registered practitioner does not mean that all registered practitioners will necessarily agree with the approach and/or outcome.

- Where the practitioner is aware of differences in opinion, the practitioner should consider setting out the basis for the difference, and where necessary be prepared to address them in a professional way.

i) Meeting legal requirements

- Practitioners are required to meet all of the law all of the time.
- Practitioners are advised to keep a check list of legislation, policies and interpretative guidance that has application to their area of practice.
- Practitioners also need to be cognizant of the need to balance their duty to the client with the duty to society and the profession while not expanding the legal exposure of the client without their knowledgeable consent.

8. Representative Projects

Please provide a list of at least 4 projects that you have completed or significantly assisted with in the last 3 years.

- Form asks for projects over the last 3 years so as to check the type of work undertaken against the CPD declarations of members.
- Members should identify project/documents which you had significant role in producing so as to check your actual work against your stated discipline/field.
- The titles and authorship should reflect other information you provided in this questionnaire.
- The auditor may ask to see one or more of these documents. Members should consider whether to request that the information be held in confidence, or should select information that will not violate any rules of confidentiality with the client.

9. Continuing Professional Development

Please attach a copy of your Continuing Professional Development log as per Rule 16 and Schedule 4.

- The APB website provides information to assist members in meeting the CPD requirements. Due to the dynamic nature of this area, please see the APB website for details and links.

Legislation

The following list is to aid members in filling in the legislation portion on the questionnaire. Please note that this is not a complete list. The information included in this list was compiled in August, 2009.

FEDERAL

Canada Wildlife Act (R.S., 1985, c. W-9).

Wildlife Area Regulations (C.R.C., c. 1609).

Canadian Environmental Assessment Act

Comprehensive Study List Regulation

Exclusion List Regulations

Canadian Environmental Protection Act

Explosives Act

Fisheries Act (R.S., 1985, c. F-14).

Fishery (General) Regulations (SOR/93-53).

Pulp and Paper Effluent Regulations

Metal Mining Effluent Regulations

Indian Act

Migratory Birds Convention Act, 1994 (1994, c. 22).

Migratory Birds Regulations (C.R.C., c. 1035).

Navigable Waters Protection Act

National Fire Code

Oceans Act

Pest Control Products Act

Shipping Act

Species at Risk Act (2002, c. 29).

Species at Risk Public Registry. 2009. Species List

Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (1992, c. 52).

Wild Animal and Plant Trade Regulations (SOR/96-263).

Water Quality Guidelines

PROVINCIAL

Agricultural Land Commission Act

Agricultural Land Reserve Act

Agrologists Act

Assessment Act

Association of Professional Engineers and Geoscientists Act

College of Applied Biology Act

Community Charter Act

Spheres of Concurrent Jurisdiction--Environment and Wildlife Regulation

Drinking Water Protection Act

Drinking Water Protection Regulation

Ecological Reserves Act

Environment and Land Use Act

Environmental Assessment Act

Prescribed Time Limits Regulation
Reviewable Projects Regulation
Concurrent Approval Regulation
Spill Reporting Regulation
Contaminated Sites Regulation
Hazardous Wastes Regulation

Environmental Management Act

Contaminated Sites Regulation, and its Protocols and Technical Guidance documents
Finfish Aquaculture Waste Control Regulation
Hazardous Waste Regulation
Municipal Sewage Regulation
Open Burning & Smoke Control Regulation
Organic Matter Recycling Regulation
Waste Discharge Regulation

Fire Services Act

Fire Code

Fish Protection Act

Riparian Areas Regulation

Fisheries Act

Forest Act

BC Open Burning Smoke Control Regulation
Special Forest Products Regulation

Forest and Range Practices Act [SBC 2002] Chapter 69.

Forest Planning and Practices Regulation
Government Actions Regulation
Identified Wildlife Management Strategy
Range Planning and Practices Regulation
Woodlot License Planning & Practices Regulation
Order – Category Species at Risk
Order – Category of Ungulate Species

Forest Practices Code of BC Act

Foresters Act

Freedom of Information and Protection of Privacy Act

Greenhouse Gas Reduction Targets Act

Health Act

Sewerage System Regulation

Heritage Conservation Act

Highway Act

Integrated Pest Management Act

Integrated Pest Management Regulation

Islands Trust Act

Land Act

Local Government Act

Regional Growth Strategies Regulation

Mineral Tenure Act
Mines Act
Ministry of Forests Act
Ministry of Environment Act
Muskwa-Kechika Management Area Act
Park Act
Petroleum and Natural Gas Act
Power and Authority Act
Protected Areas of British Columbia Act
Range Act
Significant Projects Streamlining Act
Transportation Act
Transportation of Dangerous Goods Act
Utilities Commission Act
Vancouver Charter Act
Water Act
 Groundwater Protection Regulation
 Water Act Regulation
Weed Control Act
Workplace Act
 Occupational Health and Safety Regulation
Wildfire Act
Wildlife Act [RSBC 1996] Chapter 488.
 Angling & Scientific Collection Regulation
 Controlled Alien Species Regulation
 Wildlife Act General Regulation, 2004.

Transboundary Water Agreement with Alberta

Assorted local and regional government statutes

Good Links:

Forest Act Legislation and Regulations

<http://www.for.gov.bc.ca/tasb/legsregs/comptoc.htm>

Ministry of Environment Home Page <http://www.gov.bc.ca/env/>

BC Consolidated Statutes <http://www.bclaws.ca/default.html>

Canadian Consolidated Statutes <http://laws.justice.gc.ca/en/>