

PROFESSIONAL CONDUCT REVIEW

Maintaining and upholding standards of ethics and professionalism is a core function of PIBC as a professional organization. As stipulated in PIBC's bylaws, the Institute works to meet this obligation by upholding the Institute's Code of Ethics & Professional Conduct – to which all Corporate members are subject. The bylaws establish and mandate the Professional Conduct Review Committee to undertake this role. Through 2023 Alex Taylor RPP, MCIP continued as Chair of the Committee. The Committee also included a number of other new and continuing volunteer members throughout the year who contributed to this valuable work.

BYLAWS & COMMITTEE ROLE:

Major sections in the Institute's bylaws (in particular Part 13) establish the structure and processes for professional conduct review and outline and guide the disciplinary process. These sections outline the processes for complaints, investigations, review hearings, and the imposition of discipline stemming from findings of misconduct against professional members. While the process is somewhat detailed, sometimes complex, and can be lengthy, it is designed to be fair, thorough, and deliberative while aiming to broadly uphold the principles of natural justice – taking complaints or allegations of misconduct seriously while also balancing and respecting the rights of members who are the subject of complaints.

The responsibilities of the Professional Conduct Review Committee include:

- Managing and administering the Institute's response to formal complaints and allegations of misconduct against Corporate members;
- Assisting the Institute in upholding the Code – seeking compliance by members; and
- Providing education or training to members regarding best practices of ethical and professional conduct.

The Committee was very active and continued its work throughout 2023 handling complaints, to ensure the efficiency and thoroughness of completing investigations. The Committee and staff continued to work on monitoring and adjusting our administrative processes and capacity in support of an effective, fair, and efficient disciplinary process.

Part 14 of the Institute's Bylaws contain the Code of Ethics and Professional Conduct (the Code). The Code is the key policy element that underpins the Institute's ethical standards and expectations for professional members. Members are encouraged to review the Code on an ongoing basis to keep informed and aware – particularly if you are a new planner, an RPP who is mentoring a Candidate member, or if you find yourself facing potential ethical questions or challenges in the practice of your planning work.

For the complete current Bylaws, including the Code, visit: <https://www.pibc.bc.ca/official-documents>

ADDRESSING COMPLAINTS:

When any formal complaint of alleged professional misconduct by a member is received by PIBC, as outlined in the bylaws, two members of the Committee are assigned by the Committee Chair to act as the case officers for the complaint or case. The assigned case officers carry out an initial investigation to review the complaint, seek a response from the member, gather information, assess the merits of the complaint, and deliver a report and recommendation to the Chair in accordance with the bylaws. The Chair reviews the report received from the case officers and proceeds accordingly, based on the findings and determinations of the initial investigation.

Following the initial investigation, depending on the findings, next steps in the process could include:

- dismissing the complaint with no further action;
- confirming an agreed 'consent discipline action' resolution of the matter (where the subject member admits certain misconduct and accepts some agreed disciplinary action as a result);
- or proceeding to a formal disciplinary review hearing to fully adjudicate the matter in a formal quasi-judicial process.

In the event of any finding of misconduct against a member, disciplinary measures would then subsequently be imposed in accordance with the bylaws.

Over the course of 2023 there were five new formal complaints received and case files initiated within the Institute's professional conduct review and disciplinary process – the same number of new complaints as in 2022, making for a busy year. Work from one previous complaint and case file initiated also carried over into 2023. As of the end of the year, three of the active cases were closed or nearing completion, while three others remained active. Of the five new complaints initiated in 2023, two were initiated by members of the public, one was initiated by a local government, and two were initiated by members of the Institute. The continued caseload in 2023 required significant volunteer and staff time to manage over the course of the year. To help increase volunteer capacity, a process to recruit several new volunteer members was undertaken in 2023.

Various other inquiries or less formal complaints to the Institute related to the use of the protected RPP designation, misrepresentation of professional qualifications or membership status, or inquiries about non-corporate members. These are often handled directly with the individuals involved without a formal professional conduct review process as appropriate.

SUPPORT & POLICY WORK:

During 2023 there were no substantial policy and process changes (such as further revisions to the bylaws), however the Committee is exploring a potential review and update of the Code and other aspects of the bylaws. With the support of staff, legal counsel, and experienced Committee members, knowledge sharing within the Committee and volunteer training for new members continued in 2023. Additionally, the Committee completed the first draft of a new comprehensive policies and procedures manual.

EDUCATION FOR MEMBERS:

In addition to responding to individual formal complaints of alleged misconduct, one of the Committee's other functions is to assist with the ongoing education and training of PIBC members on matters of ethics and professionalism. In line with this function of the committee, volunteer members organise and deliver a session on ethics at each PIBC annual conference. This took place as part of the 2023 annual conference held in Sun Peaks. Additionally, the Committee participated in the first pilot offering of the 'Ethics and Professionalism for Planners' free professional learning webinar held in December 2023. Previous iterations of PIBC's other online ethics and professionalism webinars continue to be available to members at any time on the Institute's YouTube channel as an ongoing, easily accessible resource.

As in previous years, the Committee continued to respond to and assist individual members in 2023 with specific inquiries on issues related to ethics and professionalism. This continues to be done through designated Committee members connecting with such members to provide occasional confidential general ethical guidance and feedback regarding their ethical questions or dilemmas raised. The Committee responded to several such member inquiries over the past year.

COMMITTEE VOLUNTEERS & THANKS:

Each year, dedicated volunteer members carry out the valuable work of the Professional Conduct Review Committee. Members of the Committee (guided by the Chair and assisted by Institute staff and legal counsel as appropriate) continued work on the Committee's key activity areas such as:

- acting as case officers (conducting initial investigations of complaints);
- contributing to member education and training for members;
- providing ethics and professionalism guidance in response to member inquiries throughout 2023.

Professional disciplinary cases typically require significant time and effort throughout the various stages of the process. The commitment and contributions of all the volunteer members are greatly appreciated. Thank you!

Looking ahead, the Committee will be finalizing its new policy and procedures manual and related administrative resources, continuing to build and train volunteer resources, and move forward with exploring potential bylaw and policy changes. We thank those who have served (and continue to serve) and look forward to the participation of those new volunteer members who will be joining the Committee. Thank you again.



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2023 Case Summary

Although the Institute fields various general professional practice inquiries each year, typically only a relatively small number result in formal complaints. In 2023 five new formal complaints were received, and one previous case carried over into 2023. No other investigations were initiated in response to any information about potential member misconduct in the public domain. As of December 31, 2023, work on one formal case had been fully concluded, two others were mostly complete, and three remained actively open.

The following provides a general summary status update on cases addressed or under review at various stages in the professional conduct review process during 2023:

- A previous case from 2022 resulting from a formal complaint by a PIBC member regarding the conduct of another member in a professional context was nearly concluded, with the successful completion of the initial investigation by the case officers as of the end of the year.
- A new case in 2023 resulting from a formal complaint by a member of the public regarding a local planning process was resolved with the successful completion of the initial investigation by the case officers. No further action was undertaken with respect to the complaint.
- A new case in 2023 resulting from a formal complaint by a member of the public regarding the professional work of a member was nearly concluded, with the successful completion of the initial investigation by the case officers as of the end of the year.
- A new case in 2023 resulting from a formal complaint by a PIBC member regarding the professional work of a member remained under initial investigation as of the end of the year.
- A new case in 2023 resulting from a formal complaint by a local government regarding the conduct and work of a member remained under initial investigation as of the end of the year.
- A new case in 2023 resulting from a formal complaint by a PIBC member regarding the conduct of another member in a professional context remained under initial investigation as of the end of the year.

Some of the ethical and professional issues that have generally arisen through some of the recent and ongoing cases often include:

- Providing accurate professional information and advice;
- Professional responsibilities to the profession and other professionals;
- Providing opportunities for meaningful participation in the planning process; and
- Exercising professional judgment independently and without bias.