

Table of Contents

1. INTRODUCTION.....	2
2. MEASURES RESULTING FROM A PERFORMANCE ASSESSMENT DEFICIENT FINDING	2
2.1. Notification	2
2.3. Disciplinary measures	2
2.4. Timeline for assigning measures.....	2
3. COMPLAINTS.....	3
3.1. Investigation stage of a complaint.....	3
3.2. Discipline hearings	3
3.3. Discipline Committee sanctions.....	4
4. APPEALS OF DISCIPLINE COMMITTEE DECISIONS	4
5. NOTIFICATION TO PARENT ORGANIZATION AND MINISTRY DIRECTOR.....	4
6. Appendices	4
(a) APPENDIX 1: CSAP Performance Assessment Deficient Findings Measures Flow Chart	5
(b) APPENDIX 2: CSAP Complaint Form	6
Complainant Information.....	6
CSAP Member Information	6
Details	6
Acknowledgement of Complaint	6

1. INTRODUCTION

This document summarizes the scope of activities undertaken by the Discipline Committee as provided in the CSAP Bylaws. The Discipline Committee acts on behalf of the CSAP Board of Directors in determining appropriate remedial measures for submissions found deficient through the performance assessment (PA) process and dealing with complaints made regarding a member outside of the PA process.

2. MEASURES RESULTING FROM A PERFORMANCE ASSESSMENT DEFICIENT FINDING

2.1. Notification

The Performance Assessment Committee (PAC) will inform the Discipline Committee when a PA has been deemed deficient. The PAC may advise the Discipline Committee if they believe there may be evidence that the submitting Approved Professional (AP) had deliberately attempted to circumvent regulations or requirements (whether fraudulent or not) or in other ways has provided misleading statements.

2.2. Documents for review

The Discipline Committee will review the following, as applicable:

- PA Stage 1 Reports
- Additional information Addendum submitted by AP under review
- PA Final Findings Reports
- PAC Delegated Member letter(s)
- AP's PA history
- Input from the Delegated Member

2.3. Disciplinary measures

The Discipline Committee will, as part of any decision described in sections 31 and 32 of the [CSAP Rules](#) evaluate whether remedial measures are warranted. Measures will be determined in consideration of the issues identified, the competence of the overall submission as assessed by the Discipline Committee, the submitting AP's PA history, as well as remedial measures assigned to recent and similar deficient submissions. The process of assigning disciplinary measures following a deficient finding in a PA is outlined in Appendix 1. Measures may include one or more of the following, depending on the situation:

- i) No action is needed.
- ii) Relevant education (e.g. webinar, course) at AP's discretion.
- iii) Relevant education (e.g. webinar, course) as directed by DC
- iv) Oversight of next submission by another AP in good standing for a specified number of hours.
- v) Review of the next submission by a delegated member of the Performance Assessment Committee.
- vi) Next submission will be subjected to a non-random performance assessment.
- vii) One of the next three submissions will be subjected to a non-random performance assessment.
- viii) Re-write and pass the technical and/or regulatory exam.
- ix) Recommendation to the BOD to suspend membership for a specified period of time.
- x) Recommendation to the BOD to revoke membership.

2.4. Timeline for assigning measures

The Discipline Committee will attempt to assign the disciplinary measures for a deficient PA within 15 working days of receiving the notification from the PA delegated member for the deficient submission.

3. COMPLAINTS

Any person may make a complaint in writing to CSAP Society's Executive Director regarding the conduct of an AP while conducting CSAP work¹, as follows:

- (a) incompetent performance of CSAP work;
- (b) professional misconduct, unprofessional conduct, or conduct unbecoming of a member within the meaning of the Code of Ethics of the Parent Organization of the AP;
- (c) conduct in violation of CSAP [Bylaws](#) or the [Rules](#); or
- (d) a breach of the CSAP's Code of Ethics as defined in the CSAP Bylaws.

A person making a complaint must comply with procedures prescribed by CSAP Rule 19. A complaint must be filed within six (6) months of the complainant becoming aware of (or having ought to have known of), the grounds for the complaint. The CSAP Complaint Form is included as Appendix 2.

3.1. Investigation stage of a complaint

The subject member and the complainant are invited to provide evidence and make written submissions to an investigator referred by the CSAP Board, at the investigation stage. The investigator may also request clarification from the subject member and complainant, or information from other sources, including the PAC and the Ministry of Environment and Climate Change Strategy (ENV), as they deem appropriate. The facts respecting the complaint will be investigated to determine, on the balance of probabilities, if the complaint:

- (a) is reasonably accurate; and
- (b) is pertinent to the grounds cited in Bylaw section 6.2(1).

On completion of the investigation, the investigator will determine whether the complaint satisfies conditions (a) and (b) above. If it does, the investigator will refer the complaint to the Discipline Committee with reasons and give notice of such referral to the subject member and the complainant. If it does not, the investigator will give notice of the determination to the subject member and the complainant.

3.2. Discipline hearings

Discipline hearings are held according to section 6.5 of the Bylaws:

- (a) The Discipline Committee must attempt to schedule a discipline hearing within 15 working days of receiving an investigator's referral described in section 6.3(4) of the Bylaws, or a complaint and PA report from the Executive Director described in section 6.3(8) of the Bylaws.
- (b) The Discipline Committee must provide the member with an opportunity to be heard by the Discipline Committee in person or by other means deemed appropriate.
- (c) A complainant whose complaint has been referred under section 6.3(8) of the Bylaws and the subject member may make submissions to the Discipline Committee.
- (d) The Discipline Committee may request one or more of the complainants, the subject member, or the investigator attend the discipline hearing and answer questions from or make submissions or a presentation to the Discipline Committee, the subject member, and the complainant.
- (e) After conducting a discipline hearing, the Discipline Committee must:
 - i) prepare a written report of its findings,
 - ii) prepare a decision, with reasons, including sanctions, if any, described in section 6.7 of the Bylaws,
 - iii) make a recommendation to the Board regarding decision, and
 - iv) on approval from the Board, provide a copy of the findings and recommendations to the subject member and the complainant.
- (f) Members have a duty to:

¹ CSAP work is defined in the CSAP Bylaws ([CSAP Bylaws](#)).

- i) cooperate and truthfully and completely answer questions,
- ii) produce files, records, or other evidence in the member's possession or control, and
- iii) provide explanations on request.

If a member fails to cooperate, the Discipline Committee may make a recommendation to the Board to suspend the member. If the member does not comply following suspension, the Board may rescind the member's membership.

3.3. Discipline Committee sanctions

The Discipline Committee may, with approval from the Board, sanction a member by:

- (a) imposing conditions on the member's membership or CSAP work;
- (b) suspension of the member for a specified period or indefinitely with conditions for reinstatement, including conditions requiring the member to undertake remedial courses or pass a special examination to the satisfaction of the membership committee; and/or
- (c) rescind the membership.

4. APPEALS OF DISCIPLINE COMMITTEE DECISIONS

In accordance with section 6.6 of the Bylaws, the Board will handle the appeal of a Discipline Committee decision:

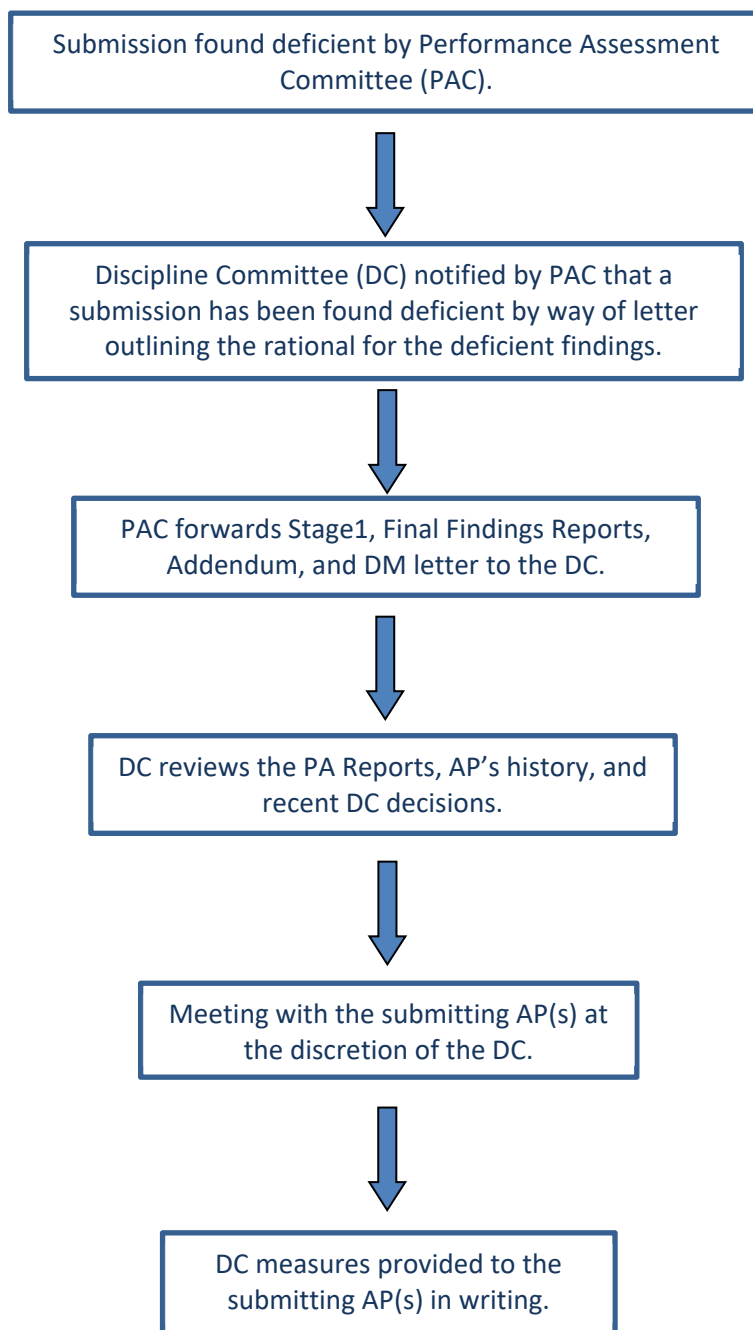
- (a) The subject member may appeal a decision of the Discipline Committee to the CSAP Board of Directors within 15 working days of receiving the decision of the Discipline Committee.
- (b) The Board may appoint a committee led by a Board member to hear an appeal and to make a final decision respecting an appeal under this section.
- (c) The Discipline Committee Chair and the member may be requested to present evidence to the Board or the appointed committee.

5. NOTIFICATION TO PARENT ORGANIZATION AND MINISTRY DIRECTOR

In accordance with section 6.8 of the Bylaws, the responsibility of notification of the Parent Organization and/or the Ministry Director is delegated to the CSAP Board.

6. APPENDICES

(a) APPENDIX 1: CSAP Performance Assessment Deficient Findings Measures Flow Chart



(b) APPENDIX 2: CSAP Complaint Form

Before completing the Complaint Form please make sure you read the Complaint’s & Discipline Page on CSAP’s website and those sections of CSAP’s Bylaws and Rules (available on CSAP’s website) relating to complaints and discipline. The complaint must be related to a submission to the Ministry Director respecting work under Protocol 6 or another matter specifically stated in CSAP’s Rules (the “CSAP work”). A complaint must be filed within 6 months of the complainant becoming aware of, or having ought to have known of, the grounds for the complaint. If complaining about more than one CSAP Member, a separate form is required for each one

Complainant Information

Name: _____
Company: _____ Address: _____
Telephone: _____ Email: _____

CSAP Member Information

Name: _____
Company: _____

Details

Location: _____
Date & Time: _____ Type of Work: _____
Nature of Complaint: _____

Description of Complaint: (Please provide factual information regarding the complaint, as per the criteria outlined in Section 3 of these Guidelines, including what has taken place, and on what dates the action occurred. Also, provide copies of all relevant documents)

Complainant Signature

Date

Acknowledgement of Complaint

Executive Director Signature

Date Received