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### INTRODUCTION

This document provides information regarding the scope of activities undertaken by the Discipline Committee as indicated in the CSAP Bylaws. The Discipline Committee acts on behalf of the Board in dealing with complaints and determining appropriate measures for submissions found deficient through the Performance Assessment process.

### MEASURES RESULTING FROM A PERFORMANCE ASSESSMENT DEFICIENT FINDING

The Performance Assessment Committee will inform the Discipline Committee when a Performance Assessment has been deemed deficient. 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

Delegated Member letter(s)

Approved Professional's PA history

Input from the Delegated Member

- 33(1) The Discipline committee may, as part of any decision described in sections 31 and 32 of the CSAP Rules, determine that remedial measures are or are not warranted or require that the Submitting AP undertake training and other remedial measures to address issues identified in the assessments. Measures may include any of the following depending on the problems identified in the submission.
- a. Require that their next one or more submissions be co-signed by another AP
    - i. Co-Signor has shared responsibility for the submission and any Measures that may be applied to a Deficient submission.
  - b. Mandatory performance assessments of
    - i. Next submission, or
    - ii. 1 of next 2 submissions as determined by CSAP, or
    - iii. Next 2 submissions.
  - c. Require the AP to rewrite the regulatory, numerical and/or risk assessment exams, as appropriate.
  - d. Suspension from CSAP
    - i. 6 months minimum, longer as appropriate
  - e. Other measures as determined by the committee
  - f. Other measures determined in consultation with the AP
  - g. Any combination of the above
  - h. It will also be noted in the Measures letters that if subsequent submissions by that AP are found to be Deficient, additional measures may be applied.

33(2) The PAC may notify the Discipline Committee if there is evidence that the submitting AP had deliberately attempted to circumvent regulations or requirements (whether fraudulent or not) or in other ways has provided misleading statements.

### COMPLAINTS

Any person may make a complaint in writing to the Executive Director alleging that a member:

- (a) conducted CSAP work in an incompetent manner;
- (b) was guilty of professional misconduct, conduct unbecoming of a member, or conduct contrary to the Rules in the course of carrying out CSAP work; or
- (c) breached the society's code of ethics under section 67.

A person making a complaint must comply with procedures prescribed by rule 20.

A member who is the subject of a complaint may be sanctioned in accordance with bylaw 51. by the discipline committee or the board if a breach of the above is determined by the discipline committee to have occurred.

### Investigation Stage

The subject member and the complainant are invited to provide evidence and make submissions to the Committee, or investigator as the case may be, at the investigation stage. The facts respecting the complaint will be investigated to determine, on the balance of probabilities, if the complaint:

- (a) is reasonably accurate; and
- (b) pertains to the grounds cited in Bylaw 46(1).

The investigator or committee, on completion of the investigation will decide the merit of the complaint and whether the complaint will proceed to a Discipline Hearing.

### Discipline Hearings

- (1) The discipline committee must attempt to schedule a discipline hearing within 15 working days of receiving an investigator's referral described in section 47(4) or a complaint from the Executive Director described in section 47(8).
- (2) The discipline committee must provide the member with an opportunity to be heard.
- (3) A complainant whose complaint has been referred under section 47(8) and the subject member may make submissions to the discipline committee.
- (4) The discipline committee may request the investigator to attend the discipline hearing and answer questions from the committee, the subject member and the complainant.
- (5) After conducting a discipline hearing, the discipline committee must:
  - (a) prepare a written report of its findings;

## DISCIPLINE COMMITTEE GUIDELINES

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- (b) issue its decision, with reasons, including sanctions, if any, described in section 51; and
  - (c) provide a copy to the subject member.
- (6) Members have a duty to:
- (a) cooperate and truthfully and completely answer questions;
  - (b) produce files, records or other evidence in the member's possession or control; and
  - (c) provide explanations on request.

If a member fails to cooperate, the discipline committee may suspend the member.

### Appeals of Discipline Committee Decisions

- (1) The subject member may appeal a decision of the discipline committee to the board within 15 working days of receiving the report or notification of suspension.
- (2) The complainant and the appellant may present evidence and make submissions to the board.
- (3) The board may appoint a committee to hear and make a final decision respecting an appeal under this section
- (4) The board or appointed committee must hear an appeal and make one of the following decisions:
  - (a) confirm the discipline committee's decision, with written reasons;
  - (b) allow the member's appeal; or
  - (c) send the matter back to the discipline committee for reconsideration.

### DISCIPLINE HEARINGS SANCTIONS

- (1) The discipline committee or board, as the case may be, may sanction a member by:
  - (a) imposing conditions on the member's membership or CSAP work;
  - (b) suspending 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 rescinding the membership.
- (2) For any of the sanctions described above the discipline committee or the board, whatever the case may be, may:
  - (a) impose a fine payable to the Society; and/or
  - (b) order that the member pay costs reasonably attributable to the discipline process.
- (3) A member appealing a sanction may continue to perform CSAP work until the board or committee makes a decision if that member's work is supervised by another member during this period as specified by the Board or Committee.

### **NOTIFICATION TO PARENT ORGANIZATION AND MINISTRY DIRECTOR**

- (1) The chairperson of the discipline committee may, at the latest of the expiry of the appeal period of section 50(2) or an appeal decision under section 50(7) of the Bylaws, give notice of a discipline committee decision or the board decision to impose a suspension or rescission sanction to any other persons or body, including the member's parent organization if he or she believes it is in the best interests of the society and the public.
- (2) Notwithstanding subsection (1), the chairperson of the discipline committee must give notice of the decisions described in subsection (1) to the Ministry Director.

APPENDIX 1: CSAP Complaints Form

**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:

\_\_\_\_\_  
*Complainant Signature*

\_\_\_\_\_  
*Date*

**Acknowledgement of Complaint**

\_\_\_\_\_  
Executive Director Signature

\_\_\_\_\_  
Date Received