

# REGULATORY AND STRATEGIC AFFAIRS CENTER



# B. Introductions & Overview

- A. **Download the Polling App**
- B. **Introductions and Workshop Overview**
- C. **The Trump Effect** Richard Dixon
- D. **AIA Ethics Overview** Shafeek Ali
- E. **Industry Norms** Terry Herbert
- F. **The Big Four Issues and Seven Pillars** Richard
- G. **Giving Voice to Values** Richard and Terry
- H. **Discussion groups** Darlene Howat
- I. **Summary**

# C. The Trump Effect

## ➤ **Question of Backlash**

- Sexual assault - focused on power imbalances
- Gun Control – didn't change with the mass murder of children, can the Parkland teenagers make a difference?
- “when the bus comes”

## ➤ **Evidence and Quality complacency**

- Truthfulness vs Alternative Facts
  - Impact on conservation sciences

## ➤ **Workplace behaviour**

- Bullying in the office
- Hierarchical and gender relationships

## ➤ **Leadership Ethics**

- Rise of servant leadership – who do you and your decisions represent

# C. The Trump Effect - Complacency

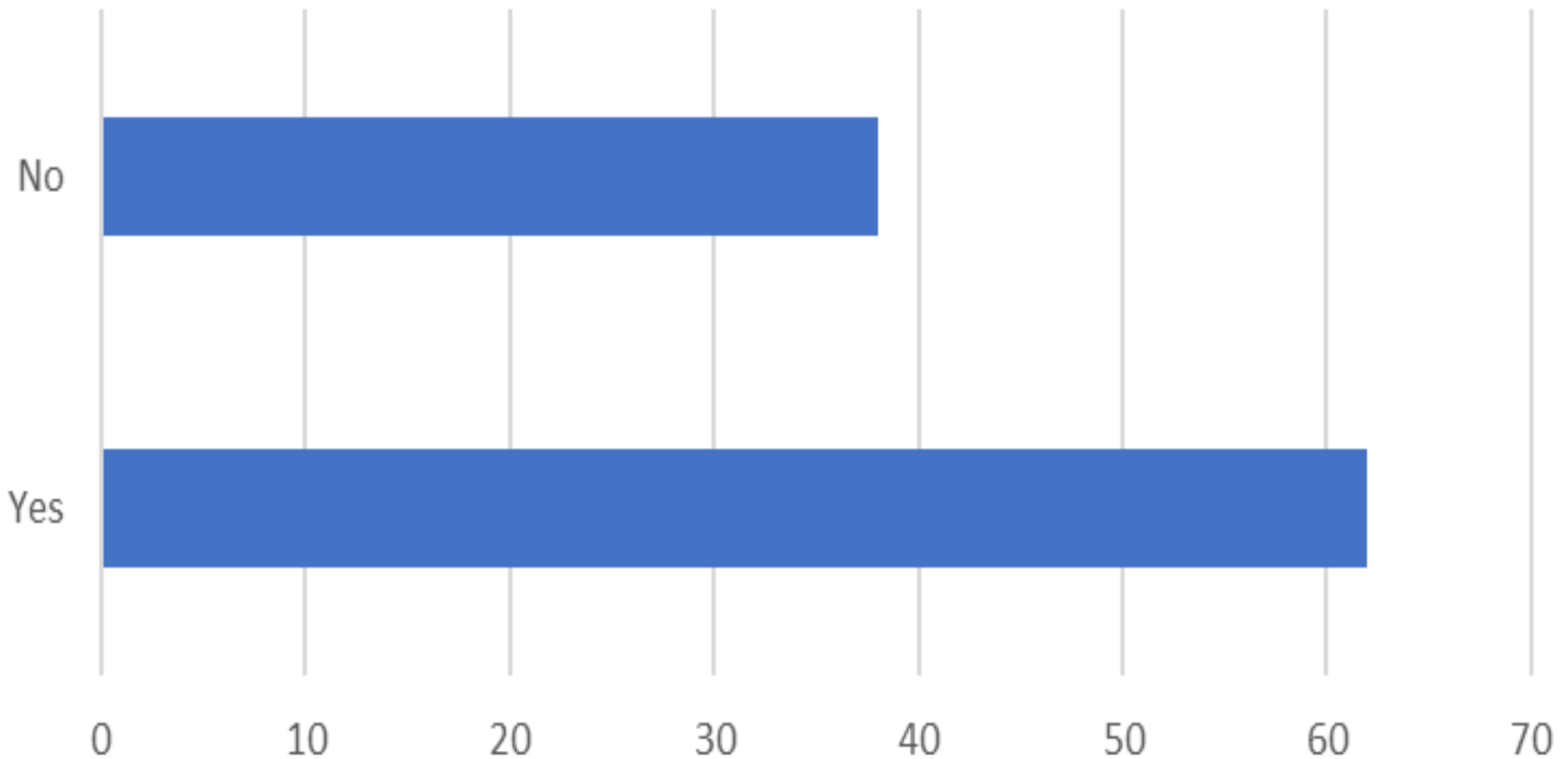
## ➤ Evidence and Quality complacency

- Truthfulness vs Alternative Facts
  - Impact on conservation sciences

## ➤ Sutherland and Wordley (2017)

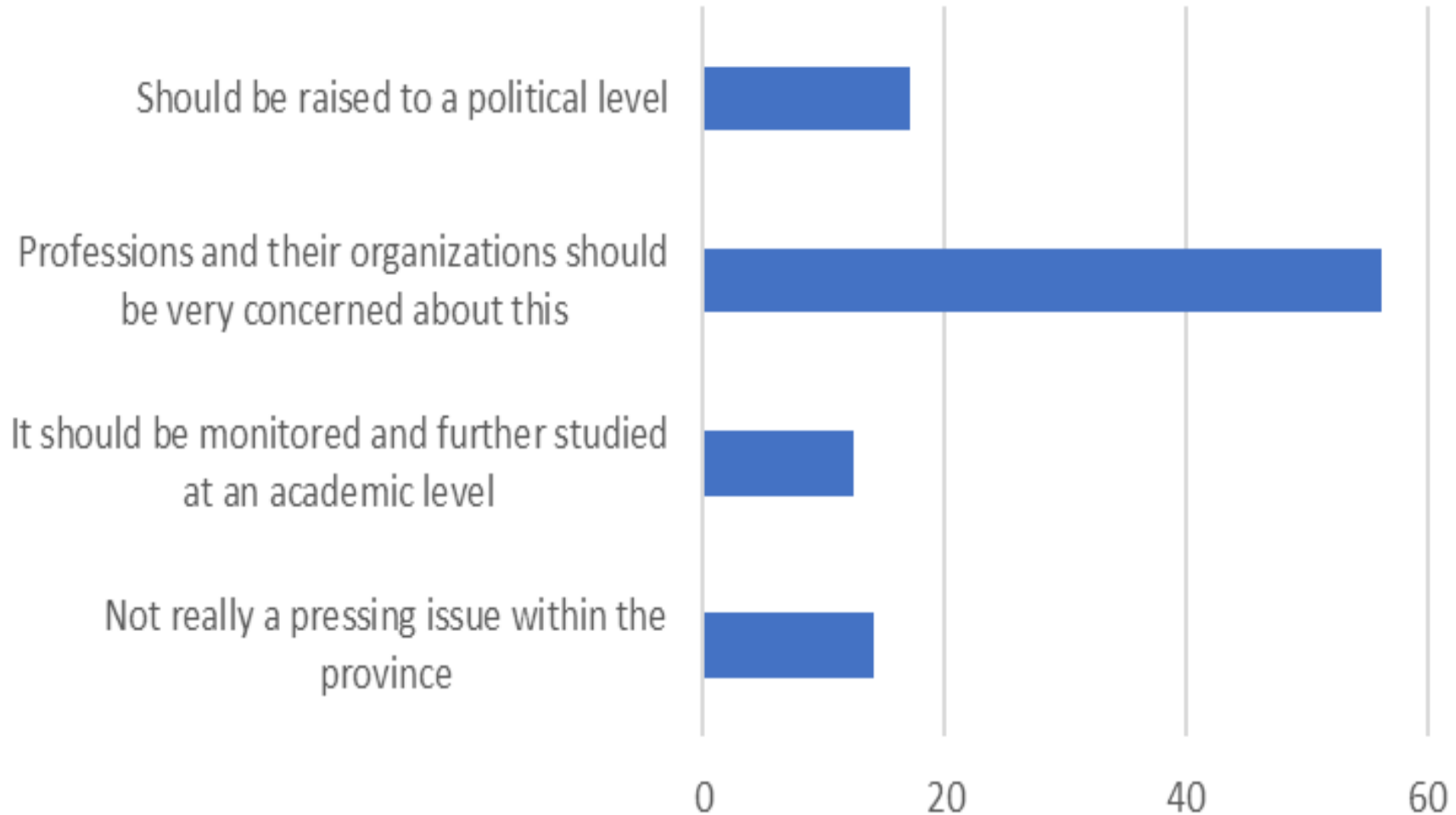
- *“Many conservation management decisions still seem to be based on options and methods for which there was little evidential support, or using highly promoted ‘answers’ when they were unsupported by evidence.”*
- **Solutions**
- Open and clear statement of field methods and limitations
- Increased transparency: easy access to data
- Professional sanction

# 1. Are you seeing evidence of evidence or quality complacency in your work or experience? Percent



## 2. What level is your concern for this issue?

Percent



# D. AIA Ethics Overview

## Presentation - Shafeek Ali, AIA

# AIA Code of Ethics

*The Profession of Agrology demands **integrity, competence and objectivity** in the conduct of its members while fulfilling their responsibilities to the public, the employer or client, the profession and other members.*





# Guidelines to the Ethical Responsibilities of Agrologists

- 1. Among the regulated member's professional obligations to the public are the responsibilities:
  - a) to practice only in those fields where the member's training, ability, and experience make him/her professionally qualified.
  - b) to express a professional opinion only when it is founded on adequate knowledge and experience and where the member has an understanding of the situation and context against which this opinion is being offered.
  - c) to advocate and practice good stewardship of agricultural and environmental resources based on sound scientific principle(s).
  - d) to extend public knowledge of agriculture and the environment and to promote truthful and accurate statements on sustainable agricultural systems and environmental matters.
  - e) to have proper regard for the safety of others in all work.



# Guidelines to the Ethical Responsibilities of Agrologists (cont'd)

- 2. A member's responsibility to the client or employer is:
  - a) to act conscientiously and diligently in providing professional services.
  - b) except as required by law, to maintain the confidentiality of client and employer information unless given the explicit consent of the client or employer.
  - c) to obtain a clear understanding of the client's or employer's objectives.
  - d) to inform the client or employer of any action planned or undertaken by the client or employer that a member believes is detrimental to good stewardship or in breach of known laws or regulations.
  - e) to refuse any assignment that creates a conflict of interest.
  - f) to not accept compensation from more than one employer or client for the same work, without the consent of all.





# Guidelines to the Ethical

## Responsibilities of Agrologists (cont'd)

- 3. **The member's responsibility to the profession is:**
  - a) to inspire confidence in Agrology by maintaining high standards in conduct and work.
  - b) to support activities for the advancement of the profession.
  - c) where a member believes another individual may be guilty of infamous or unprofessional conduct, negligence or breach of the regulated member Act or bylaws:
    - i) to raise the matter with that individual, and
    - ii) if not resolved or if otherwise deemed necessary, to inform the Registrar of the Alberta Institute of Agrologists in writing.
  - d) to state clearly on whose behalf professional statements or opinions are made.
  - e) to sign and seal only those plans, reports, and other documents for which the members are professionally responsible and which were prepared by or under the direction of the member.

# Guidelines to the Ethical Responsibilities of Agrologists (cont'd)

- 4. A member's professional responsibility to other members is:
  - a) to abstain from undignified or misrepresentative public communication with or about members.
  - b) to give credit for professional work to whom credit is due.
  - c) to share knowledge and experience with other members.



# General Practice Standard for all Registered Members of AIA

- **1. Professional Responsibility**
  - Each registered member of AIA is required to uphold the standards and reputation of the agrology profession and professional principles.
- **2. Competence**
  - The registered member will practice unsupervised only in an area(s) where the member has demonstrated competence.
- **3. Provision of Service to the Public, a Client or an Employer**
  - The registered member will promote the qualified, competent, and ethical role and accountability of agrologists to the public, client or employer, other professionals and themselves



# General Practice Standard for all Registered Members of AIA (cont'd)

- **4. Stewardship**

- The registered member will advocate and practice good stewardship of all agricultural and environmental resources based on sound scientific principles.

- **5. Safety**

- The registered member understands their obligation for promoting public and worker safety and considers the health of the environment, health of the consumer (food safety), industrial safety, construction safety and all the general operational safety of projects.





# Shaffeeq Ali, P.Ag

Alberta Institute of Agrologists  
Edmonton, AB.

[sali@aia.ab.ca](mailto:sali@aia.ab.ca)



# E - INDUSTRY NORMS

- 1) Multi-Affiliations**
- 2) Whistle Blower**
- 3) Competence**
- 4) Insurance**



# 1) Multi-Affiliations

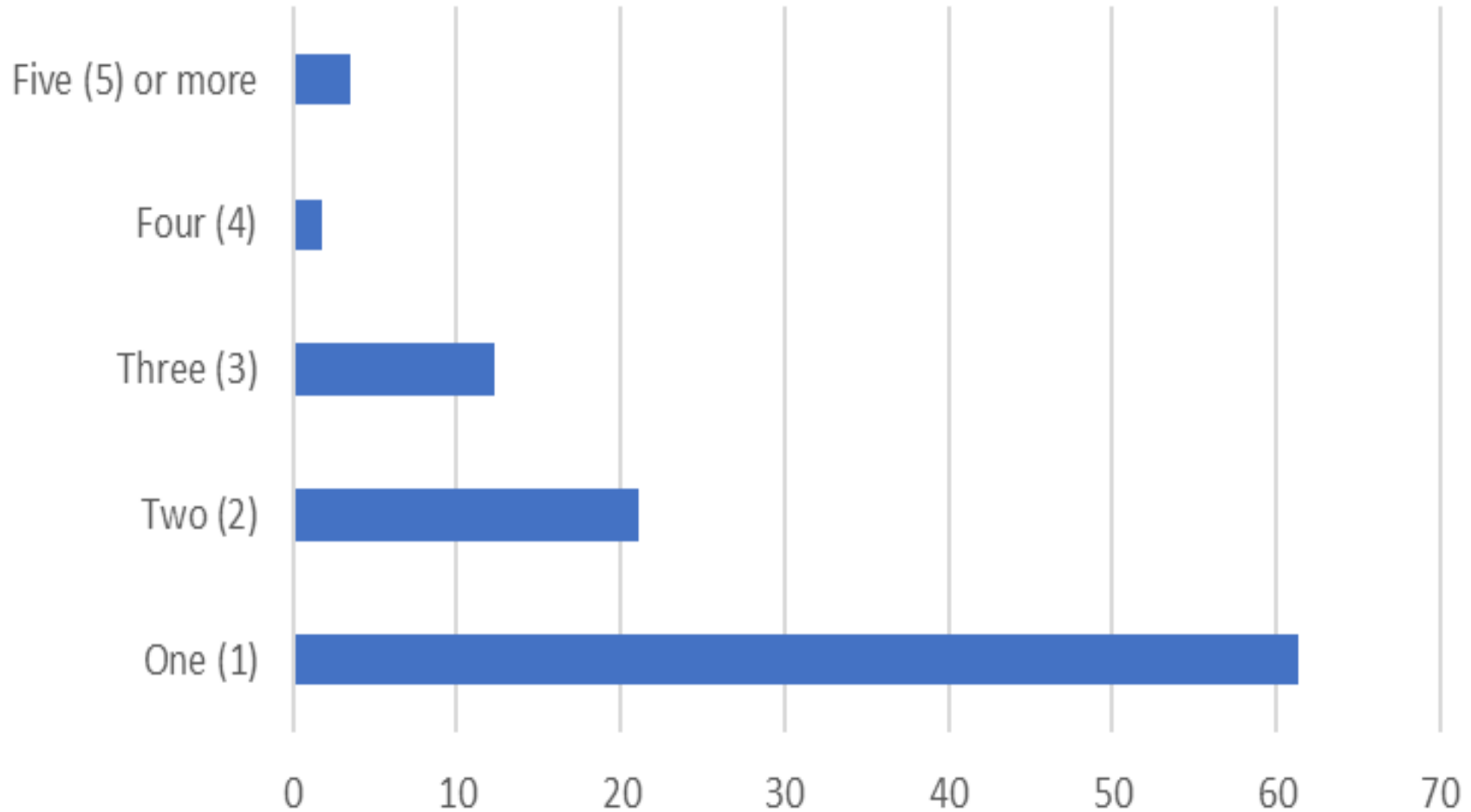


**AIC:** Appraisal Institute of Canada  
(5,000 members)

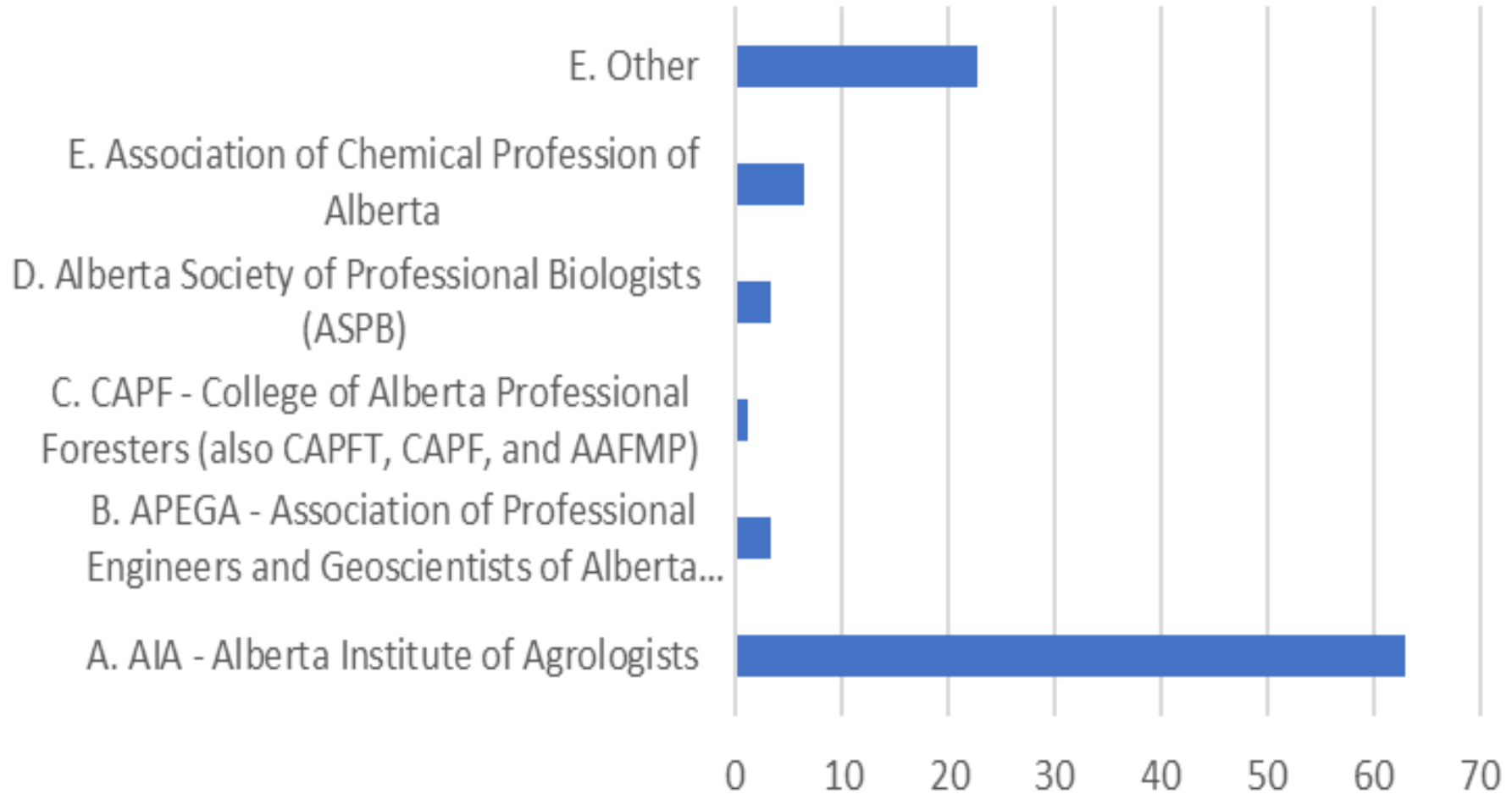
**IAAO:** International Association of  
Assessing Officers (7,000 members)

**IRWA:** International Right of Way  
Association (10,000 members)

### 3. How many professional organizations are you currently accredited with? Percent



## 4. Which of the following professional organizations are you accredited with? Percent



# 1) MULTI-AFFILIATIONS

## ➤ Terminology

**AIC:** “Ethical Standards-Rules and Comments ” (10 pages)

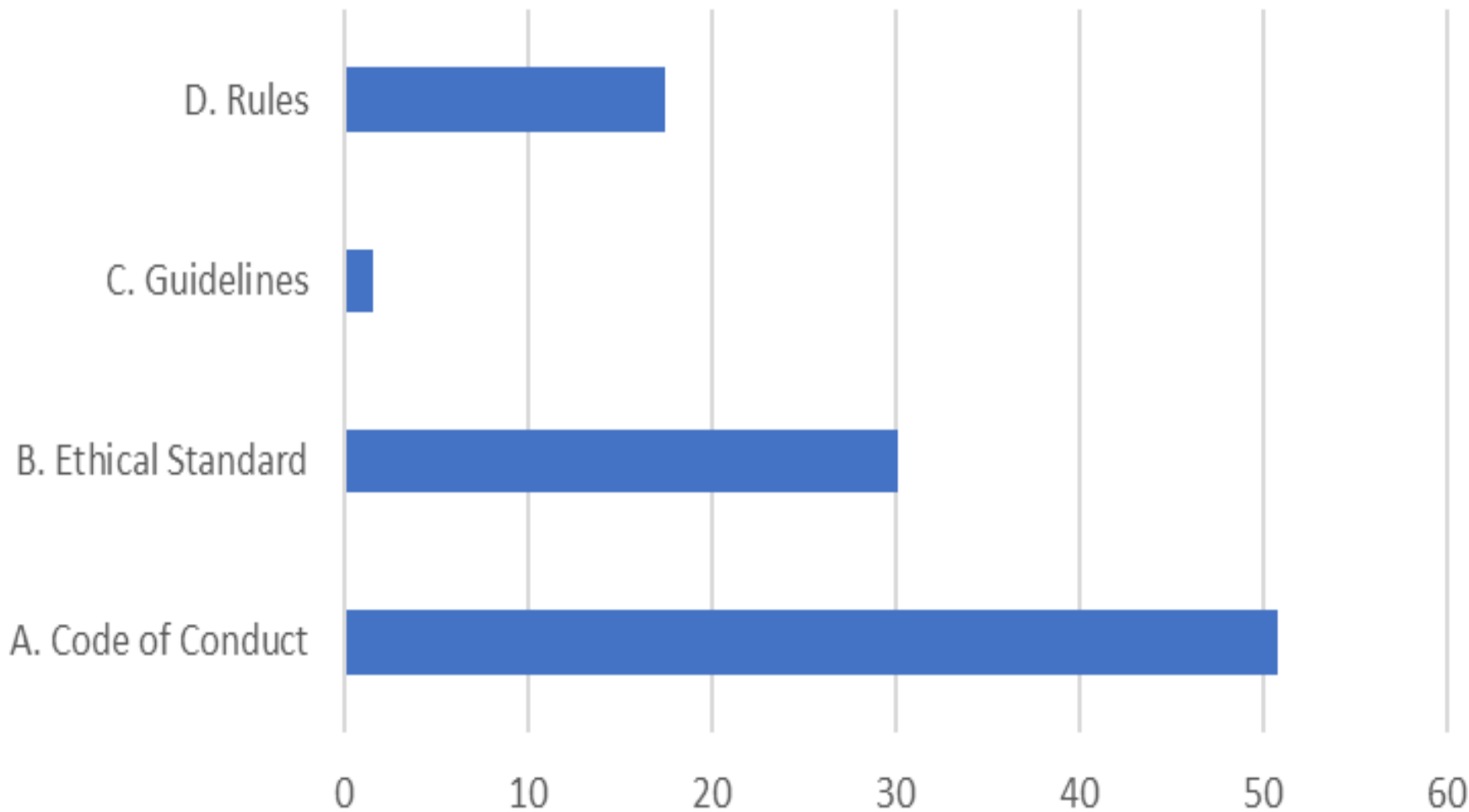
**IRWA:** “Ethical Rules” (8 pages)

**APEGA:** “Code of Conduct” (28 pages)

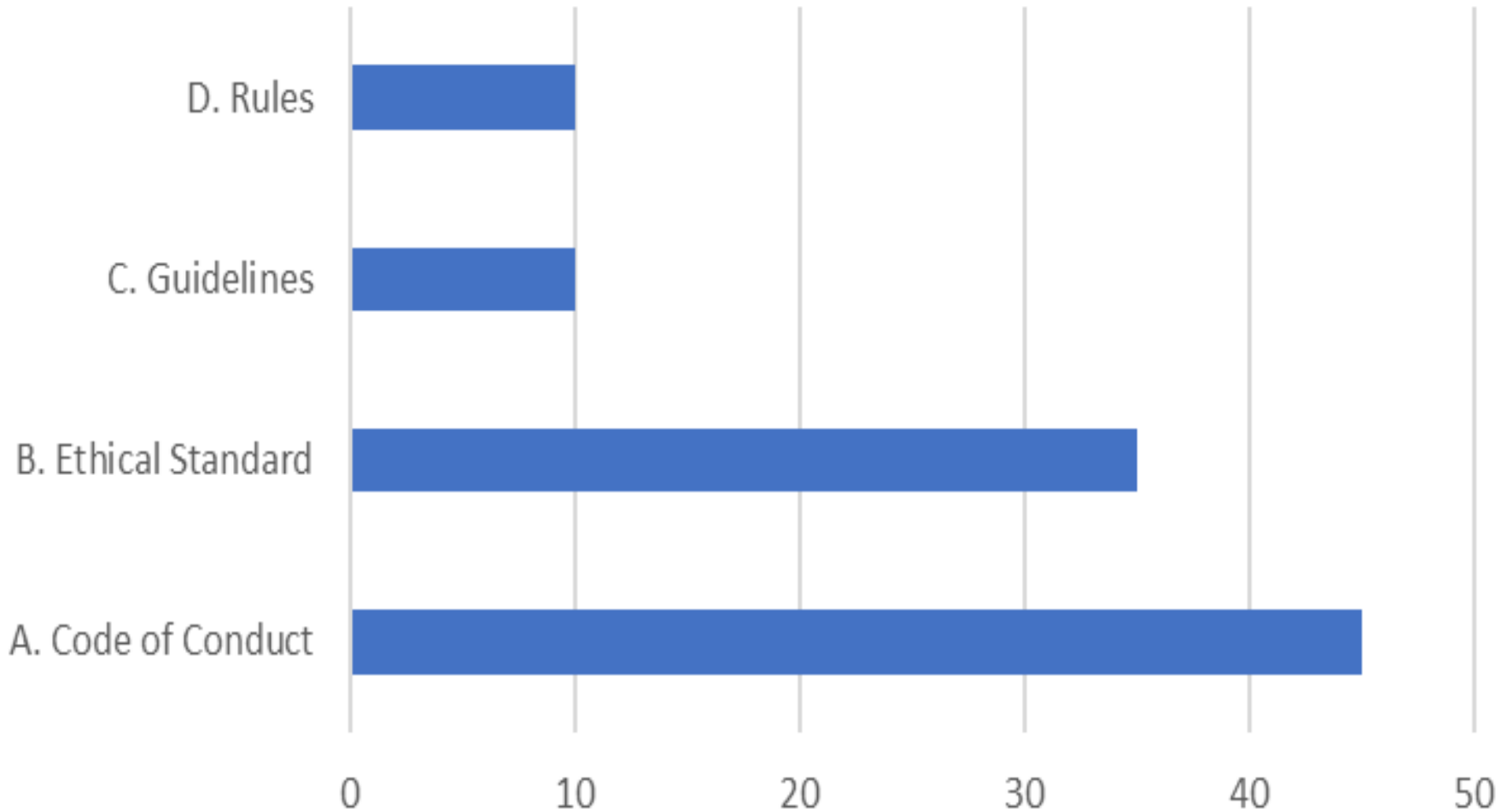
**AIA:** “Guidelines to the Ethical Responsibilities of Agrologists

**AIAGERA** (6 pages)

## 5. Which term do you think implies a stricter ethical standard: Percent



## 6. Which term do you think should be used to identify AIA Ethics Statement? Percent

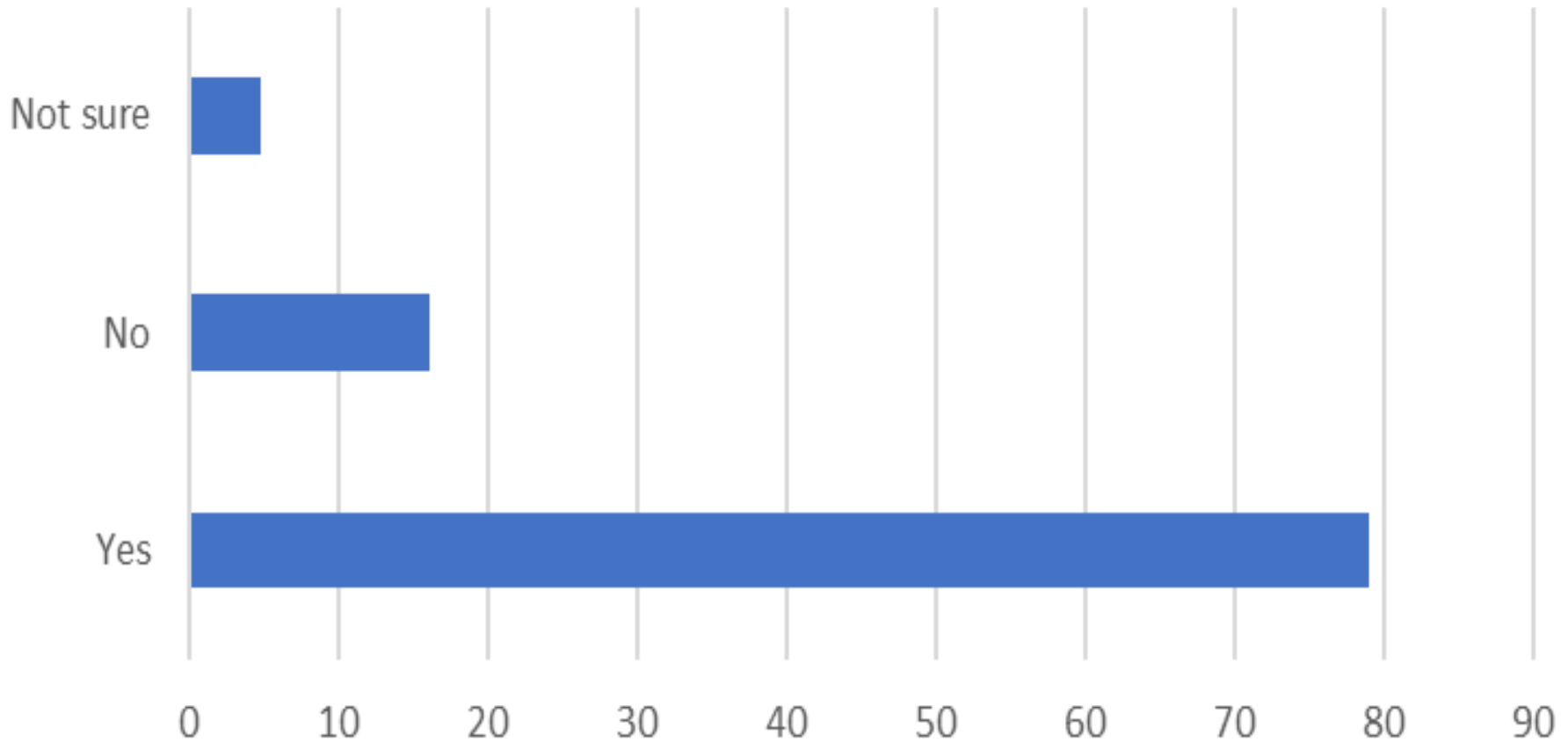


# 1) MULTI-AFFILIATIONS

## ➤ IRWA Ethical Rule ER 10.2.

*It is unethical for a Member to fail to report to the Association any violations of any Codes of Conduct .... of which he or she has been found in violation and for which he or she has received any form of discipline which requires publication thereof.*

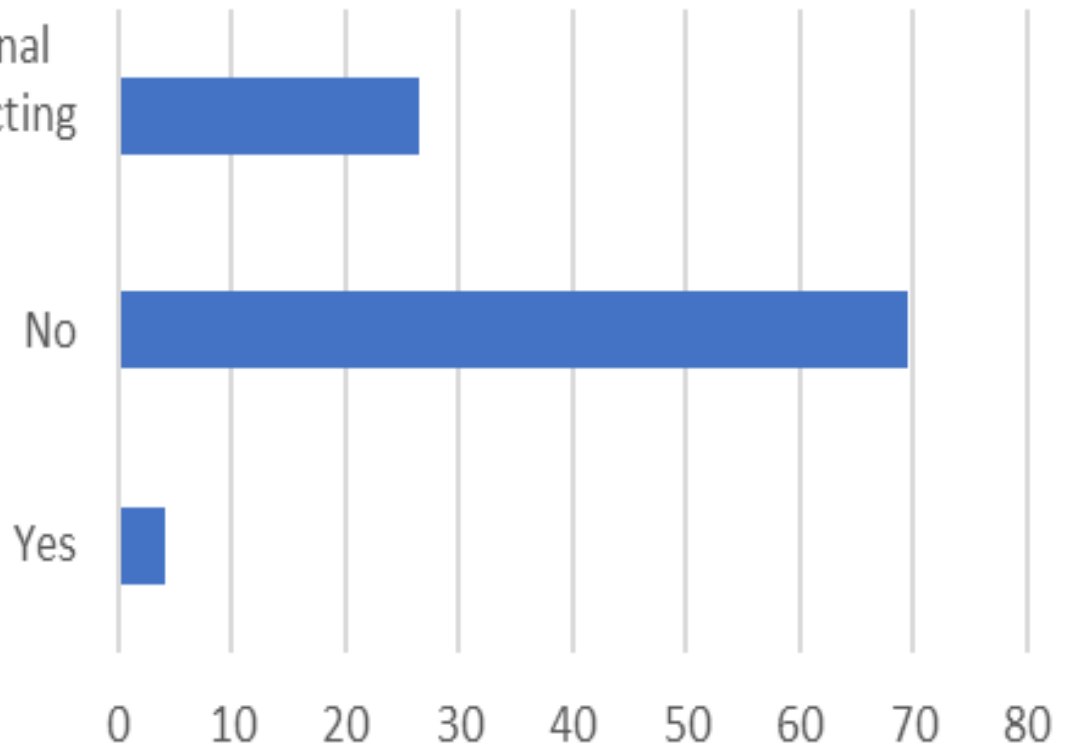
# 7. Should AIA require a member to report if they violated any ethical standards of another association to which they belong? Percent



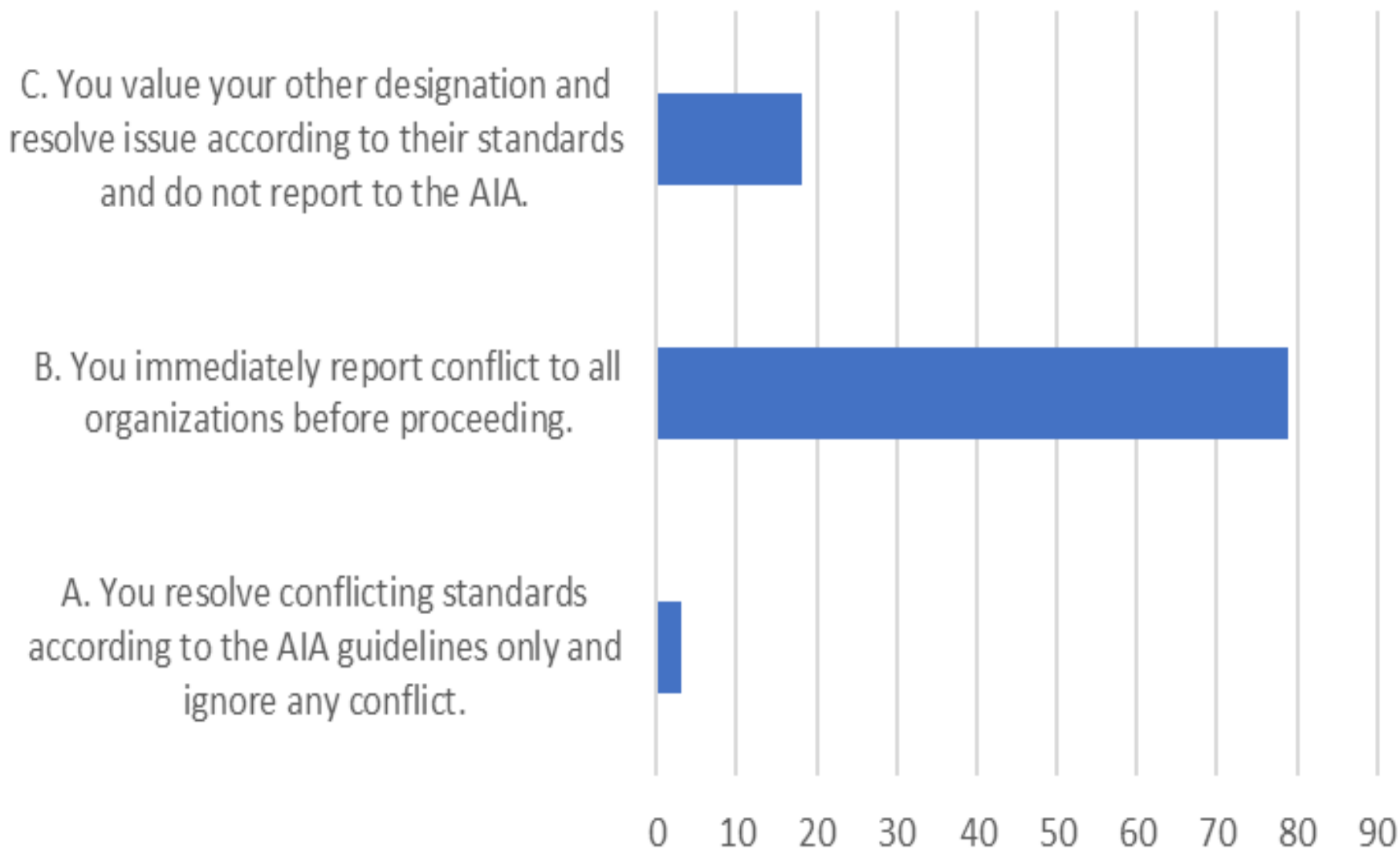


# 8. If you are a member of another professional organization, in addition to the AIA, have you run into conflicting standards when trying to resolve ethical issues? Percent

Not a member of another professional organization but have run into conflicting standards with others



## 9. If you belong to multi-affiliations... Percent



## 2) WHISTLE BLOWER



Definition:

a person who reports the activities of person/organization(s) when they believe the person/organization(s) are engaged in questionable activities.

## 2) WHISTLE BLOWER

### ➤ AIAGERA 3(c):

*where a member believes another individual may be guilty of infamous or unprofessional conduct, negligence or breach of the regulated member Act or bylaws:*

*i) to raise the matter with that individual, and ....*

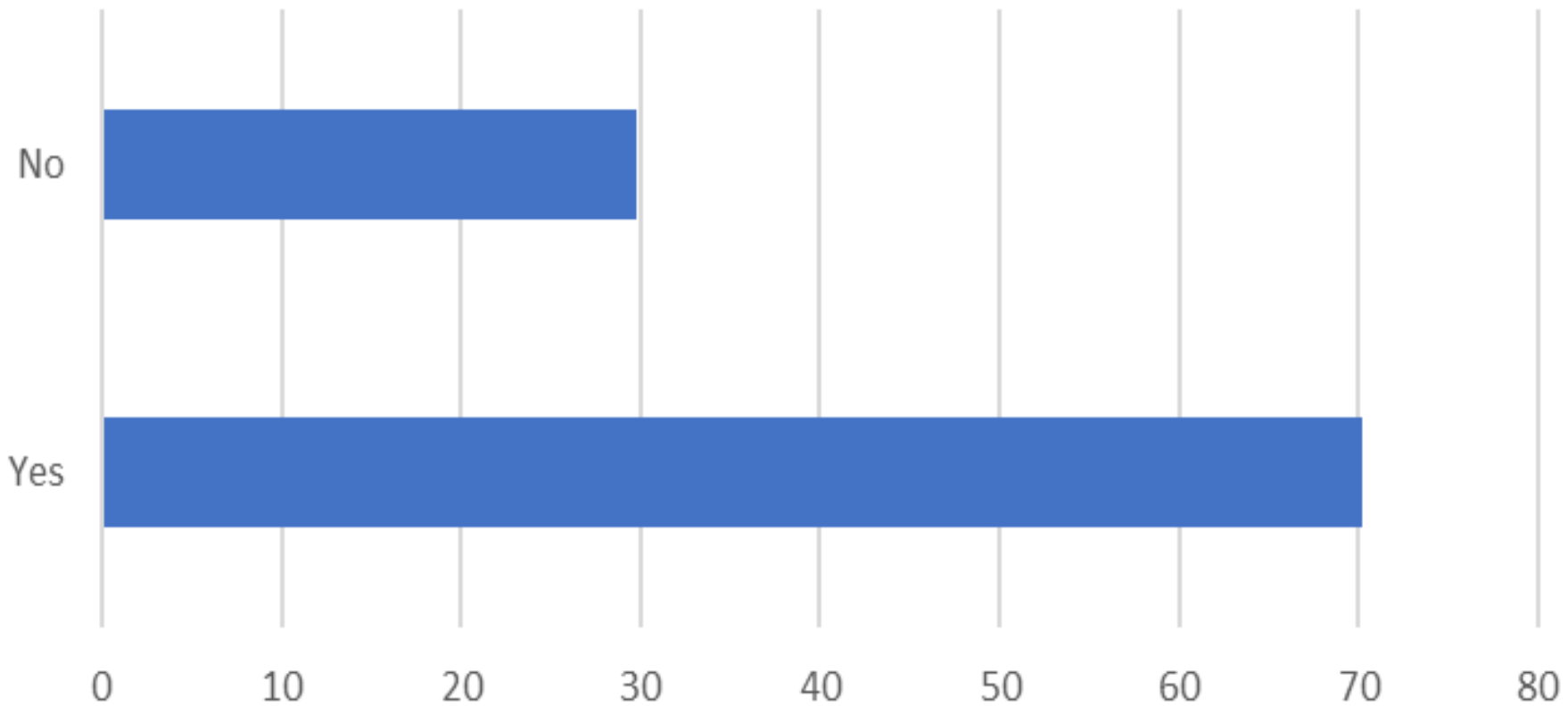
# 2) WHISTLE BLOWER

## ➤ APEGA CODE OF ETHICS

### 4.5.2 Conduct Toward Other Professionals

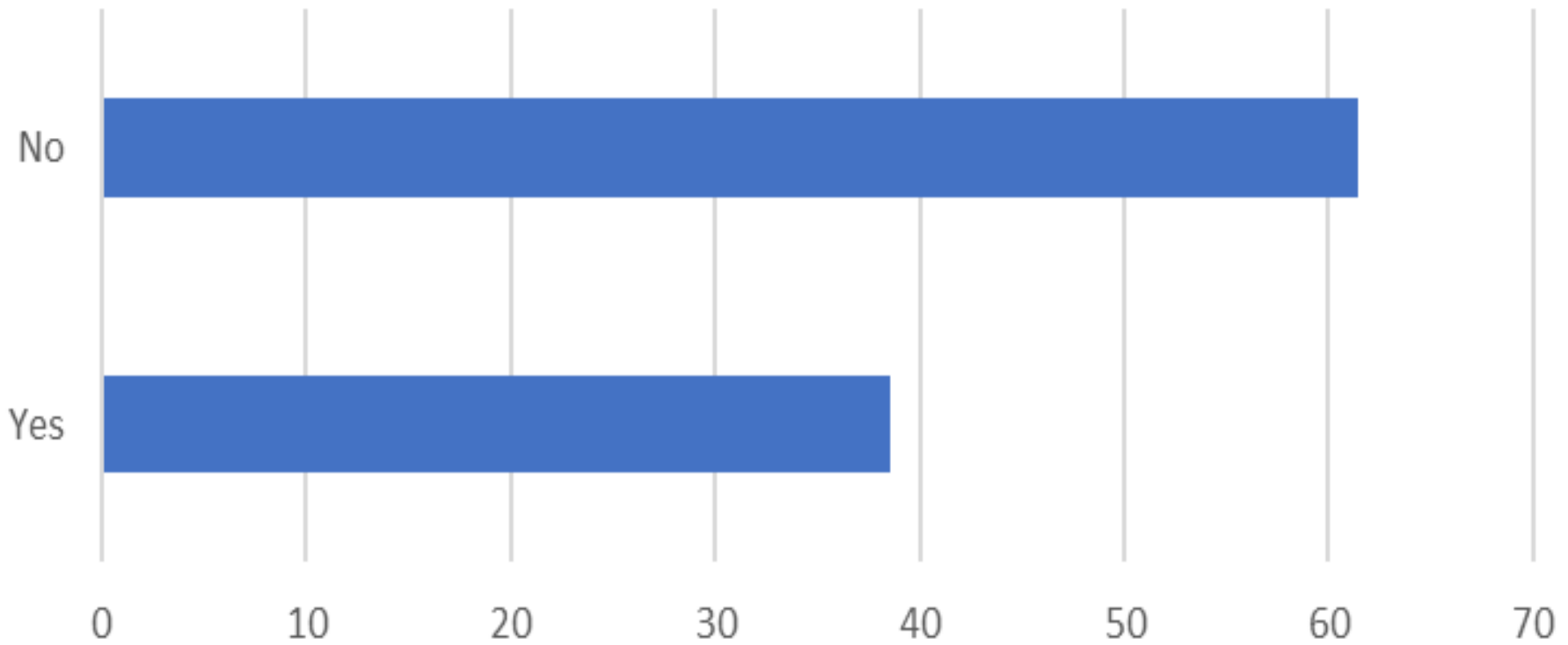
*“..... A professional should not call into question the professional conduct or technical competence of another professional member without first consulting that member to attempt to determine the relevant facts.....*

# 10. When you believe a member has conducted themselves unethically: Are you comfortable approaching them to clarify facts? Percent



11. When you believe a member has conducted themselves unethically: Have you ever had this type of discussion with another member?

Percent



## 2) WHISTLE BLOWER

### ➤ AIAGERA 3(c):

*where a member believes another individual may be guilty.....*

*i) to raise the matter with that individual, and*

*ii) if not resolved or if otherwise deemed necessary, to inform the Registrar of the Provincial Institute of Agrologists in writing.*



# 2) WHISTLE BLOWER

## ➤ APEGA CODE OF ETHICS

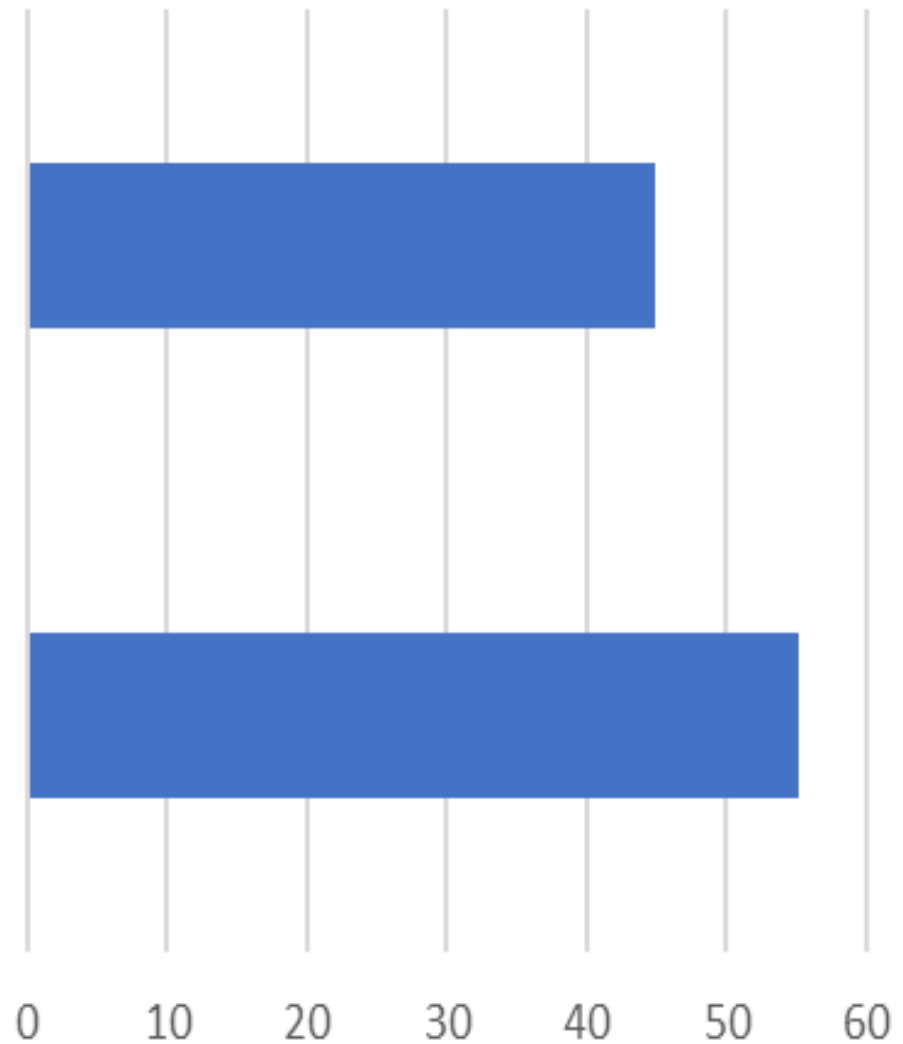
### 4.5.2 Conduct Toward Other Professionals

*“..... If a member determines, or has reasonable and probable grounds to believe that the professional conduct or the technical competence of another professional member is in serious question, he or she has a clear and definite duty to inform APEGA accordingly.*

## 12. Which statement do you prefer? Percent

B. APEGA Code of Conduct “If a member determines, or has reasonable and probable grounds to believe”

A. The AIA GERA guideline “if not resolved or if otherwise deemed necessary”



## 2) WHISTLE BLOWER

### ➤ **Section 49 of the Agrology Profession Act,**

*The Complaints Director may act on information regarding unprofessional conduct even if a complaint has not been received. Unprofessional conduct means any or all of the following:*

- *displaying a lack of knowledge....*
- *contravention of the Agrology Profession Act, the code of ethics or standards of practice.....*
- *conduct that harms the integrity of the agrology profession.*

## 2) WHISTLE BLOWER

### ➤ ENGINEERING AND GEOSCIENCE PROFESSIONS ACT

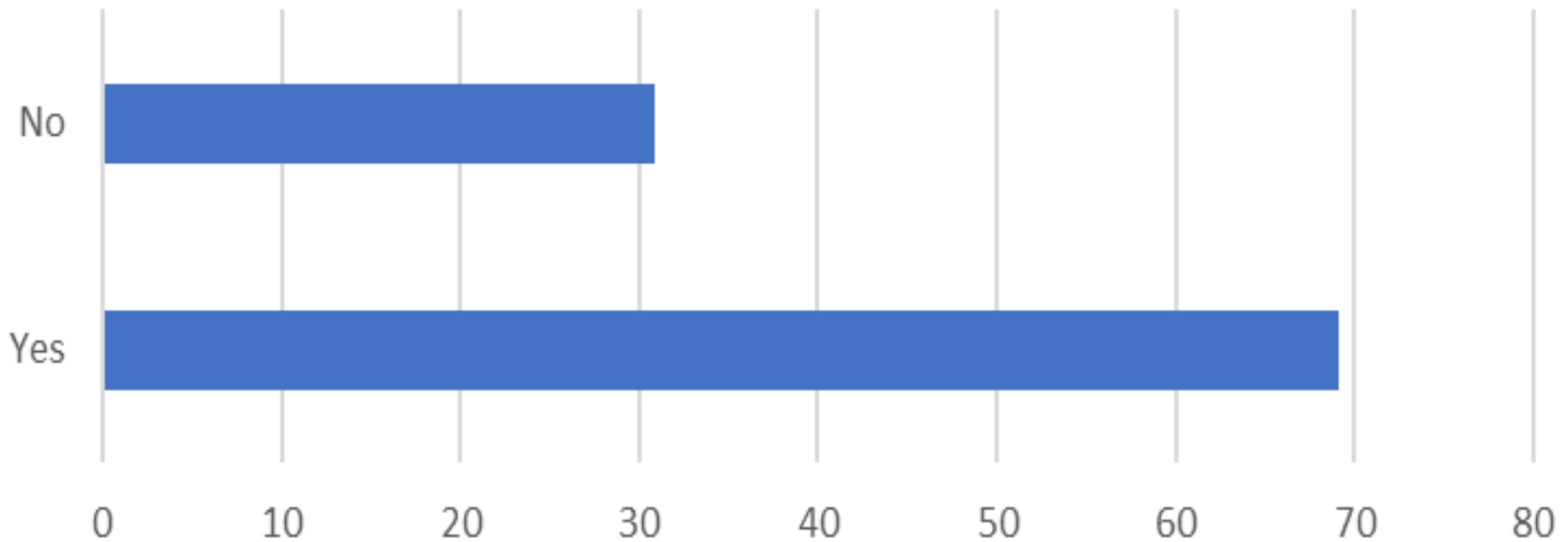
*Determination of unprofessional conduct and unskilled practice 44(1) .....*

*(c) harms or tends to harm the standing of the profession generally, .....*

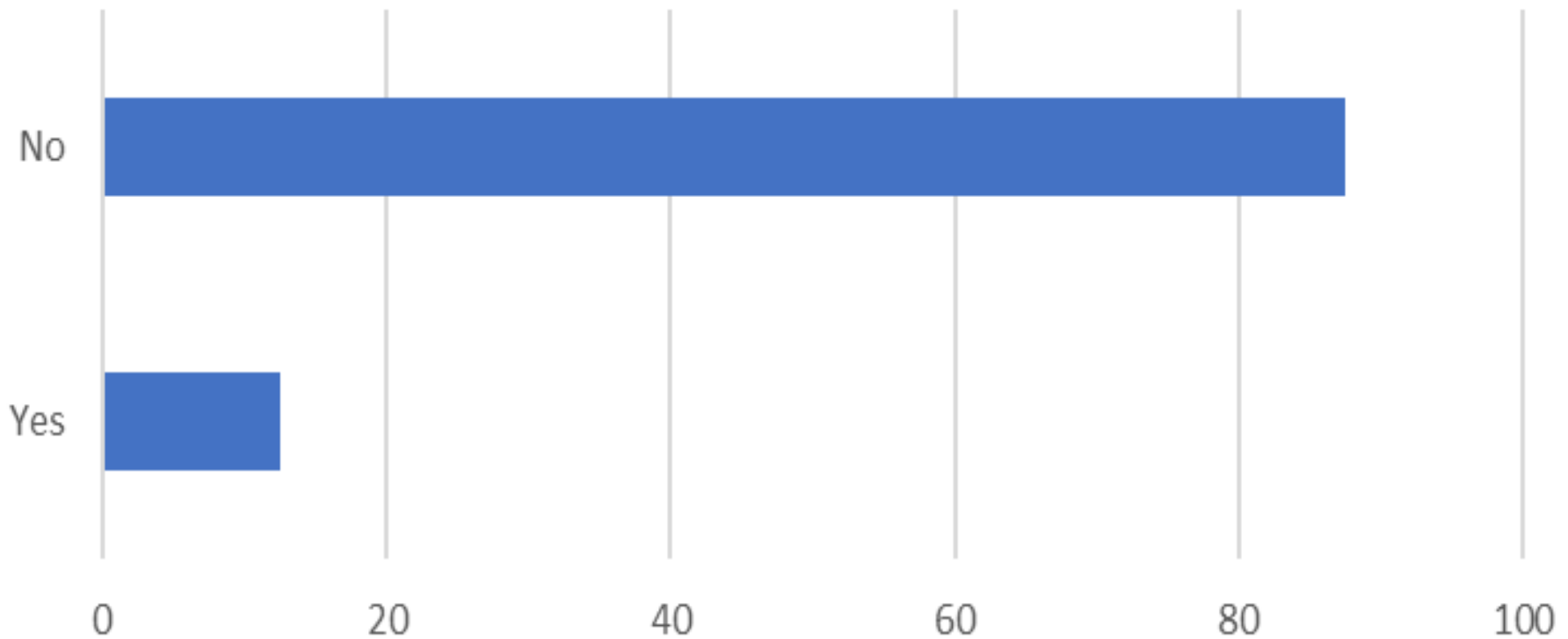
*whether or not that conduct is disgraceful or dishonourable, constitutes either unskilled practice of the profession or unprofessional conduct, whichever the Discipline Committee or the Appeal Board finds.*

13. When you believe you have observed a behaviour that harms the standing of the AIA:  
Are you comfortable with the idea of approaching another member to clarify facts?

Percent



14. When you believe you have observed a behaviour that harms the standing of the AIA: Have you ever had this type of discussion with another member? Percent



## 2) WHISTLE BLOWER

### ➤ IRWA Ethical Rules

*ER 1.4 It is unethical for a Member to maliciously and/or without cause injure or attempt to injure the professional reputation or business prospects of another.*

*ER 1.6. It is unethical for a Member to:*

*(g) Fail to report any violations of the Code of Ethics, Rules of Professional Conduct and Standards of Practice for the Right of Way Professional involving another Member of the Association*

## 2) WHISTLE BLOWER

### ➤ IRWA DP2 - Confidentiality:

*All written Complaints, conversations, documents, or other activities involving an alleged Ethics Violation are confidential and shall not be revealed in any manner to anyone except those Association Members involved in the investigative process.....*

*Disclosing any information pertaining to a Complaint is itself an Ethics Violation and will be subject to disciplinary proceedings.....*



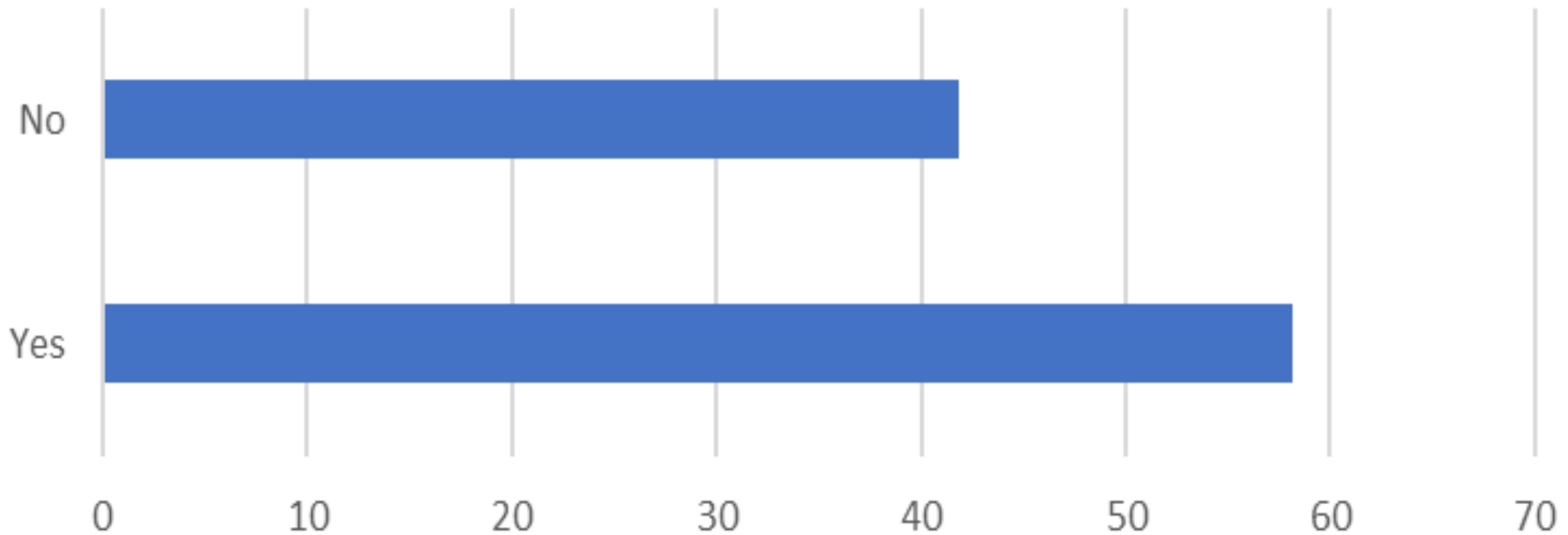
## 2) WHISTLE BLOWER

### ➤ IAAO ER 4-1

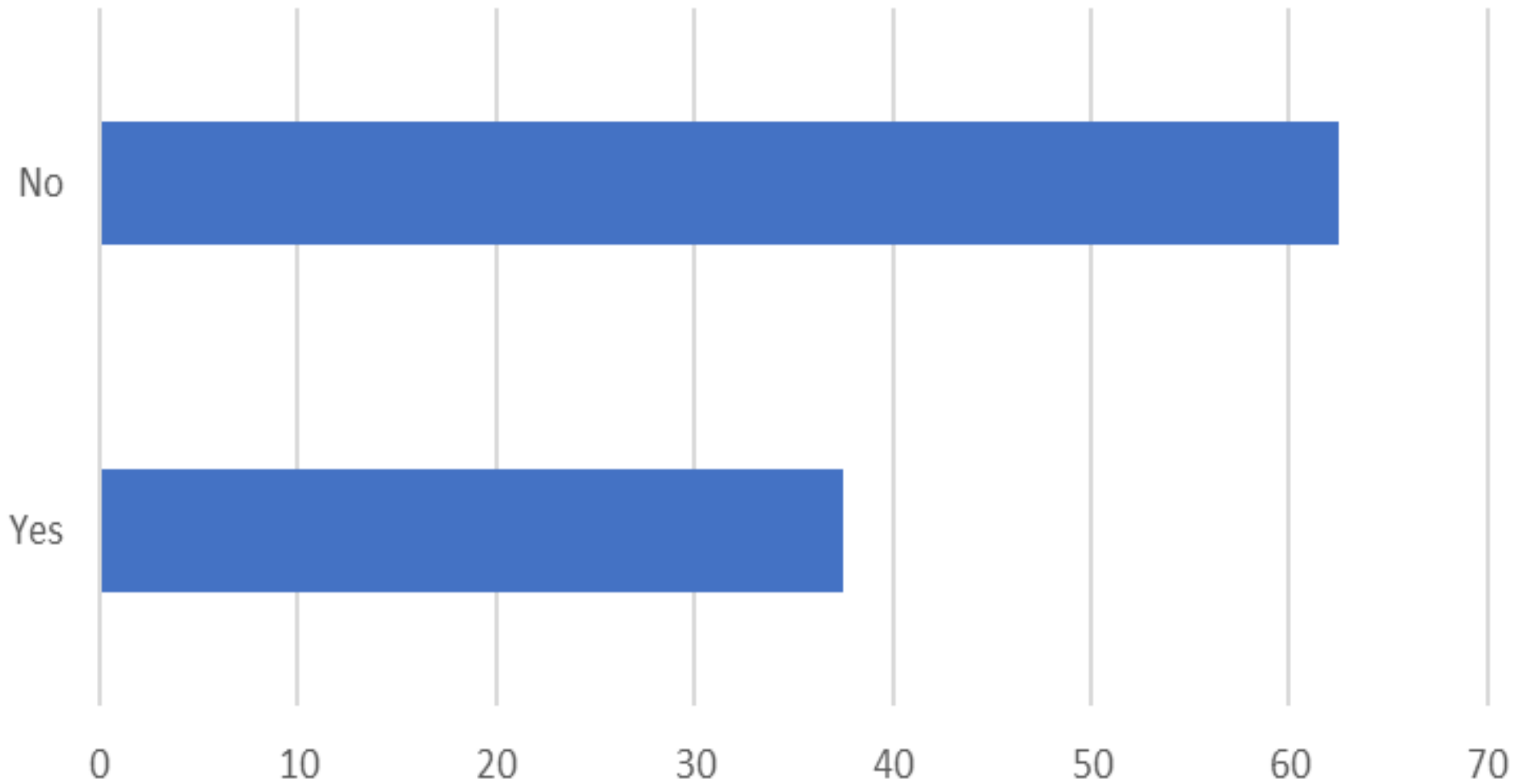
*It is unethical....*

*(b) Knowingly to submit misleading information to the duly authorized Ethics Committee or subcommittee...*

15. Would you report the conduct of another member, whom you believed was unethical or harmed the integrity of the agrology profession, if you did NOT have to first consult that member to determine the relevant facts? Percent



# 16. Do you feel AIAGERA provides adequate protection for the whistle blower? Percent



# 3) COMPETENCE



Definition:

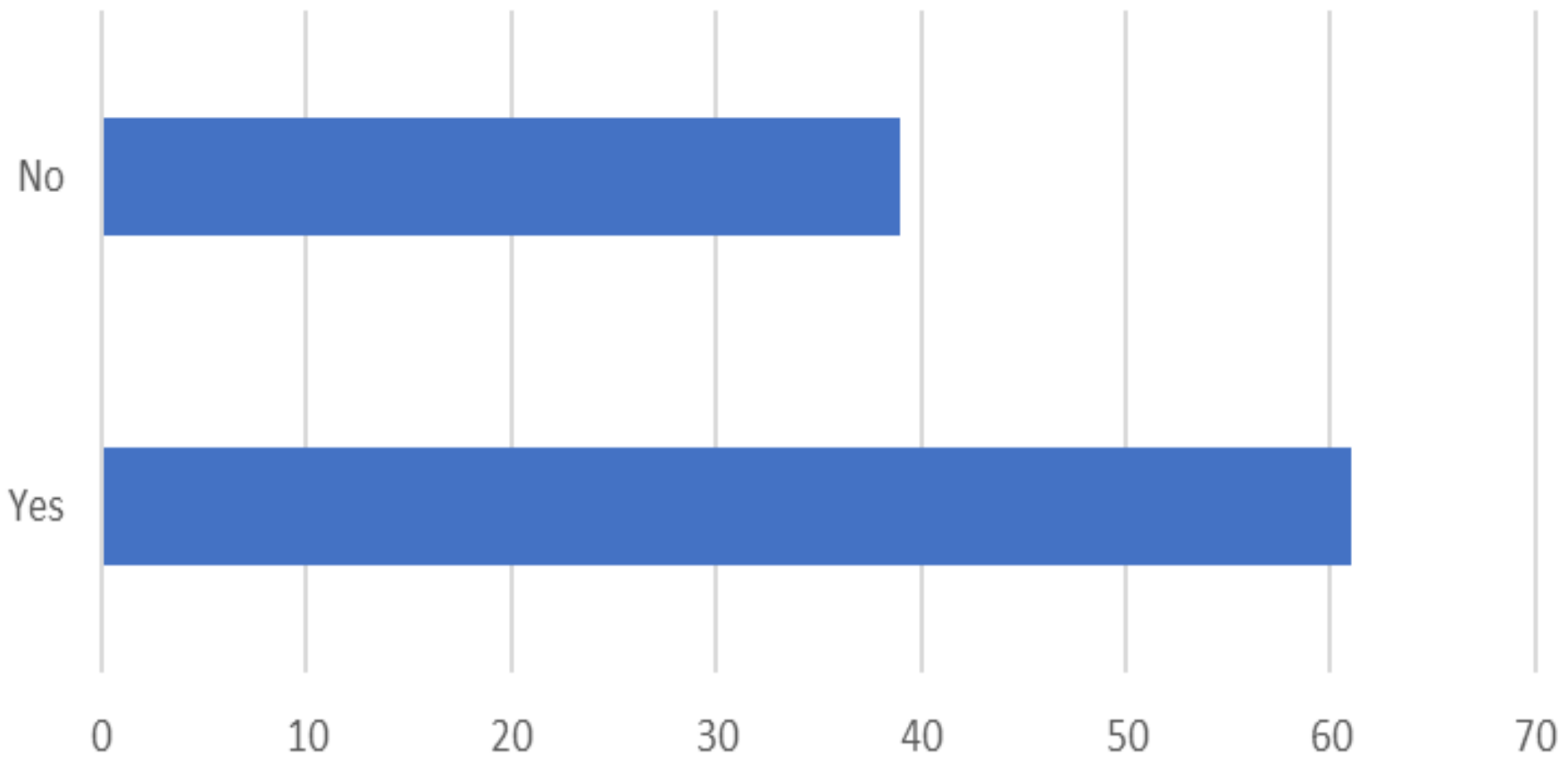
- possession and proper execution of required skill, knowledge, or qualification
- ***Undertaking work that one is competent to perform by virtue of previous training and experience.***

# 3) COMPETENCE

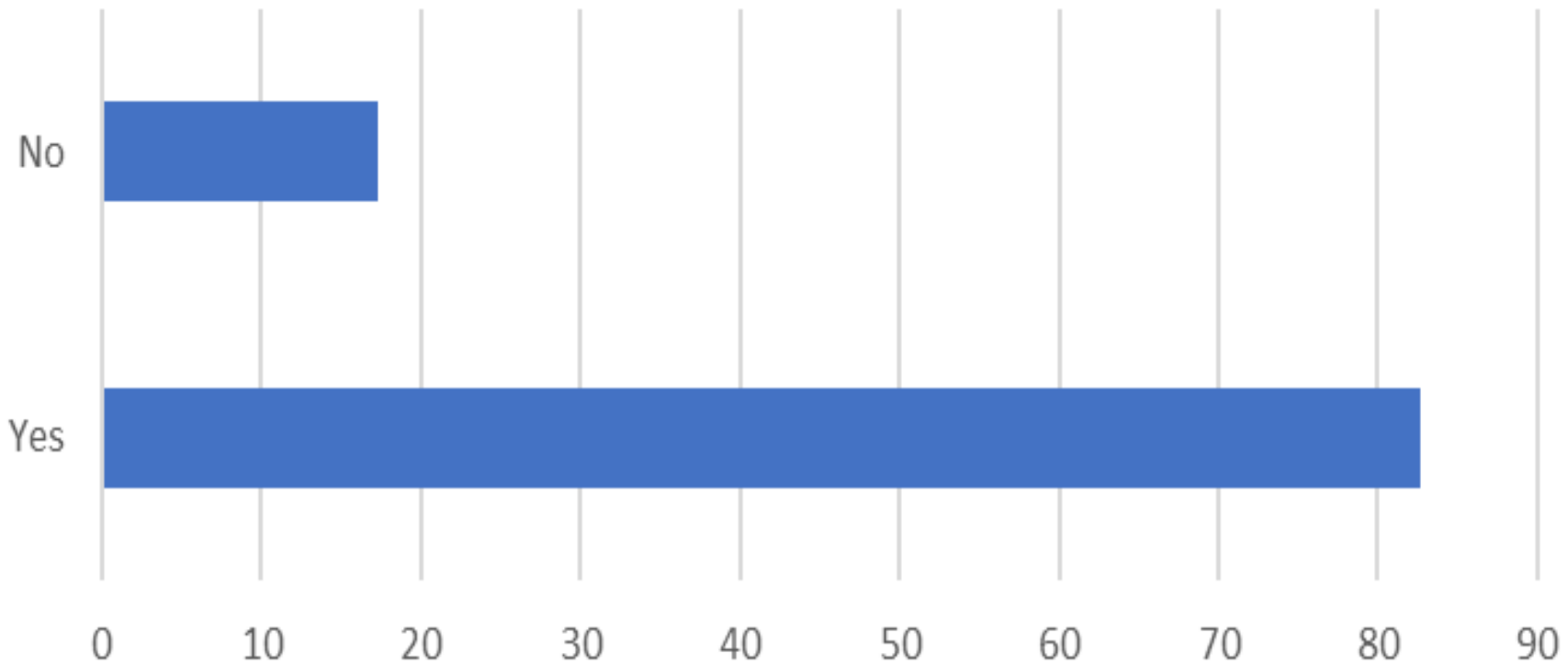
## ➤ AIAGERA

1. *Among the regulated member's professional obligations to the public are the responsibilities:*
  - a) *to practice only in those fields where the member's training, ability, and experience make him/her professionally qualified.*
  - b) *to express a professional opinion only when it is founded on adequate knowledge and experience, .....*

17. According to AIAGERA 1(a) and 1(b) do you agree with the following: If a member is incompetent they are also unethical? Percent



18. According to AIAGERA 1(a) and 1(b) do you agree with the following: If a member is competent, but makes a "reasonable error", they are NOT unethical? Percent



# 3) COMPETENCE

## ➤ AIC ER 5.10 Competence

*5.10.1 Prior to accepting an assignment... the Member must .... have the knowledge and/or experience to complete the assignment competently or alternatively:*

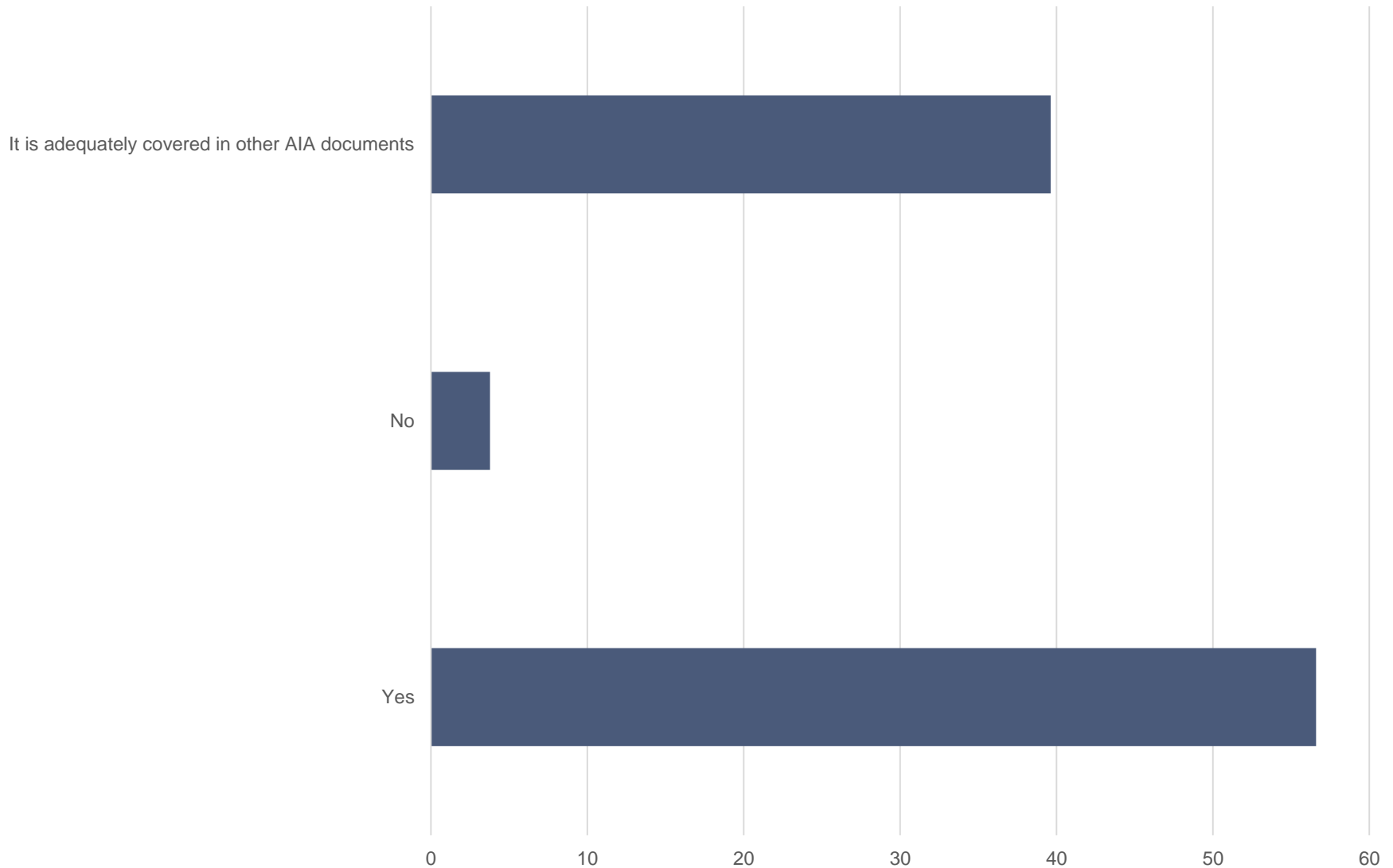
*5.10.1.i disclose the lack of knowledge and/or experience to the client .....*

*5.10.1ii take all steps necessary or appropriate to complete the assignment competently; and*

*5.10.1.iii .....must describe in the report, the steps taken to complete the assignment competently*



19. Do you think AIAGERA should also include guidelines to establish if due diligence has been done to establish competency? Percent



# 3) COMPETENCE

## ➤ AIAGERA 1 (c)

*Conflict may arise between a member's duty to uphold professional principles and the duty to serve the needs of an employer or a client..... The member must not confuse the role of providing others with information upon which to base a decision with the role of being responsible for making the decision him or herself.*

# 3) COMPETENCE

## ➤ IRWA ER 6.1.

*It is unethical for a Member to:*

*(d) Participate in the creation or preservation of evidence when he or she knows or it is obvious that the evidence is false;*

*(e) Counsel or assist the client or employer in conduct that the Member knows to be illegal or fraudulent;*

# 3) COMPETENCE

## ➤ AIC 7.26.2

*A Member must disclose all professional assistance and must identify all individuals within the certification of the report.*

*Note: Professional assistance is defined as “Support to the Member that has a direct and significant bearing on the outcome of an assignment including property inspections, analysis, and development of opinions and estimates.”*

# 3) COMPETENCE

## ➤ APEGA Guideline for Ethical Practice

*“Practicing in both a competent and an ethical manner are two indivisible components vital to maintaining a relationship of trust.... In an increasingly technological world, the public is looking to engineers and geoscientists to provide societal leadership.”*

# 4) INSURANCE



## Definition:

A practice providing compensation against specified losses in return for the payment of a premium.

# 4) INSURANCE

Insurance companies are incorporating creative solutions to help offset the rising cost of insurance premiums.

- Increasing deductibles
- Maximum limit for each claim
- Limiting type of claims allowed
- Sandwich or % coverage
- Ethical clauses voiding coverage

# 4) INSURANCE

Insurance Policies are incorporating the “**Reasonable Professional**” concept.

Depending on the wording of the insurance policy, incompetency is being considered unethical and compensation may not be awarded.



# F. The Big Four and the Seven Pillars

- The Wider Trends in Professionalism that the field of ethics is situated
- Globalization, Digitization, Crisis of trust
- Four Impacting Trends
  - Controversial societal issues, complaint management, regulation by insurers, professional development as an ethical concern*
- Professional Regulatory Excellence and the Seven Pillars

# 1. The context for ethics

- Anglo-American Societies
- Changes in Regulatory Governance
  - *England – Law – 2007*
  - *Ireland – Law – 2013*
  - *Australia – Law – 2015*
  - *Medical – UK – 2015*
  - *Canada – Accounting – 2003*
  - *British Columbia – Teaching – 2012*
  - *British Columbia – Real Estate - 2016*
  - *Quebec – Engineers – 2016*

# 1. Lessons learned & Wider issues

- Public Interest vs self interest,
- Professional development,
- compliance,
- ethical malfeasance including incompetency

1. *Globalization*
2. *Digitization*
3. *Ongoing crisis of trust in professionals*

# 2. Big Four

- *Controversial societal issues*

1. *THBOR and Doctors*
2. *STDs and Dentists*
3. *Rec/Rem/Ag issues and agrologists ???*

## *The Role of Positive Social Change*

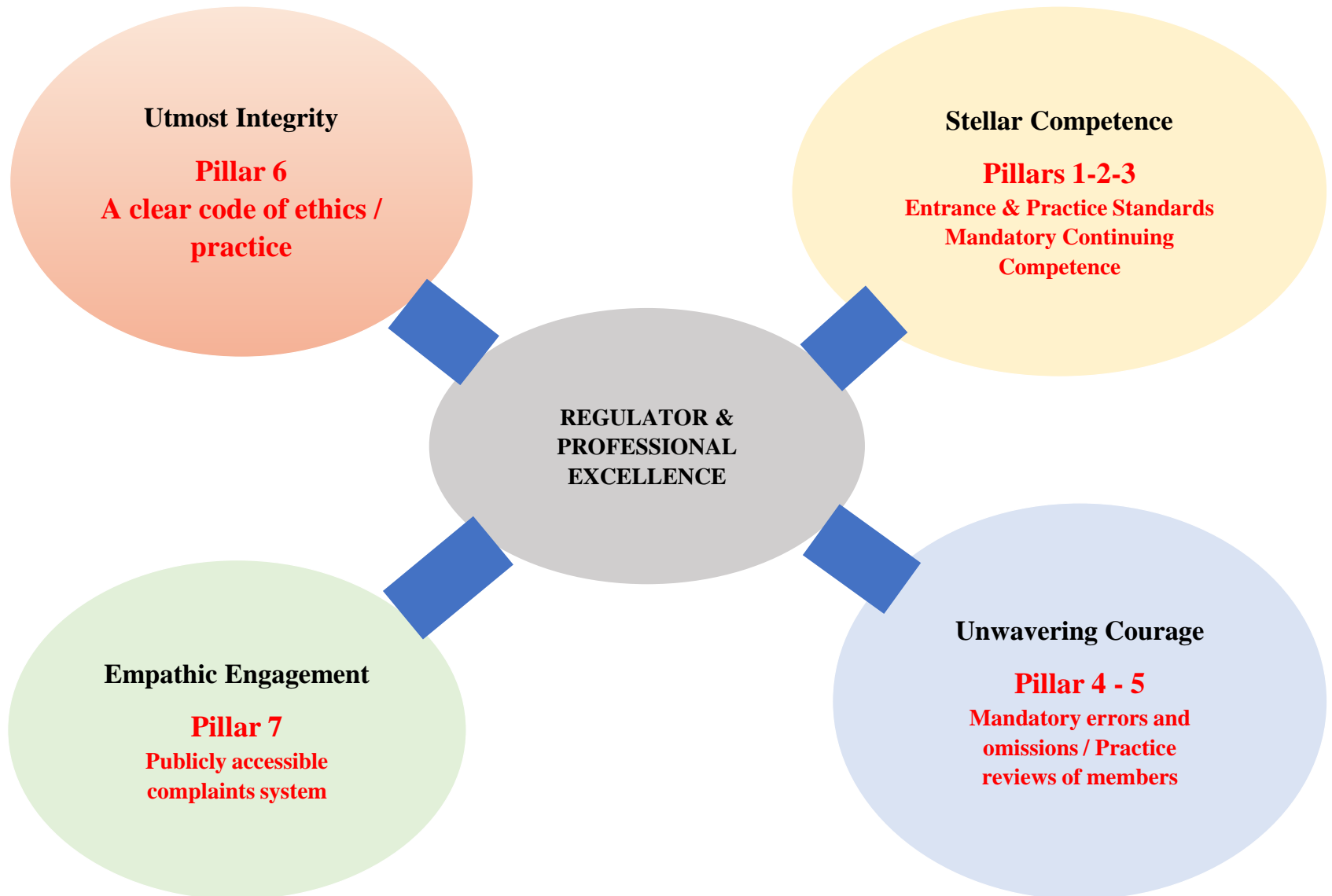
- *Complaint Management*
- *Cycle of complaint management*
- *The umbrella effect*
- *Risks in the Market method of complaint management*
- *Regulation by Insurers*
- *Incompetence as unethical and loss of coverage*

# 2. Big Four



- Continuing Competency Programs
- Input Measures versus Outcome Measures
- Input = hours of professional development
- Outcome = demonstrated competency
- The case of UK physicians & Umbrella effect
- The experience myth
- 30 years of experience or 1 year repeated 30 times?

# Professional Regulatory Excellence



# G. Giving Voice to Value (GVV)

- GVV is all about building the skills, the confidence, the moral muscle, and the habit of voicing our values.
- The focus here is on “values” rather than “ethics,” because in general usage, ethics suggests a system of rules or standards with which one is expected to comply.
  - Ethics is often seen as rule-based and externally imposed, something that exists outside the individual.

# Assumptions cont'd

7. Although mastering and delivering responses to frequently heard rationalizations can empower others who share my views to act, I cannot assume I know who those folks will be.
8. The better I know myself, the more I can prepare to play to my strengths and, when necessary, protect myself from my weaknesses.
9. I am not alone.
10. Although I may not always succeed, voicing and acting on my values is worth doing.
- 11. Voicing my values leads to better decisions.**
- 12. The more I believe it's possible to voice and act on my values, the more likely I will be to do so**



# Twelve Assumptions of GVV

1. **I want to voice and act upon my values.**
2. I have voiced my values, at some points in my past.
3. I can voice my values more often and more effectively.
4. It is easier for me to voice my values in some contexts than others.
5. I am more likely to voice my values if I have practiced how to respond to frequently encountered conflicts.
6. **My example is powerful.**

# H – Case Studies

## ➤ Darlene Howat