

# Continuing professional development on PEO horizon

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Ontario is the only province without some form of a continuing professional development (CPD) regime for engineering licence holders. Most agree that some form of CPD is valuable, but what sort of program to develop has become a major sticking point at PEO.

*By Michael Mastromatteo*



Is PEO ready to move forward with a continuing professional development program (CPD) for its licence holders?

After a number of fits and starts over several decades, there is now some indication that an official, post-licensing professional development plan for licence holders is in the offing.

PEO council in March 2014 approved motions calling for the creation of a Continuing Professional Development, Competency and Quality Assurance Task Force, which will work with new terms of reference to consider a comprehensive PEO program of CPD, with a “strong focus” on competency.

The task force’s terms of reference and a problem statement for CPD were developed by PEO’s Professional Standards Committee (PSC), which was given the task after the February 2014 council meeting.

The rationale for PEO looking seriously at a CPD program is that it is incumbent on the regulator to take a proactive stance to forestall or prevent faulty engineering, rather than relying on the complaints and discipline system to punish licence holders after the fact for practice failures.

PEO council has wrestled with the CPD issue a number of times over the years. In 2009, for example, council authorized a form of voluntary reporting of professional development, in which members would declare each year on their licence renewal forms that they maintain competence in the

professional engineering services they provide. However, the program was never implemented and the check box has yet to appear on renewal forms.

Previously, PEO established task forces to consider CPD efforts, and conducted membership surveys to gauge licence holders’ impressions of compulsory versus voluntary programs. Despite signs of support for CPD among members, the regulator never moved beyond the review stage.

Ontario, in fact, remains the only engineering jurisdiction in Canada without some form of CPD program (compulsory or voluntary) in place. The Association of Professional Engineers and Geoscientists of Manitoba (APEGM) became the latest regulator to embrace CPD when it established its mandatory program in 2012.

As the largest engineering regulator in Canada, PEO is beginning to look conspicuously absent from the CPD field.

Public questions about professional development, competence and quality assurance in engineering have become more acute since the 2012 partial collapse of the rooftop parking deck at the Algo Centre Mall in Elliot Lake, which resulted in two deaths, numerous injuries and millions of dollars in damage and economic disruption. Some observers see the tragedy not only as an engineering failure, but also as a call for the profession to take greater note of each practitioner’s fitness to practise by way of meaningful competence and quality assurance measurement programs.

#### VALUE UNDER DEBATE

To be sure, there is no unanimity among PEO members as to the value of compulsory CPD. Traditionalists point to the profession’s Code of Ethics, which calls on engineers to devote themselves to ongoing learning and quality assurance throughout their careers (Regulation 941/90, section 77.1.iv). They say the additional imperative for engineers not to stray beyond their areas of experience and expertise (Reg. 941, section 77.1.v) also obviates for many compulsory CPD and quality assurance (QA) programs. They also note that “undertaking work the practitioner is not competent to perform by virtue of the practitioner’s training and experience” constitutes professional misconduct under section 72(2)(h) of the regulation.

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Other critics of compulsory CPD say such programs simply add another layer of bureaucracy on engineering regulation and, as such, are a waste of resources. Also at issue is whether by adopting compulsory professional development programs, regulators put themselves at risk by implying that having such a program enables them to vouch for a member's competence to practise. In other words, regulators could open themselves to increased liability by intimating that compulsory programs guarantee competent engineers and, in turn, increase public safety.

### OSPE'S TAKE

One of the first tasks of PEO's CPD task force will be to examine *Continuing Professional Development, Maintaining and Enhancing our Engineering Capability*, a study produced by the continuing education working group of the Ontario Society of Professional Engineers (OSPE).

The report calls for a mandatory program based on a similar one instituted in 1997 by the Association of Professional Engineers and Geoscientists of Alberta (APEGA). It also conforms to the expectations of the Canadian Framework for Licensure (CFL) project, which aims for process and evaluation consistency among all of Canada's engineering regulators.

In discussing CPD, the CFL values statement says such programs enhance public and government confidence that licence holders meet ethical obligations to maintain professional competencies. Among the key considerations of the CFL's take on CPD is that programs be measurable, have sufficient reporting mechanisms, and allow adequate compliance monitoring.

"Ontario has lagged behind the other engineering jurisdictions in Canada in defining a Continuing Professional Development program for its licensees," the OSPE report reads. "OSPE is concerned that, over time, Ontario's licensed engineers will lose credibility in the eyes of the public, including clients and employers, and among other engineers, clients and employers outside Ontario if PEO does not establish an effective CPD program."

Although the OSPE report recommends a program based on the Alberta example, it calls for some modifications: "Some changes to the APEGA CPD program have also been recommended by the working group

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to make the reporting process less onerous on both the licensees and the regulator and to make the CPD program more flexible to better meet the needs of the individual licensees and their employers."

### CRITICISMS AND CONCERN

PEO circulated the OSPE report for comment from selected stakeholders prior to its March council meeting. Criticism of the report included concerns about effectiveness, cost and inconvenience but, more importantly, that there is no hard evidence in the report that CPD actually improves engineering practice.

But while a CPD/quality assurance task force is going forward, some council members still think it may be a case of too little, too late.

Eastern Region Councillor David Brown, P.Eng., BDS, C.E.T., for example, voted against the task force terms of reference, but not because of opposition to CPD in general.

"I voted against this motion at the March council meeting because I did not fully agree with the terms of reference presented; however, I am strongly behind the need to formulate a CPD/QA program for practising engineers in Ontario," Brown told *Engineering Dimensions*. "Having been a member of the Elliot Lake Advisory Committee (ELAC) and a practising structural engineer, I believe PEO needs to follow through with a meaningful program of CPD/QA for Ontario engineers who actually practise engineering and, more importantly, ones whose practice affects public safety."

Brown and a few other members of council believe the current plan of action isn't active enough, and might only delay implementation of a program sorely needed right away.

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Chris Roney, P.Eng., PEO councillor

“I understand my colleagues’ concerns with CPD/QA,” Brown adds. “I fully recognize the matter will involve much peer review and input from the members, but I am also confident that the optics of doing nothing in light of our work on the ELAC and the pending commission report will not be well received by the general public, nor by government.”

#### **NON-PRACTISING MEMBERS**

Brown also cites an additional complicating factor, namely that non-practising engineers might be required to conform to a compulsory program, simply to maintain their P.Eng. “One of the biggest fears about CPD/QA in this province stems from the fact that, by far, the majority of members don’t actually do any engineering and for them to be encumbered by a program like this would be considered, by most, unnecessary,” Brown says.

Fellow Councillor Chris Roney, P.Eng., FEC, BDS, chair of ELAC, fully supports a formal means for licence holders to maintain currency of their knowledge, but he has concerns about how a CPD program might take shape.

“I do not support any program that is simply window dressing, and I also don’t think we should adopt a ‘one-size-fits-all’ solution to apply to all licence holders,” Roney says. “I do not support simply following the other common models, since I feel strongly they are largely meaningless, have no metrics to verify efficacy, and are really there just to give the appearance that the association is doing something to ensure the ongoing competency of their members.”

Instead, Roney suggests a PEO program focus only on those areas of practice where there is a greater exposure to public welfare and safety, and where there is demonstrable need or expectation that practitioners engaged in such work have a level of knowledge and currency beyond that required for initial licensure.

“It should certainly not apply to non-practising members and members whose work does not affect the public,” he adds. “We have the ability to devise

a system that practising members would actually welcome as clearly beneficial, rather than being a burdensome and unnecessary waste of their time.”

#### **CPD ≠ COMPETENCE**

For PEO’s West Central Region Councillor Robert Willson, P.Eng., the CPD debate is especially vexing. Willson, who supports professional development and quality assurance programs in general, is concerned that the process is taking too much time.

“The reality is that the [Continuing Professional Development, Competency and Quality Assurance] task force will simply delay what should be a relatively straightforward process to establish some form of monitoring what our membership is doing post licensure,” Willson told *Engineering Dimensions*.

Willson is also concerned the approved terms of reference for the task force call for a linkage between CPD and a determination of member competence, something he believes was not intended at the outset. “At the end [of the process], I fear we will be essentially where we are now and the task force will have discovered that CPD monitoring cannot ensure competence, which is a much more complex issue. The council of that day will have to wrestle with the same issues—is CPD worth doing and how to do it?”

#### **POLISHING SKILLS**

One engineer with a unique perspective on CPD and quality assurance is Pierre Lapalme, ing., a Laval, Quebec-based civil engineer who, due to different work assignments, is licensed to practise with six provincial engineering associations, including PEO.

Lapalme, whose first experience with CPD was in Alberta and later Quebec, believes post-licensing refresher programs are sorely in need.

“Early after I graduated, I worked with engineers who started practising well before I did, and their methods and knowledge of codes, standards, laws, tools, calculation methods, interpersonal relations and other aspects of day-to-day skills required to perform engineering tasks were, by my standard, outdated or needed some polishing,” Lapalme says. “But improving these skills is not to be done at any price. When the Ordre des ingénieurs du Québec consulted its members about a proposed CPD program three years ago, I commented that the skills to be considered valid for a member’s CPD program should be directly related to his or her field of work.”

Lapalme discounts criticism that CPD and quality assurance programs are necessarily over bureaucratic, or simply a public relations exercise.

All over Canada, he says, professional associations, not only engineers, are faced with increased public scrutiny, and need to show they are fulfilling their duties as self-regulating bodies. "This is especially so in Quebec with all the recent bribery and corruption and collusion accusations in court and the related Charbonneau Public Commission. It seems that several professional associations adopted a CPD program, among other measures, to achieve that goal. But how to develop, sell—to its members and to the public—maintain and steer that kind of program seems to be a challenge."

### TIME TO EVOLVE

Whatever PEO's CPD task force ultimately recommends, there is little doubt CPD and quality assurance issues will remain high priorities for engineering regulators. It's conceivable CPD programs will become more sophisticated and customized as they evolve within the regulatory framework. Roney, for example, has developed an eight-point set of guiding principles he believes should be an essential part of any meaningful program. Some of these echo the engineering Code of Ethics, especially in terms of remaining up to date in a practitioner's area of specialty. Other points, however, speak more directly to public safety concerns.

"The establishment of a regulated system of knowledge assurances shall only be called for where there is a potentially higher risk to public welfare, an expectation by the public, government or other stakeholders, or where it is otherwise deemed to be in the public interest to do so," Roney suggests.

He also suggests substituting the term "knowledge assurance" in favour of quality assurance. "I realize that it is perhaps not the best term either, but I believe PEO can effectively ensure practitioners are actively seeking to obtain ongoing knowledge, but would have a much more difficult time ensuring competence," Roney says.

Willson suggests a well-thought-out, sophisticated CPD program would help PEO and other associations keep up with a much-changing regulatory environment. "PEO currently focuses on initial licensure, which is important but is insufficient to deal with today's engineering profession," Willson says. "Our systems were established to regulate a much smaller group of independent professionals, and they could be expected to maintain their capabilities during their careers. Today, most engineers are employees of large corporations, often not Canadian, and have much less control over their work



or how they do it. Many of our members no longer practise engineering as their careers have evolved. PEO needs to regulate the members of today. We need to know whether our members still practise engineering and whether they have maintained their knowledge during practice, or have taken steps to refresh their knowledge if they have not practised for some time and wish to return to practice."

For the immediate future, the PEO registrar will present a list of potential CPD task force volunteers to council for approval at the June 2014 meeting. PEO is allocating an initial budget of \$20,000 to the project, and a report describing a recommended CPD program is to be presented to council by December 2015. The project will no doubt be challenging for task force members, and their recommendations nearly two years hence are certain to keep the CPD pot boiling.

# Other engineering regulators' experiences with CPD



As PEO mulls over the need for a continuing professional development (CPD) program for licence holders, other engineering regulators already have significant experience with it. Below we present brief snapshots of CPD efforts for engineers in British Columbia, Alberta, Saskatchewan and Nova Scotia.

## ASSOCIATION OF PROFESSIONAL ENGINEERS AND GEOSCIENTISTS OF BRITISH COLUMBIA (APEGBC)

Under the APEGBC Code of Ethics, members are responsible for undertaking CPD that is relevant to their practice. APEGBC has developed a CPD guideline that outlines expectations of the types of activities and amount of professional development practising members should be undertaking. To be in compliance with the guideline, members are required to complete an average of 80 hours each year (240 hours on a three-year rolling total). Compliance with the guideline is recommended, but not mandatory.

Members may also voluntarily report their compliance with the guideline. Members who declare compliance with the CPD guideline are recognized as CPD compliant in the online member directory.

APEGBC also offers more than 180 technical, business and managerial seminars and workshops each year to help members reach their professional

development goals. APEGBC has created an online tool to assist members in tracking their CPD hours.

## ASSOCIATION OF PROFESSIONAL ENGINEERS AND GEOSCIENTISTS OF ALBERTA (APEGA)

The Alberta regulator has been involved with CPD since 1997. The program requires members to complete at least 240 professional development hours over three years, in at least six categories.

The OSPE CPD report (cited in the main feature) referenced the APEGA CPD model.

Ray Chopiuk, P.Eng., APEGA director of professional practice, says there was some push-back from members initially, but it disappeared as members became aware the requirements were not onerous.

Chopiuk says: "What we do is monitor whether members are engaging in professional development activities as required." Noting that the majority of APEGA members comply with the program, he acknowledged that "there are always some who fall behind in their reporting or activity requirements, but when reminded of their obligations, they comply. There are a small number who fail to comply and are struck from the register as a result."

## ASSOCIATION OF PROFESSIONAL ENGINEERS AND GEOSCIENTISTS OF SASKATCHEWAN (APEGSS)

The APEGSS Continuing Professional Excellence program began in 2002. Members are required to earn at least 80 credits annually from six reporting areas:

- professional practice;
- formal activity;
- informal activity;

- participation;
- presentations; and
- contributions to knowledge.

Robert McDonald, P.Eng., APEGS deputy registrar, notes the following:

Currently, APEGS has a statutory object to ensure the proficiency and competency of members. APEGS members are also obliged by their Code of Ethics (which is embedded in regulatory bylaws) to “keep themselves informed in order to maintain their competence.”

While APEGS developed the Continuing Professional Excellence program as a framework for members to plan, track and report on their professional development activities, the regulator has not (yet) moved to mandatory reporting; however, it is anticipated that in the future, it will become mandatory.

APEGS officials have discussed with their Ontario counterparts how and when the Ontario regulator might proceed in this area. The administration of such a program is a large undertaking. APEGS has plans to improve the online reporting experience for members, including allowing members to report both their field(s) of practice and their activities.

McDonald’s colleague, Patti Kindred, P.Eng., FEC, APEGS director of education and compliance, says the regulator is still working out the approach to compliance reporting. “We will move forward with a plan to refresh our members to their Code of Ethics obligations and to improve their reporting habits prior to any bylaw changes that may be required,” she says. “Currently, we require continuing professional education reporting for those members who are providing consulting services. We have no consequences at this point for non-reporting, but this dimension is a consideration in our deliberations for the path towards mandatory participation and reporting.”

Kindred says APEGS has historical data and anecdotal evidence that the majority of members participate in CPD of some sort, either personally or through their employers.

## ENGINEERS NOVA SCOTIA

Kris Dove, P.Eng., director of professional development, Engineers Nova Scotia, reports the following:

The CPD program has been in place at Engineers Nova Scotia since January 1, 2011, following acceptance by a membership vote in 2008.

Planning for the program was undertaken on various levels since 1996. Under the mandatory CPD program, members are responsible for their own development programs, in the same manner they are now. Members are required to certify, on an annual basis, that they are in compliance with the professional development guidelines and will practise only in those areas in which they are competent.

Members are not required (at this time) to submit records of CPD activities they participate in, but this will be a requirement in the future. “We have seen an over 95 per cent compliance rate with the program each year since its inception,” says Dove. “We recommend members keep their CPD records for their own purposes, but Engineers Nova Scotia will not want to see these records unless it is required for disciplinary purposes.”

At the beginning of the program launch, he says, a number of members misunderstood the intent of the CPD program and how CPD hours could be earned. Many assumed that taking courses costing a significant amount of time and money would be the only way to be compliant. However, through an ongoing communication program, members now know that CPD hours can be earned through many other avenues, such as participation, professional practice, volunteering or contributing to the knowledge of other engineers, to name a few.

Member evaluations of the program were conducted in 2011 and again in 2013, and it was apparent that members were much more aware in 2013 of the CPD program and what it entailed. Some of the interesting results from the 2013 evaluation are:

- 68 per cent of respondents have visited the CPD section of the Engineers Nova Scotia website;
- informal education continues to be the method most members use to maintain their competence;
- 87 per cent of employers support members attending CPD opportunities; and
- nearly 64 per cent of employers provide time off to attend CPD events and cover the cost of the member’s attendance.

“By putting the mandatory CPD program in place at Engineers Nova Scotia, we are now in line with what is in place in most other provinces. This is important when dealing with issues such as full mobility for members working within Canada,” says Dove.

There are many different views on professional development and what should be in place for members. Our goal is to have a program that is fair and that can be maintained by the members in an efficient manner. Much of the focus in implementing the mandatory CPD program was on communication of the program and working with members to ensure that it is clear and easy to comply with.”  $\Sigma$