



Association of Canada Lands Surveyors

Practice Review Department

Manual of Administrative Procedures

Original Document: 2007

Revised: February 2021

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1.0 AIMS AND OBJECTIVES

The Association of Canada Lands Surveyors (ACLS) is a self-governing professional association established by the authority of the Act respecting Canada Lands Surveyors (46-47 Elizabeth II, Chapter 14), and by the Canada Lands Surveyors Regulations and General Bylaws.

The Practice Review Department has been established as a means of furthering the objects of the Association as set out in Section 6 of the Canada Lands Surveyors Act as follows:

- (a) to establish and maintain standards of qualifications for Canada Lands Surveyors;
- (b) to regulate Canada Lands Surveyors;
- (c) to establish and maintain standards of conduct, knowledge and skill among members of the Association and permit holders;
- (d) to govern the activities of members of the Association and permit holders;
- (e) to cooperate with other organizations for the advancement of surveying; and
- (f) to perform the duties and exercise the powers that are imposed or conferred on the Association by this Act.

Furthermore, Section 42 of the Act imposes a standard of conduct as follows:

A member of the Association who directs the provision of surveying services is in all respects liable for maintaining the standards of conduct and competence in respect of the provision of those services.

1.1 Purpose of practice review

The purpose of practice review is to ensure compliance with the Act and Regulations and to provide practice assistance and continuing education to the members of the association.

2.0 TERMS OF REFERENCE

2.1 Canada Lands Surveyors Act

Section 62: Subject to the approval of the Minister, the Council may make regulations respecting:

Subsection (b) the composition of committees established under this Act and the rules, practices and procedures of these committees.

Subsection (n) the procedures to be followed by the Association in reviewing the surveying activities of members of the Association to ensure the maintenance of minimum standards of surveying;

2.2 Regulations under subsection (n), Canada Lands Surveyors Act

Canada Lands Surveyors Regulations

Section 39

A review of the surveying activities of members of the Association to ensure the maintenance of minimum standards of surveying shall consist of a review of survey plans, field records, documents and drawings pertaining to surveys made by those members, and may include any of the following;

- (a) a field inspection of the work depicted in the survey plans, documents and drawing.
- (b) an examination of files and other documents pertaining to the production of survey plans, documents and drawings of the members of the Association and permit holders; and
- (c) a written report of each plan review, field inspection and examination conducted under this section.

Section 40

The Council shall appoint one or more Canada Lands Surveyors to review the surveying activities of members of the Association.

Section 41

1. Reports of the results of reviews of the surveying activities of members of the Association shall be based on compliance with the requirements of these Regulations and the Act and any other Act governing surveying standards.
2. Reports of the results of reviews of the surveying activities of members of the Association shall be submitted to the Registrar.

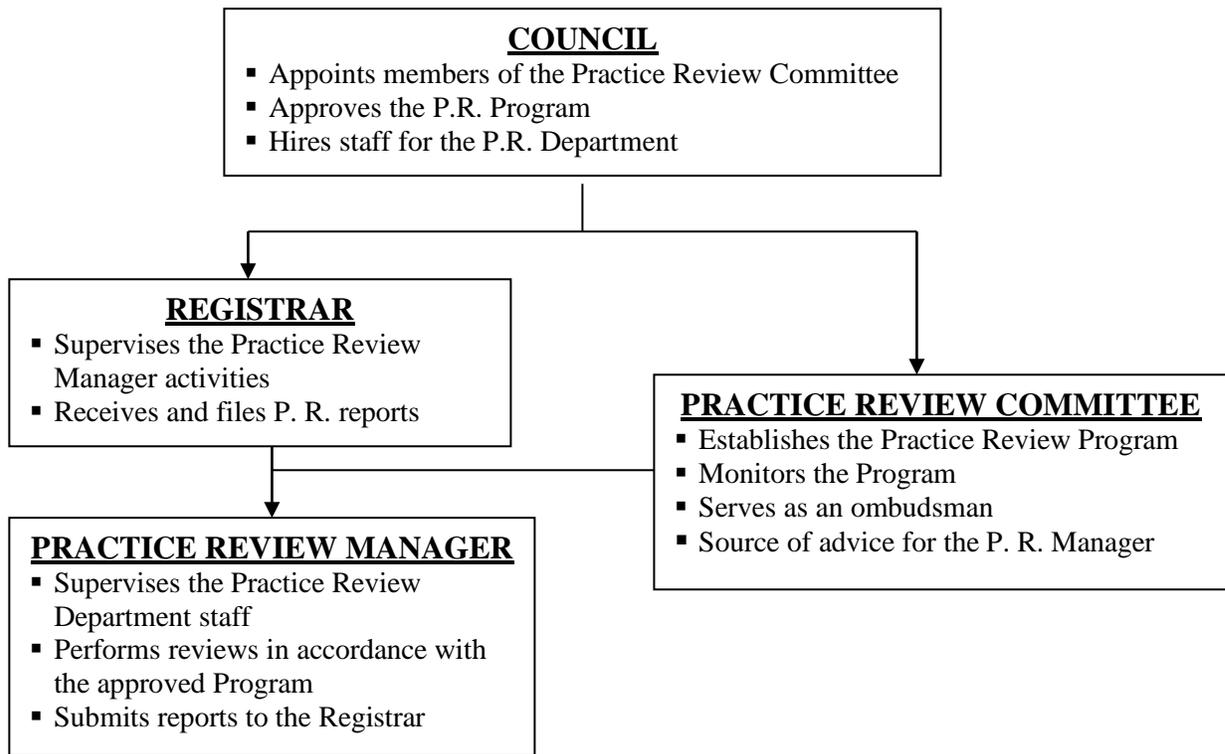
Section 42

The Registrar shall maintain a file for each member of the Association and shall keep in that file all reports of reviews of the surveying activities pertaining to the member, and notify the member of any change to the member's file.

2.3 Consultation with members

The Practice Review Process was developed over a period of years by the Council of the Association with the assistance of the Practice Review Committee and the Practice Review Manager in consultation with the membership.

3.0 PRACTICE REVIEW ORGANIZATIONAL CHART



4.0 PRACTICE REVIEW COMMITTEE

ACLS By-law 10.7 states that there shall be a Practice Review Committee. The purpose of the Committee is to establish and monitor a program of Review of Surveying activities as authorized by the regulations and approved by Council. The chair shall be appointed by Council and there shall be as many members as Council deems appropriate.

4.1 Role of the Practice Review Committee

1. To assist Council in developing a Practice Review Process.

2. To provide advice and assistance to the Practice Review Department in all matters pertaining to practice review activities.
3. To serve as ombudsman to members who have concerns regarding the practice review process.
4. To monitor, report on and assist the work of the Practice Review Department.

5.0 PRACTICE REVIEW PROCESS

The practice review process involves a comprehensive review of each licensed member's practice on a three year cycle and may include a questionnaire, an office visit, a field inspection, a full file review, a checklist audit, a teleconference and a report summarizing the findings of the review.

5.1 Select region

The membership is divided into seven geographic regions: Atlantic, Quebec, Ontario, Territories, Manitoba/Saskatchewan, Alberta, and British Columbia.

5.2 Select member

For the purpose of practice review, a member is defined as a licenced member, permit holder or a government employee authorized to provide cadastral surveying services in accordance with the Act and Regulations.

5.3 Issue questionnaire

A detailed questionnaire will be sent to each member being reviewed. The questionnaire will be structured to draw out sufficient information about the practice so as to provide the Practice Review Department with a "virtual tour" of the office.

5.4 Select Project

Once a member has been selected for review, a plan from that surveyor will be selected at random from those on file in the CLSR plan registry or from MyCLSS electronic plan checklist database. The member will be asked to submit their project file including but not limited to the following:

- Copies of any Survey Instructions
- Any correspondence regarding the project with the client, and other professionals or agencies that were issued or received, with the exception of financial matters.
- Any follow-up check prints
- A copy of the report, if there is one
- A copy of the field records.
- Any other information that would assist Practice Review in evaluating this project.

Included in the review will be an audit of the electronic plan checklist and corresponding plan on file in the MyCLSS database.

5.5 Written Report

On conclusion of the review, Practice Review will summarize its findings in a written report that is emailed to the member. At that time, the member is encouraged to contact the Practice Review Manager if the member wishes to have discussion of the points raised. The surveyor has the opportunity to challenge any points in the report.

The written report will be deposited with the Registrar. A copy of the report will be retained by Practice Review Department.

5.6 Feedback Questionnaire

Following the completion of a review, the member will be asked to complete an on-line feedback questionnaire. The results from the feedback questionnaire are reviewed by the Registrar and compiled into an anonymous graphical format for reporting purposes.

5.7 Checklist Database

A database in myclss is available to track the number and frequency of noted infractions. Once the personal information is removed, this database may be shared with NRCAN or with the MyCLSS change management process.

5.8 Field Inspections

Each year the Practice Review manager will recommend a schedule of field inspections to the Practice Review Committee to approve and forward to Council for consideration. The inspections will be carried out by the Practice Review manager or by a person or persons appointed by Council.

The field inspection process is as follows:

- 1) A geographic region is selected.
- 2) A sampling of projects for each ACLS member in that region is considered.
- 3) Hard copies of the plans are prepared.
- 4) The sites are depicted at various scales using the Canada Lands Overlay on Google Earth
- 5) If the survey is in a First Nations community, a letter of introduction is sent to the First Nations Band Council explaining the ACLS Practice Review Process and the purpose of the upcoming field inspection. Permission to enter the community must be received prior to conducting the field inspection.

- 6) The field inspection will determine whether or not the plan is truly representative of the survey on the ground and vice versa. The evaluation and depiction of evidence used or not used is reviewed. The overall workmanship; blazing and clearing of boundaries etc. is checked.
- 7) If the inspection discloses an irregularity or a concern, additional projects will be reviewed to determine the extent of the problem. The surveyor may be asked to participate.
- 8) A normal field inspection does not include re-measurement of boundaries but it should not be ruled out.
- 9) The results of the field inspection will be included in the final report to the member.

6.0 ASSURANCES AND OBLIGATIONS

6.1 Warranty

A review by the ACLS Practice Review Department does not imply any warranty as to the correctness of a survey or a survey product.

6.2 Confidentiality

Except as provided herein, the ACLS Practice Review Department shall keep confidential, all information with respect to any practice review.

6.3 Financial Records

In the course of a review, the ACLS Practice Review Department will not request, and a member need not supply, any information of a financial nature.

6.4 Duty to Cooperate

The failure of a member to cooperate with the Practice Review Department may constitute an act of Professional Misconduct under the Act. If a member fails to cooperate with the Practice Review Department, the incident shall be reported to the Registrar.

6.5 Referral to the Complaints Committee

Any suspected cases of Professional Misconduct or Incompetence revealed by the review will become the subject of an official complaint to the Association by the Practice Review Manager.

6.6 Continuing Professional Development

It is the duty of the Practice Review Department to:

1. Recommend to Council areas of practice that may become the subject of continuing professional development training programs.
2. Recommend specific training to any member who displays some measure of incompetence in a particular area.

6.7 Response Times

Failure to respond to a request from the Practice Review Department within 30 days may be viewed as a failure to cooperate.