



File: 012-02

Allegation: A letter was received by the College calling attention to the potential role of a College member in completing a Riparian Area Assessment and alleging that in completing the RAR they did not meet Principle 3 of the College Code of Ethics: Ensure they meet a professional standard of care by practicing biology with attention, caution, prudence and due diligence. The allegation was that the member failed to identify and meet the professional standard of care that would avoid reasonably foreseeable undesirable outcomes. The Discipline Committee directed staff that if information is received by the office where a College member is named, it should be given a file number and forwarded to the Discipline Committee. As a result, when information was submitted to the College where a member was named, a file was created. While the sender of the information did not want to submit a complaint at the time, because of previous direction from the Discipline Committee and that the member was currently in good standing and also was during the dates mentioned in the letter, the Discipline Committee followed up with the subject member.

Member Action: The subject member provided a response to some of the areas of concern reported in the letter along with extensive documentation on their communication with staff from government ministries the client, the client's lawyer and arborist.

Decision: The Discipline Committee directed that the allegations against the subject member be dismissed. And that a letter be written to the subject member, not as a warning letter, but as a letter which would take the opportunity to bring to the attention of the subject member their duty and obligations as a member of the College, and their role with respect to conducting Riparian Area Assessments.

Postscript: Although the RAR is fairly prescriptive there still are sections which require decisions that go to meeting a standard of care required by the professional on file. Principle 3 of the Code of Ethics requires members to meet a professional standard of care with attention, caution, prudence and due diligence.