



File #C23-09

Respondent: Registered Professional Biologist

Complaint Submitted: October 24, 2023

Date of Decision: May 21, 2024

Complaint Summary:

The College received a complaint that a registrant (the Respondent) provided misleading information in their Riparian Areas Protection Regulation (RAPR) assessment report by stating that a Conditions and Impact Assessments (CIA) had been approved by the local government when it had not.

The Complainant alleged that the respondent breached the Code of Ethics and Professional Conduct, specifically:

- Principle no. 1: Provide objective, science-based, unfettered, forthright and intellectually honest opinion, advice, and reports in applied biology.
- Principle no. 3: Ensure they meet a professional standard of care by practicing applied biology with attention, caution, prudence, and due diligence.
- Principle no. 7: Maintain a standard of personal and professional conduct that does not reflect adversely on the College or its registrants.

Decision:

The investigation committee reviewed the submissions from the complainant, the respondent and local government. The committee dismissed the complaint after considering the following:

- The local government employee stated that the process for approving CIAs changed over the last year. Previously, CIAs were only attached to a RAPR after they were formally approved. This changed to the CIA being reviewed by the province first. The local government stated that the change in process was not documented, and no clear written procedure was provided to local governments by RAPR staff.
- The respondent interpreted the email from the local government stating “I think you have addressed the Provincial concerns” as an approval.
- The local government employee stated that while the email was not intended as an approval, they assumed that the respondent was aware of the new process, however further correspondence indicated to them that the respondent was not aware of it.

The Committee determined that the respondent received unclear communication from the local government and therefore did not breach the Code of Ethics and Professional Conduct.

This file is now closed.