



**Audit of the Registration Practices
For the year ended July 15, 2008**

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1. Introduction

SF Partnership, LLP (“SF”) was engaged by the Association of Professional Geoscientists of Ontario (“APGO”) to conduct an audit on whether the registration practices for the year ended July 15, 2008, taken as a whole comply, in all material respects, with parts II and III and with sections 19, 20, 22, 23, 24 and 25 contained in part VI of the Fair Access to Regulated Professions Act, 2006 (“FARPA”).

Any recommendations arising from the audit are excluded from this report and are intended as a private communication from SF to the APGO. The APGO may not provide a copy of the recommendation to a third party without the prior written consent of SF; however, SF intends to make this report and its recommendations available to the Office of the Fairness Commissioner (“OFC”).

2. Background

The Professional Geoscientists Act, 2000 received Royal Assent on June 23, 2000 and established the APGO. The APGO governs the practice of professional geoscience in Ontario and reports to the Minister of Northern Development and Mines. The legislation protects the public and investors by establishing a regulated association of geoscientists with the power to admit only qualified persons, to encourage continuing professional competence, to discipline members for professional misconduct and to prevent unqualified individuals from practising¹.

At July 15, 2008, the APGO had 1,492 members and during the year processed 146 application requests.

¹ <http://www.apgo.net/about/index.html>.

3. Objectives

- 1) The objectives of the audit were to:

Develop an understanding of the design and implementation and operating effectiveness of the APGO's registration practices, organized under the following principal elements:

- A. Information for applicants;
- B. Timely decisions, responses and reasons;
- C. Internal review or appeal;
- D. Information on appeal rights;
- E. Qualifications, documentation and assessment;
- F. Training; and
- G. Access to records.

- 2) Assess the effectiveness of the APGO's registration practices according to the above principal elements.

- 3) Test the APGO's compliance with the FARPA and report to the OFC with sufficient information to:

- Advise the OFC about the degree of compliance;
- Support audit conclusions, and explain all exceptions;
- Advise the OFC of potential complaints or problems; and
- Clarify and reinforce the auditor's judgment and decisions

4. Audit Approach

Our general approach to the audit of the APGO was to obtain a sufficient understanding of the organization and the internal control structure and registration policies and procedures of the APGO; to assess the risks of material errors or non-compliance and to design audit procedures to respond to identified risks.

Our risk-based approach focused on obtaining sufficient, appropriate audit evidence to reduce the risk of material error or non-compliance in the registration practices to an appropriately low level, through the examination, on a test basis, of evidence supporting the design and effectiveness of registration practices.

The objective, procedure and results are presented under “Evaluation of Registration Practice”, item 5 of this report.

5. Evaluation of Registration Practices

No.	Audit Objectives	Audit Procedures	Result of Work Performed
A. Information for Applicants			
A.1	Does the APGO provide information about its registration practices to persons applying or intending to apply for registration?	<p>Verify published information for both domestic and internationally trained applicants is available and accessible by performing the following:</p> <ol style="list-style-type: none"> 1. Review website information available and inquire with the Registrar on accessibility throughout audit period. 2. Review pamphlet or hard copies of materials available to applicants and inquire with Registrar on accessibility throughout audit period. 	<p>SF accessed APGO's website noting that sufficient application information for both domestic and internationally trained applicants is available.</p> <p>SF obtained a copy of a pamphlet titled, "Guideline for Application for Membership," and noted that information regarding membership is consistent with the information published on the website.</p> <p>Inquiries were held with the Registrar about the availability of information throughout the audit period and corroborated with other members of the APGO and a thorough review of the website and printed documents.</p>
A.2	Is the APGO providing information about the amount of time that the registration process usually takes?	<p>Verify published information for both domestic and internationally trained applicants regarding registration processing time is available and accessible by performing the following:</p> <ol style="list-style-type: none"> 1. Review website information available and inquire with the Registrar on accessibility throughout audit period. 	<p>SF reviewed the APGO website and noted that such information is not currently published in the website. However, as represented by the Registrar, such information is communicated by e-mail or verbally if requested by the applicant. This was corroborated by review of correspondence and discussions with other staff of the APGO.</p>

5. Evaluation of Registration Practices (continued)

No.	Audit Objectives	Audit Procedures	Result of Work Performed and Conclusion
A. Information for Applicants (continued)			
A.3	Is the APGO communicating the objective requirements for registration? Does the APGO explain which requirements may be satisfied through acceptable alternatives?	<p>Verify published information for both domestic and internationally trained applicants regarding objective requirements for registration is available and accessible by performing the following:</p> <ol style="list-style-type: none"> 1. Review website information available and inquire with the Registrar on accessibility throughout audit period. 	<p>SF noted that the Professional Geoscientists Act, 2000 (the “P. Geo Act”) is available on the website. Information regarding requirements for membership is indicated in Sections 8, 9 and 10 of the P. Geo Act and detailed information is provided in Registration Regulation, O.Reg 59/01 which is also available on the website.</p> <p>SF reviewed the APGO website and noted that the APGO does not clearly specify acceptable alternatives for requirements, however, as represented by the Registrar, each application is taken on a case-by-case basis and options or alternatives are considered.</p>
A.4	Does the APGO provide a fee scale?	<p>Verify published information for both domestic and internationally trained applicants regarding registration fee scale by performing the following:</p> <ol style="list-style-type: none"> 1. Review website information available. 	<p>SF accessed the APGO’s website, noting that the schedule of fees published on the website was available and accessible.</p>

5. Evaluation of Registration Practices (continued)

No.	Audit Objectives	Audit Procedures	Result of Work Performed and Conclusion
B. Timely Decisions, Responses and Reasons			
B.1	Does the APGO make registration decisions within a reasonable time?	<p>Understand and document the registration timeline from information provided by the Registrar to determine the basis for a reasonable time.</p> <p>From the list of all applications received during the reviewed period, select a sample of applications and verify that written responses, were made within a reasonable time.</p> <p>Select a sample of 30 applicants, consisting of 15 foreign-trained applicants and 15 domestic applicants, from the list of registration applications during the year to provide a high level of assurance based on a 95% confidence rate (deviation rate of 5%).</p>	<p>SF obtained the registration timeline from the Registrar. Based on the timeline provided, applications usually take three to four months to process applications provided the following requirements are submitted/met:</p> <ul style="list-style-type: none"> • Application form; • Valid transcript(s) (and, for the internationally trained, an equivalency evaluation); • Work Experience Report (in the prescribed format); • Three references (as described in the Registration Regulation, O.Reg 59/01, and the Guideline for Applications); • Application Fee; and • Completion of the Professional Practice and Ethics Examination (for those applying as practicing members). <p>A reasonable time has been determined to be less than five months where the above requirements are met.</p> <p>Based on the samples tested, registration decisions appear to be provided within a reasonable time. No exceptions were noted.</p>

5. Evaluation of Registration Practices (continued)

No.	Audit Objectives	Audit Procedures	Result of Work Performed and Conclusion
B. Timely Decisions, Responses and Reasons (continued)			
B.2	Does the APGO give written responses to applicants within a reasonable time?	Using the same sample selected in B.1, verify that written responses, to applicants were made within a reasonable time, as defined – B.1, by reviewing communications filed within the applicant’s folder.	Based on the samples tested, written responses were provided within a reasonable time. No exceptions were noted. Further, as represented to us by the Registrar, answers to applicant questions with regard to the application process are given within minutes to up to a few days (depending on the complexity of the question).
B.3	Does the APGO give written reasons to applicants within a reasonable time about all registration decisions and internal review or appeal decisions?	Using the same sample selected in B.1, verify that written responses, to applicants were made within a reasonable time, as defined – B.1, by reviewing communications in the applicant’s file. Select a sample from the list of applications that resulted in appeals during the year and verify that written reasons about the appeal were given to applicants within a reasonable time, as defined – B.1, by reviewing communications in the applicant’s file.	Based on the test performed, SF noted that written reasons about all registration decisions and internal review or appeal decisions were given to applicants within a reasonable time. During the year, only two applications resulted in an appeal. SF tested the two applications. Based on the test performed, written responses about registration decisions and internal review or appeal decisions were given within a reasonable time.

5. Evaluation of Registration Practices (continued)

No.	Audit Objectives	Audit Procedures	Result of Work Performed and Conclusion
C. Internal Review or Appeal			
C.1	Does the regulatory body provide an internal review or appeal from its registration decisions within a reasonable time?	Select a sample from the list of applications that resulted in appeal during the year and verify that an internal review or appeal from its registration decisions was provided within a reasonable time, as defined – B.1.	As noted in B.3, only two applications resulted in an appeal. SF tested these two cases. SF examined the letters notifying the applicant about the hearing, e-mails between APGO and the applicant, and letters notifying the applicant about the panel’s decision. The period between the initiation of the appeal by the applicant and the decisions and communications were conducted within a reasonable time.

5. Evaluation of Registration Practices (continued)

No.	Audit Objectives	Audit Procedures	Result of Work Performed and Conclusion
C. Internal Review or Appeal (continued)			
C.2	Does the APGO give applicants for registration the opportunity to make either oral, written or electronic submissions about any internal review or appeal?	Select a sample from the list of applications that resulted in appeal during the year and verify that applicants were notified of an opportunity to make written or oral submission as appropriate.	<p>As noted in B.3, only two applications resulted in an appeal. SF tested these two cases. SF examined the letters notifying the applicant about the hearing, e-mails between APGO and the applicant, and letter notifying the applicant about the panel's decision, and other documents relevant to the hearing.</p> <p>SF noted that attached to the letter about the schedule of hearing was a copy of the rights-of-appeal document which states, "7. If the appeal hearing is to be held as an "electronic hearing", all written materials and submissions to be presented in the appeal hearing are to be provided to the Registrar not less than ten (10) days before the date of the hearing. The Registrar shall provide copies of the written materials and submissions to the appellant and all members of Council."</p> <p>Accordingly, applicants wishing to appeal can do so as required by the FARPA.</p>

5. Evaluation of Registration Practices (continued)

No.	Audit Objectives	Audit Procedures	Result of Work Performed and Conclusion
D. Information of Appeal Rights			
D.1	Does the APGO inform applicants of any rights they may have to request a further review of, or appeal from, a registration decision?	Select a sample from the list of applications that resulted in appeal during the year and verify that written decisions in respect of internal review or appeal contain information on any rights the application may have to request further review of, or appeal from, the decision.	<p>Based on the sample selected, SF noted that a denial letter contained a paragraph concerning the right to appeal. However, acceptance letters granting a limited license did not contain a similar paragraph.</p> <p>SF obtained a copy of By-Law No. 6 of the Registration. The by-law makes reference to Practice and Procedures for Appeal of Registration Committee Decisions. The right-of-appeal document clearly sets out the appeal process and is available on the APGO's website.</p>
D.2	Are registration decision-makers separate from the decision-makers in internal reviews or appeals of those registration decisions?	Select a sample from the list of applications that resulted in appeal during the year and verify that no one who acted as a decision maker in respect of registration decision acted as a decision maker in an internal review or appeal by reviewing the names of the Registration Committee to compare with the appeal panel from the sample selected.	<p>SF obtained the names of the Registration Committee.</p> <p>SF then obtained the members of Appeal Panel for both hearings.</p> <p>SF noted that no one individual who acted as a decision maker in respect of the registration decision acted as a decision maker in an internal review or appeal.</p>

5. Evaluation of Registration Practices (continued)

No.	Audit Objectives	Audit Procedures	Result of Work Performed and Conclusion
E. Qualifications, Documentations and Assessment			
E.1	Does the APGO make available to the public its requirements for the documentation of qualifications that must accompany an application?	Verify published information for both domestic and internationally trained applicants is available and accessible by reviewing the APGO's website information available.	SF accessed APGO's website noting that sufficient application information for both domestic and internationally trained applicants is available with respect to qualifications.
E.2	Does the APGO give applicants information on acceptable alternatives to the documentation if they cannot obtain the standard documentation for reasons beyond their control?	Verify published information for both domestic and internationally trained applicants regarding acceptable alternatives to documentation	SF reviewed the APGO website and noted that the APGO does not clearly specify acceptable alternatives to the documentation if they cannot obtain the standard. However, as represented by the Registrar, each application is taken on a case-by-case basis and options or alternatives are considered. Registration Regulation, O.Reg 59/01 provides an alternative.

5. Evaluation of Registration Practices (continued)

No.	Audit Objectives	Audit Procedures	Result of Work Performed and Conclusion
E. Qualifications, Documentations and Assessment (continued)			
E.3	Does the APGO make its own assessment of qualifications in a way that is transparent, objective, impartial and fair?	<p>Obtain the policies and procedures surrounding the assessment of qualifications.</p> <p>Interviewing relevant staff regarding assessment qualification</p> <p>To assess transparent, objective, impartial and fair, SF will determine if the qualifications are accessible and have been consistently applied.</p>	<p>As represented by the Registrar, transcripts are assessed by an APGO Academic Assessor, the Registration Committee and/or the Registrar to ascertain if they meet the Minimum Knowledge Requirements as set by the Canadian Council of Professional Geoscientists Canadian Geoscience Standards Board and as adopted by the APGO Council. The Minimum Knowledge Requirements are available online, via the downloadable application package or by contacting the APGO office.</p> <p>SF corroborated the abovementioned representation in conjunction with 30 samples selected in B.1. SF was able to satisfy itself that APGO consistently evaluated qualifications on a course-by-course basis.</p> <p>No exceptions noted.</p>

5. Evaluation of Registration Practices (continued)

No.	Audit Objectives	Audit Procedures	Result of Work Performed and Conclusion
E. Qualifications, Documentations and Assessment (continued)			
E. 4	If the APGO relies upon third parties to assess qualifications, does it take reasonable measures to ensure that the third parties make assessments of qualifications in a way that is transparent, objective, impartial and fair?	<p>Obtain, review and document understanding of Memorandum of Understanding/Service Level Agreements between the profession and any third party.</p> <p>Using the same testing samples in B.1, verify that APGO consistently request the same level of service (i.e., degree of evaluation required) for all internationally-trained applicants.</p>	<p>No formal service agreements with third parties are currently in place.</p> <p>Based on 15 samples of internationally-trained applicants, SF was able to satisfy itself that APGO consistently required a course-by-course evaluation as opposed to a degree-by-degree evaluation from third party education evaluation services. Based on the evaluation provided, the Registration Committee will match the relevant geoscience courses against the minimum knowledge requirements required by APGO.</p> <p>No exception noted.</p>

5. Evaluation of Registration Practices (continued)

No.	Audit Objectives	Audit Procedures	Result of Work Performed and Conclusion
F. Training			
F.1	Does the APGO ensure that persons assessing qualifications and making registration decisions are trained?	<p>Obtain and document understanding of the type of training provided to individuals involved in assessing qualifications, making registration decisions or internal review or appeal decisions by:</p> <ul style="list-style-type: none"> - Obtaining and reviewing the profession's policies, procedures and process maps - Interview relevant staff <p>Document understanding of training policies and procedures.</p>	<p>No formal training policies are in place.</p> <p>- However, individuals on the Registration Committee and the Appeals Panel are selected as per the Registration Regulation and the right-of-appeal document. This process ensures that qualified individuals with appropriate knowledge and a wide and varied background review the qualifications of the applicants. All members of the Registration Committee must also be APGO members and as such are held to a regulated Code of Ethics.</p> <p>- No exceptions noted.</p>
F.2	Does the APGO ensure that persons who make internal review or appeal decisions know how to hold hearings, if hearings are necessary?	<p>Obtain and document understanding of the type of training provided to individuals involved in the internal review or appeal decisions process by:</p> <ul style="list-style-type: none"> - Obtaining and reviewing the profession's policies, procedures and process maps - Interview relevant staff <p>Document understanding of training policies and procedures</p>	<p>In cases involving appeal, the Registrar ensures that the Chair and the rest of the Panel are given all the relevant procedural documentation prior to the hearing. A brief meeting is also held by the panel immediately prior to the hearing to discuss any procedural questions. The Chair of the Appeal Panel is the President or Vice President of the Association, both of whom will have been involved in panels under the direction of the previous President or Vice President.</p>

5. Evaluation of Registration Practices (continued)

No.	Audit Objectives	Audit Procedures	Result of Work Performed and Conclusion
F. Training (continued)			
F.2			<p>SF confirmed the above information with Andrea Waldie, Registrar, on September 25, 2008. SF corroborated the explanation by looking at a sample of binder containing the hearing documentation, including the procedures for special meeting of council called to hear an appeal of the Registration Committee decision.</p> <p>No exception noted.</p>
F.3	<p>Does the APGO ensure that training in any special considerations that may apply in the assessment of applications is provided, and that the process for applying those considerations is taught?</p>	<p>Obtain and document understanding of the type of training provided to individuals involved in assessing qualifications, making registration decisions or internal review or appeal decisions by:</p> <ul style="list-style-type: none"> - Obtaining and reviewing the profession's policies, procedures and process maps - Interview relevant staff <p>Document understanding of training policies and procedures.</p>	<p>This is done on an ongoing basis through training for registration process and reading of related regulations.</p>

5. Evaluation of Registration Practices (continued)

No.	Audit Objectives	Audit Procedures	Result of Work Performed and Conclusion
G. Access to Records			
G.1	Does the APGO give applicants access to records related to their application, upon written request?	<p>Select a sample of applications containing request for access to records and verify that applicants were granted such access.</p> <p>Applications where access was not granted verify that reasons for refusal have been recorded and are in line with internal policies regarding access to records.</p>	<p>During the year, APGO received only one request from an applicant to access the records. The applicant requested a copy of the application and work experience record submitted. The requested documents were provided as requested.</p> <p>SF noted no instance where APGO refused a request to access records.</p>
G.2	Does the APGO limit access only to the extent permitted in the legislation?	Select a sample of applications containing request for access to records and verify that access is limited only to the extent permitted in the legislations.	In accordance with P. Geo Act, access is not provided to those records which may concern privacy issues.
G.3	Does the APGO give the applicant partial access when records can reasonably be severed?	Select a sample of applications containing request for access to records and verify that the applicant is given access when records can be reasonably severed.	Based on SF's understanding, records of each applicant can be reasonably severed.
G.4	Does the APGO have a process for considering requests for access to records?	Discuss with the Registrar about the current process for considering request for access to records.	<p>Should an applicant come to APGO and request viewing of the applicant's file, the current process is to:</p> <ul style="list-style-type: none"> • Pull the file; • Review the file and sever any documentation that may infringe upon the privacy of another individual, such as the references; • Provide the file to the applicant/member for review; and • Supply photocopies on request. <p>SF verified that the above process was operating as described based on the sample.</p>

5. Evaluation of Registration Practices (continued)

No.	Audit Objectives	Audit Procedures	Result of Work Performed and Conclusion
G. Access to Records (continued)			
G.5	Does the APGO give applicants an estimate of any fee charged for access?	Discuss with the Registrar about the current process for considering request for access to records.	Currently, there is no fee charged of any kind.
G.6	Is the amount of the access fee less than the amount prescribed by regulation or, if no amount is prescribed, does the amount reflect reasonable cost recovery?	Discuss with the Registrar about the current process for charging fee on the access of records.	As above, no amount is charged for granting access, accordingly the access fee appears to be fair and equitable.
G.7	Does the regulatory body waive fees? If so, are these waivers based on fair and equitable reasons?	Discuss with the Registrar about the current process for charging fee on the access of records.	As above, no amount is charged for granting access, accordingly the access fee appears to be fair and equitable.

6. Summary of Audit Procedures Conducted

A rating for the design and operating effectiveness of each principal element described in Section 3 was provided using the following rating system.

RATING	DEFINITIONS
Good	The controls were properly designed and have been operating effectively. No or very minor recommendations and the criteria required by the FARPA were met.
Satisfactory	The controls were properly designed and have been operating effectively, but there is room for improvement and the criteria required by the FARPA were met for the most part.
Needs Immediate Improvement	There was a significant weakness in the control design and/or operating effectiveness and the criteria required by the FARPA were partially met.
Unsatisfactory	There was a serious weakness in the control design and/or operating effectiveness, the criteria required by the FARPA were not met and remedial action is warranted.

The rating conclusions reached are based on the results from the audit procedures performed. Below lists the categories of applications as a percentage of total applications in the year.

APPLICATION CATEGORIES	General
Percentage of:	
Application requests accepted as members	42%
Application requests denied as members	16%
Application requests deferred	3%
Application requests in process	32%
Applicants in training	7%
Number of application requests in the year	146
Number of international application requests (included above)	24

6. Summary of Audit Procedures Conducted (continued)

Summary of audit findings are presented below (each column corresponds to the principle elements as per the objective of page 2 item 3.1):

FINDINGS	A	B	C	D	E	F	G
Number of instances of non-compliance	0	0	0	0	0	0	0
Number of instances of material error	0	0	0	0	0	0	0
Number of control deficiencies identified	0	1 ^(a)	0	0	1 ^(b)	0	0

CONTROL DEFICIENCIES IDENTIFIED

^(a) The APGO had policies and procedures appropriate for the size of the organization, however it was not apparent that there were formal documented policies that provided an estimated timeline for registration, internal review, and an appeal processes and/or decisions;

^(b) Academic/Program requirements were unclear as they related to the minimum knowledge requirements for educational units when compared to a four-year Bachelor of Science degree or its equivalent, awarded by a Canadian university, in the area of geoscience. Improvements to the information available with respect to the qualifications were updated in May 2008.

6. Summary of Analysis Conducted (continued)

ADDITIONAL QUALITATIVE FINDINGS

- Staff appear to have the appropriate skills for their position;
- The Registrar is actively involved in operations;
- Communication flows well between the staff and Council;
- There are limited staff to perform the registration duties;
- The information technology used appears to be appropriately designed; and
- A sufficient level of communication is presented in all cases of application requests.

Final rating provided to the OFC based on the above.

	PRINCIPAL ELEMENTS	RATING
A	Availability of information	Satisfactory
B	Timely decisions, responses and reasons	Needs Immediate Improvement
C	Internal review or appeal	Good
D	Information appealing rights	Satisfactory
E	Qualifications, documentations and assessment	Satisfactory
F	Training	Satisfactory
G	Access to records	Satisfactory

7. Audit Opinion

AUDITORS' REPORT ON COMPLIANCE WITH STATUTE

To the **Office of the Fairness Commissioner**

We have audited the **Association of Professional Geoscientists of Ontario's** ("APGO") compliance for the year ended July 15, 2008 with the criteria established in the Fair Access to Regulated Professions Act, 2006 ("FARPA"), with parts II and III of the FARPA and with sections 19, 20, 22, 23, 24 and 25 contained in part VI. Compliance with the criteria established by the provisions of the statute is the responsibility of the management of the APGO. Our responsibility is to express an opinion on this compliance based on our audit.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the APGO complied with the criteria established by the provisions of the statute referred to above. Such an audit includes examining, on a test basis, evidence supporting compliance, evaluating the overall compliance with these criteria, and where applicable, assessing the accounting principles used and significant estimates made by management.

In our opinion, for the year ended July 15, 2008, the APGO was in compliance, in all material respects, with the criteria established in the FARPA, with parts II and III of the FARPA and with sections 19, 20, 22, 23, 24 and 25 contained in part VI.

SF Partnership, LLP

Toronto, Canada
October 7, 2008

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