



self-regulation

ONTARIO PROFESSIONAL PLANNERS INSTITUTE

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Professional
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Institut des
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Consider the Possibility

For several decades, professional planners in Ontario have been considering the desirability and possibility of becoming a fully self-regulated profession.

This would mean—

... having a regulator established by the provincial government for the benefit of the public. While the government is not itself the regulator, every regulator is accountable to the government, through a particular ministry. For planners, the Ministry of Municipal Affairs and Housing appears to be a logical starting point for discussion about reporting arrangements with the government. The province must remain satisfied the regulator is complying with the legislation that grants it the powers of self-regulation, and is doing so in the public interest.

... members may be granted certain rights—to use certain titles, to perform certain restricted acts—that non-members do not enjoy.

... members may have certain duties imposed on them by the regulator. For instance, membership and entry to practice must be carefully controlled, so only competent, ethical individuals enjoy the right to practice. This is current practice at OPPI.



Public Interest

Since the government grants a profession the privilege of self-regulation not for the good of members of the profession, but for the benefit of its citizens, the test that must be met to justify self-regulation is a “public interest” test. Its articulation will evolve as stakeholders and government are consulted but it begins with the following principles.

A professional serves people by bringing specialized training, expertise, knowledge and perspective to bear on the issues. Damage done by unqualified, unprepared or unethical planners can significantly harm public, environmental and economic health.

Land resources are limited and need to be carefully conserved and leveraged to ensure future generations continue to have choice and opportunities. The right to practice as a planner, if legislated, can ensure that the public interest is held paramount.

Self-regulation of the planning profession will ensure that anyone who calls himself/herself a planner has met certain standards and is guided by a code of practice and ethics. Self-regulation should ensure the information and recommendations being presented to developers and decision-makers is based on best practices, educational certification, peer assessment and independent professional opinions.

Self-regulation

for the Planning Profession

1. OPPI Council has endorsed the recommendation of the Professional Practice Advisory Group (PPAG) to pursue stronger legislation to move from a voluntary, consensual, professional association to a self-regulated profession acting in the public interest.
2. The intent of legislation to self-regulate the planning profession is to enforce universal professional standards for planners consistent with the broader public good
 - To ensure anyone who calls herself/himself a planner has the requisite skills and competencies and meets established ethical standards.
 - To recognize and advance the significant role of the planning profession in protecting the public interest.
3. Protecting the public interest is paramount
 - To respect and integrate (for instance) the needs of future generations and to value the natural and cultural environment balancing preservation with sustainable development.
 - To respect and protect diversity (for instance) in values, cultures, economics, ecosystems, built environments and distinct places.
 - OPPI members already uphold a Professional Code of Conduct that emphasizes their primary responsibility as defining and serving the interests of the public. They employ theories and techniques of planning that inform and structure debate, facilitate communication and meaningful participation and foster understanding among decision makers and members of the public.
4. The potential implications of self-regulation can be identified in order to work towards a seamless transition
 - Scope of practice will remain the same but certain activities may be regulated.
 - Title protection broadened and enhanced.
 - Discipline and membership requirements will be enforced by a government appointed regulator (OPPI or other) rather than a voluntary professional association.
 - Transparency will increase with the public having increased access to information concerning members' professional qualifications and contact information.
 - May be some added costs to members which would be carefully reviewed.
5. Complementary initiatives are underway
 - Professional standards are being set as part of *Planning for the Future*.
 - Continuous Professional Learning Program is being enhanced.
 - Communication tools are being honed.
6. The foundation has been laid and the next steps are logical and timely
 - Resume government consultation after the provincial election.
 - Ongoing communication with membership.
 - In 2012, draft legislation acceptable to the Province of Ontario; plebiscite to confirm member support; formal request to Attorney General.

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Commonly Asked Questions



Q Would self-regulation only affect “regional” or “land use” planners?

All OPPI members are well covered by the broad definition of “planning” and by any reasonable, comprehensive “scope of practice” that might be defined for professional planning under self-regulation legislation. This includes the many members who are “socio-economic planners,” “environmental planners,” development planners and all the other practice areas that have developed.

Q Are professional planners in other provinces self-regulated?

Not fully; some provinces arguably grant their professional planners more recognition than Ontario, but other provinces do not yet even grant title protection to their professional planners. All the affiliates across Canada are in agreement with the goal of improving the legislative status of professional planners within every province.

Q Are other professions in Ontario, in addition to those affecting physical health (e.g. physicians) and safety (e.g. engineers), self-regulated? Why?

Yes, architects, teachers, accountants, foresters, funeral directors, lawyers, geoscientists, insurance brokers and land surveyors, for example, are self-regulated.

Some professions are self-regulated because their practice affects the financial well-being of clients and others because it impacts society as a whole.

Q Is self-regulation expensive?

There is no simple answer to this question. Many self-regulated professionals pay mandatory annual fees to a regulator, and voluntary annual fees to a professional association, perhaps separately to a provincial and a national association.

Self-regulated professionals in Ontario may pay mandatory annual fees anywhere between \$120 (Ontario College of Teachers) and \$2,017 (Law Society of Upper Canada).

Fees vary due to the size of the membership and whether it allows for economies of scale. They are also impacted by decisions to include professional association membership, liability insurance or other licenses, and whether the regulator requires an expensive discipline department to handle a large number of complaints against members.

Since OPPI already takes on many of the responsibilities of a regulator, it is not anticipated that expenses would rise dramatically if professional planners became fully self-regulated.

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