



# **Supervision and the Professional Practice of Forestry**

**An ASFP Guideline for Professional Practitioners**

**April 2014**

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## 2.0 Supervision and the Professional Practice of Forestry

With the proclamation in 2013 of *The Forestry Professions Act* the professional practice of forestry was limited to members of the Association of Saskatchewan Forestry Professionals (ASFP). This restriction was limited to three classes of professionals registered with the ASFP: registered professional forest technologists (RPFT), registered professional foresters (RPF), and registered restricted members.

Section 23.01 of *The Forestry Professions Act* prohibits practice and names a number of exceptions. Section 23.01 reads (in part) as follows:

**23.01(1)** No person shall engage in the professional practice of forestry unless the person is a practising member who:

- (a) is registered with the association as a professional forest technologist;
- (b) is registered with the association as a professional forester; or
- (c) is registered with the association as a restricted member pursuant to subsection 19(6).

(2) Subsection (1) does not apply to:

- (a) any individual, including a forest technologist-in-training or a forester-in-training, who engages in the professional practice of forestry under the supervision of a professional forest technologist, a professional forester or a restricted member;

Professional practice of forestry is defined within *The Forestry Professions Act* as:

the provision of services in relation to the development, management, conservation and sustainability of forested land where those services require knowledge, training and experience equivalent to that required to become a member pursuant to this Act, and includes all or any of the following:

- i. the planning, classification, inventory, mapping, measurement, certification, appraisal and evaluation of forested land;
- ii. the development, implementation, examination or auditing of programs for harvesting and renewal of forested land;
- iii. the conservation, reclamation, improvement or protection of forested land for forestry purposes;
- iv. the administration, inspection or monitoring of forested land

Section 23.01(2)(a) contains language which allows for non-members to practise forestry under the supervision of a member. The meaning of supervision was not defined in the Act and it falls upon the Association to define the scope of what is intended by supervision. Supervision in the sense of the professional practice of forestry is something that has been defined recently by other professional forestry associations in Canada recently, most notably the Association of British Columbia Forestry Professionals (ABC FP). This document is based directly on the May 2013 ABC FP Guideline *Supervision*. The ASFP thanks the ABC FP for graciously allowing the ASFP to use their work.

A registered member who “supervises” an enrolled member or a non-member must take a deliberate approach in the supervision of the practice of professional forestry by:

- Being proactive in the supervision of the practice of professional forestry;
- Appropriately and consistently applying supervision of the practice of professional forestry;
- Answering to the professional accountability and consequence for the “practice of professional forestry” work done by the non-member; and
- Limiting the number of enrolled members or non-members that he or she supervises in the practice to ensure that there is sufficient time available for adequate supervision of the practice of professional forestry<sup>1</sup>.

Proper supervision is based upon professional accountability of the member towards the work of the person being supervised. A member can satisfy the necessary due diligence in this assumption of accountability through the personal knowledge of the daily work and job performance of the person being supervised<sup>2</sup>.

### **3.0 Characteristics of Supervision of the Practice of Professional Forestry**

To help members understand the scope of what supervision entails the following characteristics of supervision can provide guidance:

#### **1. Due diligence in supervision**

To ensure that you are undertaking the necessary due diligence required of supervision through personal knowledge of the daily work and job performance of a person being supervised a member should:

- a. Ensure that the person under supervision of practice has sufficient knowledge, training and/or competency for the task at hand;
- b. Monitor and review the professional work of the person under supervision;
- c. Be available to the person being supervised in order to answer questions or discuss work as it pertains to professional practice; and
- d. Understand the location, tasks required, and possible outcomes of the professional work.

#### **2. Making time for supervision is essential**

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<sup>1</sup> Association of British Columbia Forest Professionals. 2013. Supervision Guideline. 11p. <http://tinyurl.com/kb7xyfm>

<sup>2</sup> Association of British Columbia Forest Professionals. 2012. Guidelines for Professional Services in the Forest Sector – Forest Roads. 39p. <http://tinyurl.com/n5ofogq>

A member who is supervising a person's daily work and job performance needs to devote enough time in order to satisfy the due diligence described above. Those being supervised must have enough of a supervisor's time to ask the questions and have the discussions about professional work.

- a) While there is no recommended limit on how many people can simultaneously be supervised by one member, there are limits on the time any one member can devote to supervision and this in turn will be driven by the exercise of due diligence.
- b) Members should consider the type and complexity of the professional work being supervised and determine what level of supervision (from close scrutiny to routine contact) is required. Since a member is professionally accountable for the professional work of those being supervised it is wise to consider how much oversight is needed to ensure due diligence has been satisfied.

### 3. Supervision of professional practice is not the same as supervision of employees

Supervision of the practice of professional forestry is different, and not to be confused with, employment supervision;

- a. Much of an employee's work is outside of the scope of *The Forestry Professions Act* and thus supervision of professional practice as being explained here is not applicable.
- b. Employee supervision ensures that the daily activities and the operational functions of an organization occur.

Supervision of the practice of professional forestry is different from employment supervision in that it is professional oversight and accountability for the work of those not entitled to practice.

### 4. Applicability of Supervision of professional practice

Supervision of the practice only applies to those who are not entitled to practise professional forestry in a specific area of practice. Members do not supervise the professional practice of other members (except for Forester-in-Training or Forest-Technician-in-Training members).

### 5. Assumption of professional accountability

Members engaged in the supervision of professional forestry practice must take the professional accountability for the work done under their supervision. Members should ensure that the records and reporting of professional work under supervision is sufficient that, should something go wrong, they can stand before a professional disciplinary committee or court.

## 6. Contracting of work considered professional practice of forestry

If work that falls under the scope of professional practice is being contracted to a person who is a non-member or to a company that lacks members on staff then supervision of professional work by a member as described above is required. Companies hiring contractors for work within the scope of professional practice must ensure that a member is supervising and professionally accountable for the contracted work.

Supervision is, therefore, more than a reporting relationship, lines on an organizational chart or a responsibility that can be imposed on a registered member without consent. There must be an ability to undertake the necessary due diligence to provide them the comfort required to assume professional accountability for the 'professional forestry' work done by the non-member under their supervision. The comfort of the supervising member is based on the personal knowledge of the day-to-day 'professional forestry' and job performance of the person being supervised in the practice<sup>4</sup>.

## 4.0 Supervision Scenarios

It is important to note that in the examples that follow supervision refers to professional supervision by a member as described above. Contract supervision is different and is something that a company hiring contractors should be doing as part of its regular operations.

### 1. Forestry Road Construction

- a) TreeCo has hired Smith Contracting to build a logging road. Smith Contracting has been hired to clear the road right of way and prepare the roadbed. Smith Contracting has no members on staff.

Is TreeCo required to have a member professionally supervise this work? The question that needs to be asked is whether the work involved falls under the scope of professional practice as a service *related to the development, management, conservation and sustainability of forested land where those services require the knowledge, training, and experience equivalent to that required for becoming a member*. The clearing of a right of way and preparation of a road bed is considered *development of forest land* under the scope of practice but does not meet the threshold of *knowledge, training, and experience equivalent to that required for becoming a member* and so supervision by a TreeCo employee who is also a member is not required.

- b) TreeCo has hired Smith Contracting to design and build a road system including road layout, water crossing locations design and installation, and culvert determination layout and installation. Smith Contracting has no member on staff.

Is TreeCo required to have a member professionally supervise this work? The question that needs to be asked is whether the work involved falls under the scope of professional practice as a service *related to the development, management, conservation and sustainability of forested land where those services require the knowledge, training, and experience equivalent to that required for becoming a member*. The design of road systems to provide access for harvesting operations is a more complex *development of forest land* and meets the threshold of *knowledge, training, and experience equivalent to that required for becoming a member* and so supervision by a TreeCo employee who is also a member is required.

An alternate solution should TreeCo not wish to take on the professional accountability of Smith Contracting is to, within the contract, require Smith Contracting have a member on staff to do this work.

## 2. Harvesting Contractors

- a) TreeCo has hired Smith Logging to cut, skid, and process forest products on a few blocks under TreeCo's license. Smith Logging has no member on staff.

Is TreeCo required to have a member professionally supervise this work? Since cutting, skidding, and processing forest products is not the *implementation of a program of harvesting forest land* (as described in part ii of the definition of the practice of professional forestry), supervision of Smith Contracting by a TreeCo employee who is also a member is not required.

- b) TreeCo is getting out of the business of harvesting forest products to concentrate on their manufacturing operations. TreeCo has hired Smith Logging to harvest forest products and supply the mill exclusively under TreeCo's license. Smith Logging has no member on staff.

Is TreeCo required to have a member professionally supervise this work? Since this contract is the *implementation of a program of harvesting forest land* as described in part ii of the definition of the practice of professional forestry, supervision of Smith Contracting by a TreeCo employee who is also a member is required.

An alternate solution should TreeCo not wish to take on the professional accountability of Smith Contracting is to, within the contract, require Smith Contracting have a member on staff to do this work.

### 3. Forest Renewal Surveys

- a) TreeCo has hired Smith Silviculture Services Inc. to conduct regeneration assessments on old TreeCo harvest blocks. Smith Silviculture Services Inc. has no member on staff.

Is TreeCo required to have a member professionally supervise this work? The question that needs to be asked is whether the work involved falls under the scope of professional practice as a service *related to the development, management, conservation and sustainability of forested land where those services require the knowledge, training, and experience equivalent to that required for becoming a member*. Regeneration assessments are considered part of a *program of the renewal of forest land* under the scope of practice but does not meet the threshold of *knowledge, training, and experience equivalent to that required for becoming a member* and so supervision by a TreeCo employee who is also a member is not required.

- b) TreeCo has hired Smith Silviculture Services Inc. to conduct regeneration assessments and provide analysis on whether the regeneration status of TreeCo harvest blocks is meeting the requirement of Values Objective Indicators and/or Targets as described in the TreeCo forest management plan. Smith Silviculture Services Inc. has no member on staff.

Regeneration assessments are considered part of a *program of the renewal of forest land* under the scope of practice while the additional work of providing analysis likely meets the threshold of *knowledge, training, and experience equivalent to that required for becoming a member* and so supervision by a TreeCo employee who is also a member is required.

An alternate solution should TreeCo not wish to take on the professional accountability of Smith Silviculture Services Inc. is to, within the contract, require Smith Silviculture Services Inc. have a member on staff to do this work.