

Forum

President's Message from Ken Hoyle

By the time you read this I will have been President of CAPHC I ACECP for 10 months. Time has rocketed by and I thank the Board, ably assisted by Fiona, for having accomplished many things in a very short time. We have addressed complaints against two members, dealt with the backlog of applications, had lively debates, and have prepared a comprehensive list of proposed changes to the structure and operation of CAPHC for your consideration at our annual meeting.

As a stronger national organization we will be able to provide greater support to our members in their efforts to serve Canadians in their quest to conserve our rich and valued heritage.

The ETF has been very busy over the last 10 months. We recommended and the Board approved the changes to CAPHC I ACECP's governing structure, membership categories, application requirements, discipline protocol and Code of Ethics at the Board's March meeting. These proposed changes will be brought forward to our annual meeting in May for Membership ratification. Please see these proposed changes in this issue of Forum and on our web site.

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Evolution Task Force

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Please plan to attend the Joint Conference and Annual Meeting to be held in Guelph, Ontario May 4th through 6th. It is our first joint conference and it should prove to be very interesting to share time, information and views with the Architectural Conservancy of Ontario and Community Heritage Ontario.

President's Message

Report on Cross-Jurisdiction Chapter

Review

Education Committee Report

Changes to Membership Categories & Requirements*

Revised Code of Ethics*

Proposed Standards for Disciplinary Procedures*

* To be presented for ratification by the Annual General Meeting in Guelph, Ontario, May 5, 2007



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CAPHC | ACECP Proposed Evolution

Item	Existing
1.0 Name:	Canadian Association of Heritage Professionals (CAHP) Association canadienne d'experts-conseils en patrimoine (ACECP)
2.0 Objects:	<p>1.0 To represent and further the professional interests of heritage consultants, who shall be defined as practitioners active in either the private or the public sector in fields allied in heritage conservation, that is, practitioners who are dedicated to the planning, preservation, wise use and for the better understanding of heritage resources..</p> <p>2.0 To establish and maintain principles and standards of practice for heritage consultants.</p> <p>3.0 To enhance awareness and appreciation of heritage resources.</p> <p>4.0 To enhance awareness and appreciation of the contributions of heritage consultants</p> <p>5.0 To foster communication among professional disciplines, private practitioners, public agencies and the public-at-large in matters related to heritage conservation.</p>
3.0 Head Office:	Toronto, Ontario
4.0 Board of Directors (15):	<p>1 President (P) – Ratified by membership at annual meeting, 1 year term</p> <p>1 Vice President (VP) , President Elect – Elected by membership, 1 year term</p> <p>1 Secretary/Treasurer (ST) – Elected/appointed by Board from among directors, year term</p> <p>1 Past President (PP) – 1 year term</p> <p>11 Directors (D) – Elected by membership, 2 year term X 2</p> <p>1 Administrative Coordinator – Non-voting – Hired by EC</p>
4.1 Executive Committee (EC):	President, Vice President (President Elect), Sec./Trea. & Past President
4.2 Quorum:	Five of 15 (Two members of EC minimum)

Draft by Ken Hoyle, March 2007

Proposed	Time Frame	Notes
Canadian Association of Heritage Professionals (CAHP) Association canadienne d'experts-consultants en patrimoine (ACEP)	May 2007	Requires By-law amendment 2007 Approved by ETF October 25, 06 Approved by Board March 13, 07
1.0 To represent members who are professionally and actively engaged in the identification, conservation, preservation and sustainable use of the valued physical evidence of cultural and natural heritage.	May 2007	Requires By-law amendment 2007 Approved by ETF October 25, 06 Amended & approved by ETF Dec. 6, 06 Approved by Board March 13, 07
2.0 To establish and maintain a minimum code of practice for members		
3.0 To promote the services of members		
4.0 To advance the qualifications of members		
5.0 To foster the sharing of knowledge between members		
6.0 To promote the value of heritage preservation and conservation		
Ottawa, Ontario	2011	Requires By-law amendment in 2010
1 President (P) - Elected by Board from among directors, 1 year term	May 2007	Requires By-law amendment 2007, Board App. 3/13/07
1 President Elect (PE)/ Vice president (VP) - Elected by Board from directors, 1 year term		
1 Secretary/Treasurer (ST) - Elected by Board from among directors, 1 year term		
1 Past President (PP) - 1 year term		
11 Directors (D) - Elected by members (see 5 below), 3 year term - 1/3 elected annually		
1 Executive Director (ED) - Non-voting - Hired by EC as needed		
1 Administrative Coordinator - Non-voting - Hired by EC	2011	No By-law change required
President, President Elect (Vice President), Sec./Trea. & Past President	May 2007	Requires By-law amendment 2007, Board App. 3/13/07
Five of 15 (Two members of EC minimum)		

continued on pages 4 & 5

Proposed Evolution - continued

Item	Existing	
4.3 National Programs (11):	1.0 Administration - Director: P	
	2.0 National - Director: P	
	3.0 International - Director: PP	
	4.0 Membership - Director: D	
	5.0 Professional Conduct & Ethics - Director: D	
	6.0 Awards & Special - Director: D	
	7.0 Education & - Director: D	
	8.0 Communications - Director: D	
	9.0 Federal Government Liaison - Director: D	
	10.0 Public Relations - Director: D	
	11.0 Annual Meeting, Christmas Social - Director: D	
4.4 Funding	National membership	
5.0 Component Associations (Chapters)	British Columbia - 2 Directors	
Chapters, where possible, are encouraged to incorporate under provincial statute and be titled: Atlantic Association of Heritage Professionals etc.		
	5.1 Chapter Programs	1.0 Administration
		2.0 Maintain Chapter Roster
		3.0 Communications - Newsletter
		4.0 Annual Meeting
5.2 Funding	National membership	

Proposed	Time Frame	Notes
1.0 Administration - Director: P	May 2006	No By-law change required
2.0 National - Director: P		
3.0 International - Director: PP		
4.0 Membership - Director: D		
5.0 Professional Conduct & Ethics - Director: D		
6.0 Awards & Special - Director: D		
7.0 Education & - Director: D		
8.0 Communications - Director: D		
9.0 Federal Government Liaison - Director: D		
10.0 Public Relations - Director: D		
11.0 Annual Meeting, Christmas Social - Director: D		
National membership		
Atlantic Provinces (PEI, NS, NB, NFLD/LAB) - 2 Directors	2009	Elected by Chapter, Requires. By-law amendment 2010
Quebec - 2 Directors	2008	Elected by Chapter, Requires. By-law amendment 2009
Ontario - 3 Directors	2007	Elected by Chapter, Requires. By-law amendment 2008
Prairies and Territories - 2 Directors (Man, Sask, Alberta, Northwest Terr, Nunavut, Yukon)	2010	Elected by Chapter, Requires. By-law amendment 2011
British Columbia - 2 Directors	Apr.12, 06	Elected by membership 2006
	2008	Elected by Chapter, Requires. By-law amendment 2007
1.0 Administration	May 2007	No By-law change required
2.0 BC Chapter admits members and maintains chapter roster	May 2008	By-law amendment required 2007
3.0 Communications - Newsletter	May 2007	No By-law change required
4.0 Annual Meeting	May 2007	
Chapter membership	May 2008	

Report on Cross-jurisdictional Chapter Review
by Margaret Ferguson, March 2007

Part of the work of the Evolution Task Force this year was to investigate governance options for cross-jurisdictional chapters. It has been proposed that 2 of the 5 chapters within CAPHC will be regionally-based. This would include the Atlantic region as one regionally-based chapter, and the prairie provinces and territories forming the other. There has been some discussion about the inclusion of the Yukon with the British Columbia chapter (already formed), which could effectively create a third regional chapter. These regionally-based chapters would cross provincial and territorial jurisdictions potentially impacting incorporation and registration requirements at the provincial/territorial and federal levels.

To better understand the implications of cross-jurisdictional chapter formation, research and discussions were conducted with professional associations across Canada. A review of three Canadian professional associations with regionally-based chapters was completed particularly focusing on their structure and national and component level roles and responsibilities.

More specifically, founding members of the Atlantic Provinces Association of Landscape Architects (APALA), a component association of the Canadian Society of Landscape Architects (CSLA) were contacted to explore their process of incorporation, current legal status and recommendations. It was thought that APALA would closely match the scale and mandate of a CAPHC chapter.

Education and Research Committee Report

We are continuing to seek new listings for educational opportunities for our members. Positive contact has been made with three programs and their information has been noted. As we expand our coverage, there will be listings of seminars, workshops, etc. from across Canada about heritage topics. We hope to be able to post this information on the website in the upcoming months so that members are aware of the possibilities.

Do you know of a program that would be of interest to some of our members? Please send any information including contact names and numbers to helen@highspeedplus.com.

Would you consider joining the committee? I would like representatives from Ontario and the Maritimes if possible. Thanks.

As CAPHC / ACECP strives to increase its membership base and build a more inclusive organization through chapter formation, there will be many considerations including the capacity of members to form and maintain their own chapter. The work of the Evolution Task Force has been focused on responding to the needs of the membership in anticipation of association growth. Members have been busy actively recruiting new members and discussing chapter growth in their region.

Margaret Ferguson is a member of both the CAPHC / ACECP Board of Directors and the Evolution Task Force.

Proposed Membership Categories and Requirements
Approved by the Board of Directors, March 13, 2007

Effective June 15, 2007, all membership applications will require sponsorship by a Professional member of CAPHC I ACECP. A Professional member of CAPHC I ACECP may sponsor any application, including that of an employee.

Categories of Membership: Professional**

- Intern
- Inactive/Retired
- Student
- Subscriber

Requirements for Professional Membership:

1. A post graduate degree and three (3) years relevant heritage work experience; **OR**
2. An undergraduate degree and five (5) years relevant heritage work experience; Education and experience should be in a field allied to the planning, preservation, wise use and/or better understanding of heritage resources such as:

- Archaeology/Anthropology;
- Architecture;
- Archival Science;
- Conservation or Preservation
- Engineering (Civil/Structural)
- Fine Arts
- Landscape Architecture
- Museum Studies;
- Planning;
- Social Sciences (History, Geography); **OR**

1. Demonstrated experience in heritage conservation **and/or preservation** gained through seven years of employment in heritage conservation **and/or preservation** and currently employed in that field; **AND**
2. Abide by CAPHC's Code of Professional Conduct and Ethics.

CAPHC Membership Specializations:

- Archaeologists, Anthropologists & Ethnologists

- Archivists
- Building Specialists
- Conservators
- Craft & Trade Specialists
- Cultural Tourism & Marketing Specialists
- Educators
- Environmental Assessment Specialists
- Historians
- Landscape Specialists
- Museum Specialists (*i.e.: curators, educators, planners, researchers, managers and directors*)
- Photographers, Illustrators, Recorders
- Planners
- Public Sector Representatives
- Other Specialists

Please note that all persons submitting under any of the outlined specializations would be subject to the same rigorous requirements for admission into CAPHC, be it education, sponsorship and peer review, as well as ethics.

Preamble

The Canadian Association of Professional Heritage Consultants, hereafter referred to as the "Association", has several objectives in establishing a code of professional conduct and ethics, notably:

- the establishment of guidelines for members to follow when conducting their professional affairs;
- the establishment of a set of standards to which members must comply;
- ensuring that the interests of the public in general and the clients in particular will be properly served by members of the Association.

This Code of Conduct addresses:

A. Qualifications

B. Professionalism

C. Responsibility to colleagues, employers, and clients

D. Proposals and fees

E. Disciplinary procedures

A. Qualifications

Members must be qualified to perform the work which they accept. Qualifications may include academic training and/or knowledge and skills gained through practical experience and continuing education. Accordingly members shall wherever possible:

- become informed appropriately of previous research on a project and will develop an appropriate methodology which meets the objectives of the project and satisfies prevailing heritage conservation and planning principles.
- ensure that adequate staff, resources, and support facilities are provided to carry out the project.
- recommend that other professionals will be retained whenever additional special knowledge or skills are required by the client.

B. Professionalism

Members shall conduct themselves in such a manner as to uphold the reputation of the Association and of the heritage consulting profession. In particular members shall:

- not undertake any duty or task, or carry out any other instruction from a client or employer that involve making statements either in written or verbal form purporting to be their own, but which are contrary to their own bona fide professional opinion;
- not sign or otherwise associate themselves with any letter, document, report or verbal statement that the member knows to contain false or misleading information;
- only provide a professional opinion after being as fully informed as might reasonably be expected;
- regard as confidential all information gathered as part of an assignment and will not take personal, financial or other advantage of this information as defined in the agreement with the client nor allow others to take advantage of this information;
- render or perform services based on adequate research and preparation and will not neglect services that they have agreed to perform;
- not serve two or more competing clients without the prior knowledge and consent of all parties;
- not maliciously or falsely injure the professional reputation, prospects or practice or another member but may without fear or favour bring before the appropriate body of the Association any case of unprofessional, dishonest or unethical conduct;

- not attempt to displace a competing member consultant after that member has been engaged by the client;
- not engage in any illegal or unethical conduct involving the practice of heritage conservation;
- not accept remuneration or benefit from an outside party in connection with a client's project without the client's knowledge and written consent;
- not pay or accept commissions in securing professional work;
- avoid or disclose any conflict of interest which might influence the performance of their work for an employer or client;
- refuse to comply with any request or demand of an employer or client which is contrary to the Association's Code of Professional Conduct and Ethics.

C. Responsibility towards colleagues, employers, and clients

It is important that members shall at all times conduct themselves with courtesy, honesty and good faith in the practice of heritage conservation whether employed in the public or private sectors or when serving as a volunteer.

In particular, members shall:

- be aware of the objectives of the Appleton and Venice Charters and other nationally internationally or provincially recognized statements of heritage conservation principles and assess the impact on heritage resources;
- actively support the conservation of material heritage wherever it is warranted;
- where possible enhance public regard for the heritage consulting profession;
- ensure that they do not adopt any method of obtaining business which will reflect poorly on the public image of the profession;
- enhance the effectiveness of heritage consulting through the exchange of information and experience;
- give appropriate credit for work done by others;
- endeavour to advance the development of juniors and employees;
- respect the interests of the employer or client insofar as it is consistent with the public welfare and the Association's code of conduct and shall regard as confidential all information obtained about the financial affairs, technical methods or any other matters pertaining to the client's or employer's business.

D. Proposals and Fees

Members employed either in the public or private sectors must try to ensure at all times that heritage conservation consulting is carried out in a financially responsible manner. Those members in the private sector shall:

- charge an appropriate fee for their services taking into account factors such as the nature of services, ability and reputation, degree of responsibility, and assumed benefit to the client;
 - not agree to undertake work for fees that are less than reasonable;
 - agree where possible on fees or the basis of the calculation of fees prior to providing heritage consulting services;
 - try to ensure at all times that the client receives a written proposal outlining the objectives, scope and fee for the proposed work;
 - before submitting a proposal confer with the prospective client and gain a clear understanding of the scope of work, the issues or other matters that may arise during the course of such work and the anticipated benefits at completion of the work.
- It is incumbent on those members employed by a public body or agency to ensure that where Association members are retained to provide heritage conservation consulting services the above matters are adhered to wherever possible.

**Proposed Disciplinary Procedures
Approved by the Board of Directors, March 13, 2007**

- The duty of investigating any alleged breach of the Association's Code of Professional Conduct and Ethics shall be solely the responsibility of the board of directors and invested in an ad hoc committee designated as the Professional Conduct and Ethics Committee related to the alleged breach, hereinafter referred to as the Committee.
- The committee shall be composed of a minimum of three members of the board of directors.
- The committee can designate a recorder who does not necessarily have to be a member of the board.

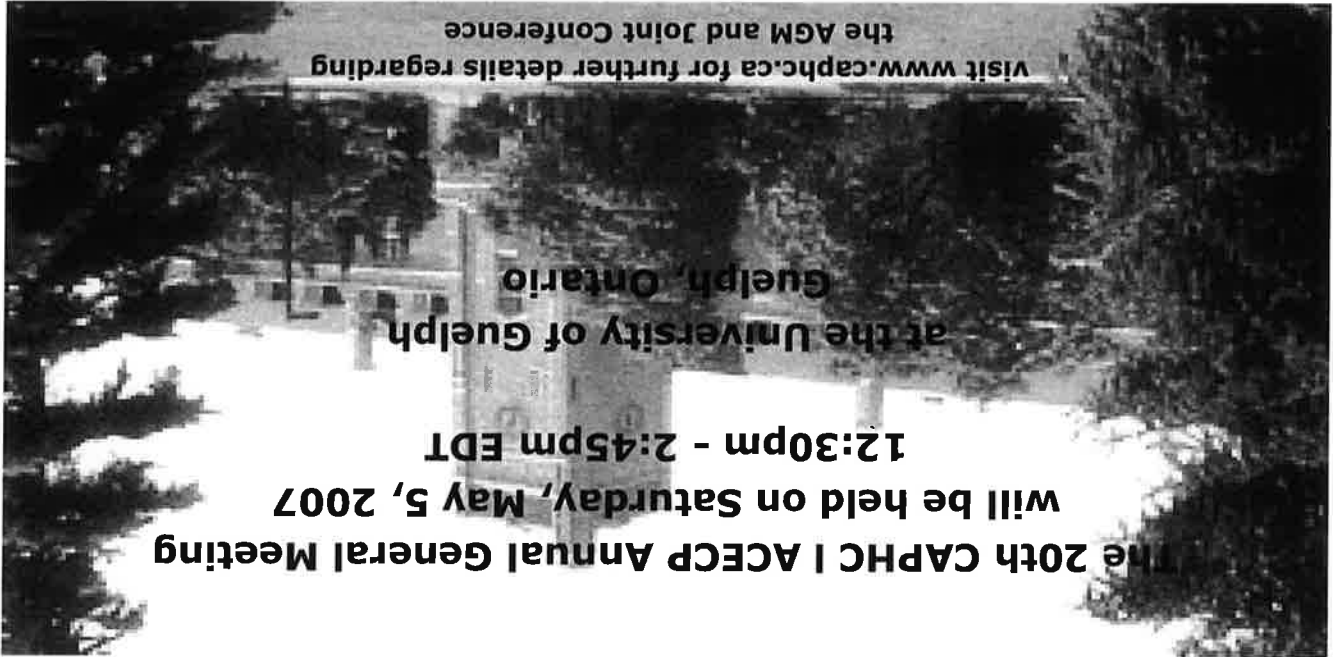
- The organization shall keep a record of the allegations and establish a case file. The proceedings of the committee meetings and observations shall be recorded in the file.
- The particulars of the alleged breach of conduct shall be kept where possible confidential while still allowing the investigation to proceed. The member shall be issued a pseudonym which will be used in all records such as "Member 2006-01" or referred to as "the member" until such time as the findings of the committee are ratified by the board of directors.

- If the Committee considers that an alleged breach of conduct by a member requires investigation, particulars of the alleged breach of the Code or other alleged unprofessional conduct shall be sent in writing to the member concerned with a request for the member's comments.
- Local Chapters can provide statements of observations for consideration of the committee but do not directly have responsibility for disciplinary actions nor shall the committee be under any obligation to discuss the matter with the chapter although they can do so at the committee's sole discretion.

- The Committee shall not proceed with its investigation until the member's comments have been received and considered or a period of thirty days has elapsed without written response from the member.
- The committee shall be provided with a list of any past warning or decisions that have been issued to the member.
- In the case where multiple allegations have been made concurrently against one member a single committee shall investigate all issues unless one investigation has progressed beyond the point where new allegations can be incorporated conveniently.

- Without prejudice to the member's rights or the Committee's duty the Committee may invite the member concerned to discuss the matter formally or informally with the Committee or with a designated member or members of the committee at this stage. The proceedings of this discussion shall be recorded. The record shall be signed by the committee member and the member verifying the proceedings and/or noting any discrepancies in the record of the discussion. At minimum two representatives of the Organization must be present to record the proceedings. Any number of committee members and the recorder can attend or an individual designated by the committee provided that the member is notified of the intention to designate a non committee member to attend the meeting and the member does not object.
- The Committee shall not recommend any disciplinary action to the Board of Directors without first notifying the member concerned in writing of the recommended course of action, with the reasons for such action. Within a period of thirty days from the date of notification the member may make written representations to the Committee or appear before the Committee in person or through a representative that the member may choose. If a written request to appear before the committee is made within the time frame and the committee can not meet then no recommendations shall be made to the Board of Directors until the committee can meet or the member is allowed to appear before the Board of Directors. The member does not

- have the right to request to appear before the Board directly but does have the right to appear before the committee or the board.
 - When its investigation is complete and subject to the preceding paragraph the Committee shall report to the Board of Directors and recommend that the allegations do not have merit and provide reasons keeping the identity of the member anonymous or recommend disciplinary action within the powers of the Board as set out in the following paragraph.
 - warn the member as to their future conduct recording the warning anonymously;
 - warn the member as to their future conduct recording the transgression in the members file;
 - reprimand the member;
 - suspend the member from membership in the Association for such period as the Board may determine; or
 - terminate the membership of the member in the Association subject to either:
 - a designating time period before a new application for membership can be submitted
 - or until such time as proof of a set of qualifications designated in the decision can be demonstrated.
 - Terminate the member's membership in the Association indefinitely.
- The board can request clarification from the committee and pose questions for consideration and if required request that the information be provided and the decision deferred.
- The board can review the disciplinary recommendation and ratify the recommendation or select a different level of discipline.
- If the Board is satisfied with the final report from the Committee that a breach of the Code of Conduct or other unprofessional conduct has been proven the Board may accept the recommendation of the committee and provide the member with a written statement of the decision.
- If the board is satisfied with the final report from the Committee that a breach of the Code of Conduct or other unprofessional conduct has not been proven then no disciplinary act should be taken and the member should be provided with a written statement of the decision.



OPPORTUNITY

KNOCKS

Heritage Conservation Conference 2007

Join heritage enthusiasts and professionals from across Ontario for a comprehensive program focused on seizing new opportunities to promote heritage conservation in Ontario

Guelph, Ontario, May 4, 5, & 6

The 2007 Heritage Conference is jointly organized and sponsored by

The Canadian Association of Professional Heritage Consultants

Community Heritage Ontario

The Architectural Conservancy of Ontario

with financial assistance from the City of Guelph

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Submissions to *Forum* are encouraged and should be forwarded to the editor at forumeditor@caphc.ca.

The opinions expressed in *Forum* do not necessarily reflect the position of CAPHC Board of Directors or membership at large.



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CAPHC Board meetings are held bimonthly except July and August. All members are cordially invited to attend these meetings. To confirm time and location, please contact Fiona Kennedy at admin@caphc.ca or phone 416-515-7450.

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