



File #19-04

Subject Member: Registered Professional Biologist

Complaint Submitted: April 29, 2019

Date of Decision: February 28, 2020

Complaint Summary:

A complaint was submitted against a member of the College alleging unethical conduct. The complaint contained numerous allegations, including the following alleged violations of Principles in the Code of Ethics:

Principle 1: Provide objective, science-based, unfettered, forthright and intellectually honest opinion, advice and reports in applied biology.

- Alleged the subject member used criteria outside the parameters of a bylaw.
- Alleged the subject member ignored other professionals' and experts' advice.
- Alleged the subject member misled a governing body in making decisions by providing non-scientific information.

Principle 2: Undertake assignments and offer opinions only in areas in which they are competent.

- Alleged the subject member worked outside of their area of expertise by ignoring expert advice.

Principle 3: Ensure they meet a professional standard of care by practicing applied biology with attention, caution, prudence, and due diligence.

Principle 4: Provide a professional standard of service to clients and employers by conducting business practices fairly, avoiding conflict of interest and respecting client/employer confidentiality.

- Alleged the subject member caused unnecessary delays by not accepting expert reports in a timely manner. The delays allegedly cost the subject member additional consulting fees and costs and alterations to their plan for development.

Decision:

After full and careful consideration, the Discipline Committee dismissed this Complaint pursuant to Rule 15.19, which provides that a complaint that is "unfounded" and "not one in which further proceedings would be in the public interest" should be dismissed or deferred. This file is now closed. The key points from the decision can be summarized as follows:

- Regarding Principle 1, the Discipline Committee found that the evidence did not support the allegation that the subject member provided misleading information.



COLLEGE OF APPLIED BIOLOGY

Professional Accountability

- Regarding Principle 2, the Discipline committee determined that the subject member's role was to review reports that experts had generated and make recommendations based on their professional judgment. The Discipline Committee held that the subject member was not working outside their scope of practice.
- Regarding Principles 3 and 4, the Discipline Committee found that the allegation that the subject member *did not follow scientific advice and caused unnecessary delays*, was not supported by the evidence.