
Department of Lands & Forestry: Timber Scalers

Fair Registration Practices Act (FRPA)
Review Report
May 2021

Province of Nova Scotia



EXECUTIVE SUMMARY

Under section 16 of the Fair Registration Practices Act (FRPA), all regulating bodies in Nova Scotia are required to review their registration practices and file a report on the results of the review with the Review Officer. The Review Officer works collaboratively with regulators to gather information in an established report format, to ensure that information on current registration practices is accurately represented, and to identify gaps in registration practices which would result in a regulator action plan to rectify any issues that may have been identified with compliance.

The Forest Inventory Division of the Department of Lands & Forestry are responsible for the registration practices associated with the issuing of licenses to Timber Scalers. The Review Officer worked with the Regulator over a period of six months to complete this review. Questions to probe the status of registration practices were posed, the regulator engaged in a process of self-examination and provided written responses to the questions (see Analysis of Registration Practices). Responses were examined by the Review Officer and measured against the standard set forth in the FRPA to identify any gaps in registration practices. Based on this process, the Review Officer has determined that not all registration practices are compliant with the FRPA at this time. As a result, this report includes both an overview of the current registration practices for Timber Scalers and an action plan to address some high priority gaps moving forward.

This is an initial review of registration practices for Timber Scalers. At the beginning of the review there was a lack of awareness regarding requirements of the FRPA, but the Regulator worked with the Review Officer to increase their understanding and participate in the review process. Labour mobility requirements continued to be a concern due to differences in scaling calculations and tree species one jurisdiction to another. For this reason, few applicants transfer a scaling license. Despite challenges to the regulator, the FRPA requires regulating bodies to have a transparent stream-lined registration process that respects jurisdictional differences and does not make exceptions for small numbers of applicants.

The Forest Inventory Division used this review process as an opportunity for self-audit and to identify ways to improve registration practices. The regulator has acknowledged the findings and has taken the first step to address areas of non-compliance by developing an Action Plan (see Appendix A). Twelve plans for action are identified to address practices that are currently not compliant with the FRPA. They are summed up as follows:

- Provide information in a clear and understandable form to individuals, including individuals qualified in another jurisdiction in Canada, as well as those who received their qualifications outside of Canada. This will include clear instructions on what documentation must accompany applications,
- Provide information setting out any fees for registration,
- Develop guidelines that describe alternatives that would be acceptable when documentation that must accompany an application cannot be obtained for reasons beyond the applicant's control,
- Develop a policy on how to work with applicants who may require accommodations during the registration process,
- Establish a process to ensure that applicants who are not granted registration are provided with a written decision that includes the reasons why registration has been denied,
- Develop and document a clearly defined process under which requests for access to records will be considered,
- Establish a process for internal review of the registration decision that is compliant with the FRPA, include timeframes and the provision to provide written decisions with reasons,
- Develop a process to ensure that no one who acted as a decision-maker in a registration decision may act as a decision-maker in an internal review of the same decision, and
- Develop a plan and document training provided to individuals who make internal review decisions.

These actions are accompanied by a commitment to increase transparency by ensuring that registration practices are in plain language, fully accessible and available in the public domain. The Regulator has committed to implementing actions associated with transparency by December 2021. Registration practices that require further process development and documentation are expected to be complete by March 2022.

The Forest Inventory Division of the Department of Lands & Forestry has demonstrated engagement in the FRPA review process and has given every indication that planned actions to rectify areas of non-compliance will be addressed. The FRPA Review Office will look for an update on the Action Plan in May of 2022.

Sincerely,



Patricia Mertins
Review Officer, Fair Registration Practices Act (FRPA)

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I: INTRODUCTION

1.1. THE FAIR REGISTRATION PRACTICES ACT

The Fair Registration Practices Act (FRPA; the Act) applies to 48 [regulatory bodies](#) in Nova Scotia, covering 58 occupations and 21 designated trades. A regulatory body (regulatory authority or regulator) sets the standards and regulates how people practice as members of an occupation. Everyone who practices within a regulated occupation must register with the regulatory body.

The FRPA mandates that regulating bodies carry out registration practices that are transparent, objective, impartial and procedurally fair. Section 16(2) of the FRPA states: “Every regulating body shall review its registration practices in accordance with this Section and shall file a report on the results of the review with the Review Officer for the reporting period.” This review process is to occur as per the Act and if items are deemed to be noncompliant with the FRPA, an Action Plan is required to be completed by the Regulatory Body. The intent of the Action Plan is to identify how the items of noncompliance are progressing to ensure compliance, fairness and transparency, as required by the Act.

1.2. OVERVIEW OF THE REGULATING BODY

Timber scaling can be defined as the act of measuring the volume or mass of harvested primary wood products such as sawlogs, studwood or pulpwood.

The Scalers Act mandates that individuals or organizations scaling more than 1000 cubic metres or more of primary wood products per year are required to possess an active scaling license. The Department of Natural Resources maintains a scalers database which tracks those who have licenses, which licenses are active, and which are in-active. To maintain their active scaling status a scaler must attend and pass a scaler refresher course every five years. This ensures individuals responsible for wood measurement are kept up to date and meet present scaling standards.

There are 3 types of Scaling License in Nova Scotia:

- A Stacked Wood License, which authorizes a scaler to scale primary wood products measured collectively, including making deductions.
- A Log Scaling License which authorizes a scaler to scale primary wood products measured individually.
- A Primary Wood Products Scaling License which authorizes a scaler to scale all primary wood products

Additional information can be found on our website <https://novascotia.ca/natr/forestry/scaling/>

II: ANALYSIS OF REGISTRATION PRACTICES

As per Section 16 of the Act, the registration practices of a regulating body must be reviewed, and a public report produced. The FRPA Office works with regulatory bodies to assess the registration practices against the compliance criteria and develop an Action Plan to help each organization comply with the Act and improve registration practices, if applicable. The Forest Industry Division responses to the FRPA Review Survey are detailed below, along with the Review Findings determined by the Review Officer in accordance with the Act.

SECTION I: INFORMATION AND REGISTRATION PROCEDURES

This section asks questions about all practices and policies your organization may use to provide information to the applicant during the registration process. The registration process includes the actions required to be taken by individual applicants, and any documentation required to be submitted which will be used to assess the applicant's request for registration. Documentation examples could include transcripts, certificates, job descriptions, articles, letters of support, and evaluations. All communication to and from the applicant should be clear and understandable to all individuals, including those who may have received their qualifications outside of Canada.

QUESTION 1

Explain/describe, in detail, your registration/application requirements. Please include an overview of the process and a list of all documents (Examples: transcripts, certificates, job descriptions, articles, letters of support, and evaluations) that applicants are required to submit during the registration/application process. If your registration/application process is different for each license type, list the process for each license type in the chart included.

Alignment with FRPA: *Section 7(a), Section 9(a), 16(3)(a) and 16(3)(b)*

RESPONDENT ANSWER	<p>Explain the process of how the requirements for registration/application are to be met by an applicant (if different by licence/certification type, include an outline by each type).</p> <p>Scaling School is primarily intended for people with previous training and/or experience in forestry or scaling although it does not require any formal training or certificate for entrance into the school but they will be asked of their experience. Scaling is used for the payment of wood products at facilities and payment is based on quality of roundwood and tree species. Scaling requires a familiarity with the native tree species of Nova Scotia and the ability to identify the species of the roundwood from just its bark and wood characteristics which is challenging and requires practices and experience.</p> <p>The candidates will apply by filling out the application for scaling school available online at https://novascotia.ca/natr/forestry/scaling/pdf/APPLICATION FORM FOR Scaling School.pdf to be submitted with the application fee to the Supervisor of Scaling. Once received if the candidate has no experience or forestry training the candidate will be contacted to discuss what the school entails and if the candidate thinks they can complete the course (if they do not wish to continue fee will be returned). All applicants are accepted if they wish to continue with the application. Within 30 day the applicant will receive confirmation of entrance into the Scaling School via a letter. Scaling school takes place once a year in the fall, a month prior to the school starting the candidates will receive a package which included the Scaling Manual, practices questions, information about the school and expectation that the candidates review the manual and complete the questions prior to the start of school.</p> <p>During the scaling school candidates will be trained in the methods of measuring and deducting wood volume, conversion factors and identification of tree species for Nova Scotia (each province has their own methods based on their own tree species, conversion factors and deduction requirements) it will involve both in class room and hands on scaling of logs and/or stacked wood. At the end of the week the candidates will write the Stacked Wood Scalers Exam and/or the Log Scaling Exams currently with a pass mark of 70% (decided by board of examiners) practical tests involving the measurement of several piles of stacked wood (to pass must be within 5% of actual) and identification of 100 log species (pass 75% correct) and/or measurement and species identification of 100 logs with deductions (pass requires candidate to be within 7% of the actual measurement and 75% of the species to be correct). All examinations and testing are provided/monitored and graded by the Supervisor of Scaling. The candidates will receive notification of their marks after reviewed with the Board of Examiners by mail. The candidates will then have 2 years from end of the school to gain their practical experience under the mentorship of an active licensed scaler. Candidates who complete the written exams and practical tests to the satisfaction of the Board of Examiners (Scaling) and provide written proof/Scaling Experience Form of their scaling experience verified by the mentor (500 cords or 1812 m³(stacked) for stacked wood license or 200,000fbm or equivalent for Sawlog license or both for All Primary Wood License) and provide the licensing fee , will qualify for a Stacked Wood License, a Sawlog Scaling License or a Primary Wood Products Scaling License which authorizes the person to scale both stacked and sawlogs.</p>
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COMPLIANCE CRITERIA	<p>Compliant:</p> <ul style="list-style-type: none"> • The regulating body provides applicants with information about their registration practices, including the registration process and documents that applicants are required to submit during the process; and • the respondent's answer describes the registration requirements and the process for meeting them. <p>Not compliant:</p> <ul style="list-style-type: none"> • The regulating body does <i>not</i> provide applicants with information about their registration practices, specifically, the registration process and documents that applicants are required to submit during the process; or • the respondent's answer does <i>not</i> describe the registration process and the process for meeting them. 		
REVIEW FINDINGS	<p>To be completed by the FRPA Review Office:</p> <p><input checked="" type="checkbox"/> Compliant</p> <p><input type="checkbox"/> Not compliant</p>		
COMMENTS: REVIEW FINDINGS	<p>Comments, to be completed by the FRPA Review Office:</p>		

QUESTION 2

How is the registration/application process communicated to the applicant?

Alignment with FRPA: *Sections 7(c), 9(a) and 16(3)(g)*

RESPONDENT ANSWER	<p>Select all that apply:</p> <p><input type="checkbox"/> Paper (hard copy) in the form of a fact sheet/pamphlet or handbook</p> <p><input checked="" type="checkbox"/> Available online to download (in the form of a fact sheet/pamphlet or handbook in PDF or another format)</p> <p><input type="checkbox"/> Email</p> <p><input checked="" type="checkbox"/> Website</p> <p><input type="checkbox"/> Other: explain your communication process if not listed above https://novascotia.ca/natr/forestry/scaling/scalingschool.asp https://novascotia.ca/natr/forestry/scaling/pdf/APPLICATION_FORM_FOR_Scaling_School.pdf</p>
COMPLIANCE CRITERIA	<p>Compliant:</p> <ul style="list-style-type: none">• The regulating body makes requirements for registration available to applicants (they select at least 1 response option); and• the respondent's answer describes how the requirements for registration are made available to applicants. <p>Not compliant:</p> <ul style="list-style-type: none">• The regulating body does <i>not</i> make requirements for registration available to applicants (they do not select any response options); or• the respondent's answer does <i>not</i> describe how the requirements for registration are made available to applicants.
REVIEW FINDINGS	<p>To be completed by the FRPA Review Office:</p> <p><input type="checkbox"/> Compliant</p>

	<input checked="" type="checkbox"/> Not compliant
COMMENTS: REVIEW FINDINGS	<p>Comments, to be completed by the FRPA Review Office:</p> <p>Detailed information on registration requirements and process can be found in the online Scaling Manual, linked from the Scaling School webpage. Though requirements for a license can be found in the PDF Scaling Manual, information on the final step in the licensing process, documentation requirements and fees are not fully accessible. To be compliant with the FRPA regulating bodies must provide information to applicants in a clear and understandable form, including information on what documentation of qualifications must accompany an application for registration/licensure.</p>

QUESTION 3

Is the registration/application process different for applicants who have received their qualifications (Example: education, experience, etc.) outside of Canada? If so, is the different registration/application process documented? Provide a link to the published document, if applicable. (Example: online)

Alignment with FRPA: *Sections 3, 6, 7(a through f) and 16(3)(a)*

RESPONDENT ANSWER	Please provide information in the chart below, with a separate answer per licence/certification type:				
	LICENSE TYPE	YES/NO	IF YES, EXPLAIN THE DIFFERENCE	PROCESS DOCUMENTED YES/NO	LINK TO PUBLISHED DOCUMENT, IF APPLICABLE
	<ul style="list-style-type: none"> • Stacked Wood Products License 	<ul style="list-style-type: none"> • No 	<ul style="list-style-type: none"> • International candidates will be required to take the scaling course, pass the tests and complete the required scaling experience the same as those in NS. We have these requirements because every jurisdiction has different scaling/deduction methods, conversion factors and tree species. It is critical for the correct payment between seller and buyer that the scaler can identify the NS tree species and is following the 	<ul style="list-style-type: none"> • No nothing specific is documented as to international requirements 	<ul style="list-style-type: none"> •

REVIEW FINDINGS	<p>To be completed by the FRPA Review Office:</p> <p><input type="checkbox"/> Compliant</p> <p><input checked="" type="checkbox"/> Not compliant</p>
COMMENTS: REVIEW FINDINGS	<p>Comments, to be completed by the FRPA Review Office:</p> <p>There are qualified timber scalers who work in countries outside Canada. Individuals who received their qualifications outside of Canada must have opportunity to demonstrate their equivalence. This would include different documentation requirements and a different licensing process. Documentation requirements may include evidence of licensure in another country and other documents to demonstrate skills, knowledge and experience that may meet or partially meet requirements in Nova Scotia. The process may identify gaps such as jurisprudence knowledge which would be an indicator for targeted gap fillers (refresher course?) as opposed to completely retraining/demonstrating experience in Nova Scotia. The Scaling Manual section 4.8 Special Authorization indicates that the Supervisor of Scaling has flexibility to consider situations outside of the norm. To be compliant with the FRPA regulating bodies are required to provide information in a clear and understandable form to individuals who received their qualifications outside of Canada.</p>

QUESTION 4

Is the registration/application process different for individuals who are registered in another Canadian province/territory?

Alignment with FRPA: *Sections 3, 6, 7(a through f) and 16(a)*

RESPONDENT ANSWER	Please provide a separate answer per licence/certification type:		
	LICENSE TYPE	YES/NO	IF YES, EXPLAIN THE DIFFERENCE
	<ul style="list-style-type: none"> • Stacked Wood Products License 	<ul style="list-style-type: none"> • No/Yes 	<ul style="list-style-type: none"> • If a person has a <u>scaling license</u> in another province then the requirement is defined in the scaling regulations: The Board may exempt an applicant for a licence from the examination requirements under the Act, if the applicant <ul style="list-style-type: none"> (a) holds a valid scaling licence from another province; (b) has the scaling experience required by the Board;

			<ul style="list-style-type: none"> (c) demonstrates to the satisfaction of the Supervisor of Scaling that the applicant has the skills required to comply with the scaling standards and procedures set out in the scaling manual; (d) demonstrates to the satisfaction of the Supervisor of Scaling that the applicant has working knowledge of the Act and these regulations; (e) completes a scaling refresher course in Nova Scotia. <ul style="list-style-type: none"> • If the person just has <u>forestry experience but no license</u>, then they must follow the same licensing requirements as someone from NS • We have these requirements because every jurisdiction has different scaling/deduction method, conversion factors and tree species. It is critical for the correct payment between seller and buyer that the scaler can identify the NS tree species and are following the scaling/deduction methods and use the conversion factors approved for use in Nova Scotia. Scaling License are specific Nova Scotia and are not accepted in other province without similar requirements.
• Sawlog License	• No/Yes	• Same as above	
• All Primary Wood Products License	• No/Yes	• Same as above	
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COMPLIANCE CRITERIA	<p>Compliant:</p> <ul style="list-style-type: none"> The respondent's answer describes a registration/application process, that is aligned with the CFTA, for applicants who have received their qualifications or are already registered outside of Nova Scotia. <p>Not compliant:</p> <ul style="list-style-type: none"> The respondent's answer describes a registration/application process, that is <i>not</i> aligned with the CFTA, for applicants who have received their qualifications or are already registered outside of Nova Scotia. 									
REVIEW FINDINGS	<p>To be completed by the FRPA Review Office:</p> <p><input type="checkbox"/> Compliant</p> <p><input checked="" type="checkbox"/> Not compliant</p>									
COMMENTS: REVIEW FINDINGS	<p>Comments, to be completed by the FRPA Review Office:</p> <p>Legislation refers to a process that exempts the transferring license holder from the examination requirements. There is no description of the differences in this process. Regulated occupations are required to be CFTA compliant. When a person holding a scaling license applies for a license in another jurisdiction that regulates timber scaling, the CFTA requires that the person be licensed via streamlined processes with no additional material or educational requirements. Demonstration of jurisprudence knowledge (such as local species and regulations/standards of practice) is acceptable. To be complaint with the FRPA regulating bodies must provide information in a clear and understandable form to individuals who have received their qualifications in another jurisdiction in Canada, including those who are already registered in another jurisdiction (CFTA transfers).</p>									

QUESTION 5

Are there fees attached to the registration/application process? If so, how is this information communicated to the applicant? (Example: information available on website, paper form, email)

Alignment with FRPA: *Sections 7(f) and 16(3)(d)*

RESPONDENT ANSWER	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, explain the process of how this information is communicated.</p> <p>On the website the licensing fee is communicated in the Scaling School, in the letter the candidates get to inform them of their pass of the course. It only paid if the candidate passes the course and once they gains the practical experience required for their license.</p> <p>Insert a website link of where this information is communicated, if applicable.</p> <p>https://novascotia.ca/natr/forestry/scaling/scalingschool.asp</p> <p>Provide the fee for the registration/application process (linked to your piece of the registration/application process only), as of the date this review is completed.</p> <p>The fee for the Scaling School is \$69.55 (HST included) and the fee for a license is \$13.90 (HST included)</p>
COMPLIANCE CRITERIA	<p>Compliant:</p> <ul style="list-style-type: none">• The regulating body provides applicants with information on any fees for registration; and• the respondent's answer states any fees charged for registration, even if the fees are not applicable or \$0. <p>Not compliant:</p> <ul style="list-style-type: none">• The regulating body does <i>not</i> provide applicants with information on any fees for registration; or• if fees are charged for registration, even if the fees are not applicable or \$0, the respondent's answer does <i>not</i> state the fees.

REVIEW FINDINGS	<p>To be completed by the FRPA Review Office:</p> <p><input type="checkbox"/> Compliant</p> <p><input checked="" type="checkbox"/> Not compliant</p>
COMMENTS: REVIEW FINDINGS	<p>Comments, to be completed by the FRPA Review Office:</p> <p>Fees associated with the first part of the registration process (scaling school) are available in an accessible manner on the website. Information on fees for licensing is not accessible. This information is not currently communicated, other than to those who pass the course. To be compliant with the FRPA regulating bodies provide information in accessible manner setting out any fees associated with the registration process.</p>

QUESTION 6

Do you have a process to accept alternative information when the required documents cannot be obtained by the applicant, for reasons beyond their control (Example: a sworn statement in lieu of full documentation)?

Alignment with FRPA: *Sections 7(f), 9(b) and 16(3)(d)*

RESPONDENT ANSWER	<p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p>If yes, please explain the process:</p> <p>We do not require any additional document (Certificates)</p>
COMPLIANCE CRITERIA	<p>Compliant:</p> <ul style="list-style-type: none"> • The regulating body advises applicants on alternative information that applicants may provide when they cannot obtain documentation of their qualifications for reasons beyond their control; and • the respondent's answer describes any such alternative information.

	<p>Not compliant:</p> <ul style="list-style-type: none"> • The regulating body does <i>not</i> advise applicants on alternative information that applicants may provide when they cannot obtain documentation of their qualifications for reasons beyond their control; or • the respondent's answer does <i>not</i> describe the alternative information.
REVIEW FINDINGS	<p>To be completed by the FRPA Review Office:</p> <p><input type="checkbox"/> Compliant</p> <p><input checked="" type="checkbox"/> Not compliant</p>
COMMENTS: REVIEW FINDINGS	<p>Comments, to be completed by the FRPA Review Office:</p> <p>The application for Scaling School does not require documentation. There could be an alternative to the Scaling Experience form as documentary evidence of experience. Alternative evidence may be required to examine knowledge, skills and experience acquired in another jurisdiction. Applicants are not advised on alternative information when they are not able to provide the required documentation, nor does the answer describe alternative information. To be compliant with the FRPA regulating bodies have guidelines that describe expectations regarding documentation and alternatives that would be acceptable when documentation cannot be obtained.</p>

QUESTION 7

Do you provide any support to applicants during the registration/application process (Examples: coaching, referrals, explanation of registration requirements)?

Alignment with FRPA: *Sections 7(e) and 16(3)(k)*

RESPONDENT ANSWER	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> When required <p>If yes or when required, what types of support are provided to applicants during the registration/application process?</p> <p>The application itself is very simple if someone was to contact me during the application process, we support them one on one giving them any guidance they need to complete the application. If they indicate they have no experience they are contacted to discuss the Scaling School to make sure they feel capable of completing the course</p>
COMPLIANCE CRITERIA	<p>Compliant:</p> <ul style="list-style-type: none"> • The respondent's answer includes information about any support they provide to applicants during the registration process. <p>Not compliant:</p> <ul style="list-style-type: none"> • The respondent's answer does <i>not</i> describe any support they provide to applicants during the registration process.
REVIEW FINDINGS	<p>To be completed by the FRPA Review Office:</p> <input checked="" type="checkbox"/> Compliant <input type="checkbox"/> Not compliant
COMMENTS: REVIEW FINDINGS	<p>Comments, to be completed by the FRPA Review Office:</p>

QUESTION 8

Do you have a policy and/or process on how to work with an applicant during the registration/application process that may have a physical or mental disability and requires an accommodation when registering/applying? If applicable, please provide a link to your policy and/or process. This is for the registration/application process only and not a workplace accommodation.

Alignment with FRPA: *Section 16(3)(h)*

Note: A physical or mental disability includes any persons with a disability (consisting of a physical, cognitive, or mental impairment), that presents a persistent barrier to securing and/or retaining work. For more information visit the following links to the applicable Government of Nova Scotia legislation:

https://nslegislature.ca/legc/bills/62nd_3rd/3rd_read/b059.htm

<https://nslegislature.ca/sites/default/files/legc/statutes/human%20rights.pdf>

Examples of accommodations for this purpose can include, but is not limited to:

- Assistance in completing application forms
- Provision of additional time provided to complete exams
- Provision of an application in braille
- Provision of audio-visual equipment
- In person meetings/interviews/hearings
- Other accommodations such as paper color, larger font, etc.

RESPONDENT ANSWER	
	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A
	If yes, provide a description of the policy/process? (if you have a link to a published policy/process, please include in your response)
	If no, what would the process be if an accommodation were to be required?

	<p>We may not have a written policy or process in place but we have always made accommodations for anyone with troubles reading or writing and help them throughout the exams and allow additional time. Because of the physical aspects of scaling requiring mobility and eyesight to measure and identify defects in the wood at both the mills and in the woods we would not be able to accommodate all disabilities.</p> <p>If N/A, please explain why this is not applicable to your registration/application process / practices?</p>
COMPLIANCE CRITERIA	<p>Compliant:</p> <ul style="list-style-type: none"> The respondent's answer includes a description of any existing accommodation policies for applicants with a physical or mental disability. <p>Not compliant:</p> <ul style="list-style-type: none"> The respondent's answer does <i>not</i> describe any existing accommodation policies/processes for applicants with a physical disability or mental disability.
REVIEW FINDINGS	<p>To be completed by the FRPA Review Office:</p> <p><input type="checkbox"/> Compliant</p> <p><input checked="" type="checkbox"/> Not compliant</p>
COMMENTS: REVIEW FINDINGS	<p>Comments, to be completed by the FRPA Review Office:</p> <p>According to the answer, accommodations are provided on a case by case basis. There is no description of existing accommodation practices. To ensure transparency and compliance with the FRPA, a written description of accommodation practices (how to request and guidelines pertaining to types of accommodations) should be available.</p>

QUESTION 9

Is your accommodation policy and/or process adaptable if a new situation arises? (Example: translation was not covered in the policy, but a request for an alternate language was requested)

Alignment with FRPA: *This is to provide additional information and identify if there are areas that the FRPA Review Officer may be able to assist, if applicable*

RESPONDENT ANSWER	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, explain how and what steps would be taken to adapt this policy. If no, what would occur with that applicant if the policy/process could not be adapted?
COMPLIANCE CRITERIA	Compliant: <ul style="list-style-type: none"> • NA Not compliant: <ul style="list-style-type: none"> • NA
REVIEW FINDINGS	To be completed by the FRPA Review Office: <input type="checkbox"/> NA <input type="checkbox"/> NA
COMMENTS: REVIEW FINDINGS	Comments, to be completed by the FRPA Review Office: The written description, when developed, should be adaptable if a new situation arises.

SECTION II: ASSESSMENT CRITERIA AND COMMUNICATION OF DECISION PROCESSES

This section will explore assessment practices and how these practices are communicated to an applicant. An assessment measures an applicant's skills, knowledge, qualifications, and credentials against the standard that must be met by your regulating body to be granted a licence/certification. Information on the criteria (Examples: exam material, competency information, work experience, requirements, etc.) used for assessment, how that information is communicated to the applicant, and how final registration/application decisions are provided will be requested in this section.

QUESTION 10

Are the criteria for meeting the requirements of registration/application documented? (Examples: exam marks, work experience requirements). If a third-party assessor is used for assessment, please describe their role in the space provided.

Alignment with FRPA: *Sections 16(3)(b) and 16 (3)(i)*

RESPONDENT ANSWER	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
	<p>If yes, how/where is this documented (Example: in an internal policy)?</p> <p>The information is documented in the scaling manual but the pass marks for the course are subject to change by the Board of Examiner (made of External Parties representing the wood buyer in NS)</p> <p>There are no specific requirements for entrance into the scaling school although forestry or scaling experience are recommended.</p> <p>At the end of the school candidates will write the Stacked Wood Scalers Exam and/or the Log Scaling Exams currently with a pass mark of 70% (decided by board of examiners) and practical tests</p> <ul style="list-style-type: none">- for Stacked Wood license the measurement of several piles of stacked wood and identification of 100 log species to pass candidate must be within 5% of the actual measurement and get 75% of the species correct.- For the Sawlog License measurement of 100 logs with deductions and identification 100 log species. To pass candidate must be within 7 % of the actual measurement and get 75% of the species correct.

	<ul style="list-style-type: none"> - For All Wood Product License requires both the measurement of stacked piles and 100 logs and identification of 100 log species with the same pass marks for both as above. <p>All examinations and testing are provided/monitored and graded by the Supervisor of Scaling. The candidates will receive notification of their marks after reviewed with the Board of Examiners by mail. The candidates will then have 2 years from end of the school to gain their practical experience under the mentorship of an active licensed scaler. Candidates who complete the written exams and practical tests to the satisfaction of the Board of Examiners (Scaling) and provide written proof of their scaling experience from the mentor (500 cords or 1812 m³(stacked) for stacked wood license or 200,000fbm or equivalent for Sawlog license or both for All Primary Wood License) and provide the licensing fee , will qualify for a Stacked Wood License, a Sawlog Scaling License or a Primary Wood Products Scaling License which authorizes the person to scale both stacked and sawlogs.</p> <p>To maintain their active status as a licensed scaler in Nova Scotia all scalers are required to take a refresher course every five years which is a pared down version of the scaling school. The training takes place over three days and requires them to take an examination and practical test similar in scope with the same passing requirements as the scaling school.</p> <p>If there is a third-party assessor utilized in the process, briefly describe the role of that assessor:</p> <p>The school does not have to be operated by the department (it is currently). It is required that the content of the course and examination be provided by the department, and that the Supervisor of Scaling audits the examination process and checks the exams. The Board of Examiners made up of external representatives of wood buyers in NS has the final say in whether a candidate passes the course and is eligible for licensing</p>
COMPLIANCE CRITERIA	<p>Compliant:</p> <ul style="list-style-type: none"> • The respondent's answer describes how/where the criteria for meeting the requirements of registration/application are documented; and • the respondent's answer describes the role of any third-party assessors. <p>Not compliant:</p> <ul style="list-style-type: none"> • The respondent's answer <i>does not</i> describe how/where the criteria for meeting the requirements of registration/application are documented; or • if a third party is used for assessment, the respondent's answer <i>does not</i> describe the role of the third-party assessors.
REVIEW FINDINGS	<p>To be completed by the FRPA Review Office:</p> <p><input checked="" type="checkbox"/> Compliant</p> <p><input type="checkbox"/> Not compliant</p>

COMMENTS: REVIEW FINDINGS	<p>Comments, to be completed by the FRPA Review Office:</p> <p>Objective criteria are used to determine if requirements for licensure have been met. The Board of Examiners must use the established criteria to determine eligibility for licensure. If standards/benchmarks are revised, this must be made publicly available to applicants (update and repost the Scaling Manual).</p> <p>There are currently no third-party assessors.</p>
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QUESTION 11

How are the criteria that you use to assess the requirements for registration/application made available to applicants?

Alignment with FRPA: *Section 7(a) and (d)*

RESPONDENT ANSWER	<p>Select all that apply</p> <p><input checked="" type="checkbox"/> Paper (hard copy) in the form of a fact sheet/pamphlet or handbook</p> <p><input type="checkbox"/> Available online to download (in the form of a fact sheet/pamphlet or handbook in PDF or another format)</p> <p><input type="checkbox"/> Email</p> <p><input checked="" type="checkbox"/> Website</p> <p><input type="checkbox"/> Other, explain your communication process if not listed above: Via the scaler manual and in person during the scaling school</p>
COMPLIANCE CRITERIA	<p>Compliant:</p> <ul style="list-style-type: none"> The regulating body provides applicants with a description of the criteria used to assess whether they meet the requirements for registration (they select at least 1 response option). <p>Not compliant:</p> <ul style="list-style-type: none"> The regulating body does <i>not</i> provide applicants with a description of the criteria used to assess whether they meet the requirements for registration (they do not select any response options).

REVIEW FINDINGS	To be completed by the FRPA Review Office: <input checked="" type="checkbox"/> Compliant <input type="checkbox"/> Not compliant
COMMENTS: REVIEW FINDINGS	Comments, to be completed by the FRPA Review Office:

QUESTION 12

Do you have a process for providing the reason(s) why a registration/application is not approved?

Alignment with FRPA: *Sections 8(c) and 10(3)*

RESPONDENT ANSWER	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain the process (Example: written decision, provision of information about the appeal process, etc.): All candidate whether they pass or fail receive a letter from the Supervisor of Scaling after the marks are reviewed by the Board of Examiners this letter explains their marks and the requirements
COMPLIANCE CRITERIA	Compliant: <ul style="list-style-type: none"> • The regulating body provides applicants who are not granted registration with a written decision that includes the reason(s) why. Not compliant: <ul style="list-style-type: none"> • The regulating body does <i>not</i> provide applicants who are not granted registration with a written decision that includes the reason(s) why.

REVIEW FINDINGS	<p>To be completed by the FRPA Review Office:</p> <p><input type="checkbox"/> Compliant</p> <p><input checked="" type="checkbox"/> Not compliant</p>
COMMENTS: REVIEW FINDINGS	<p>Comments, to be completed by the FRPA Review Office:</p> <p>The answer indicates the only reason for denial is marks. There is no reference to communication of information at other stages of the licensure process.</p> <p><i>FRPA 8(c) where registration is not granted, provide written decisions that include reasons to applicants within a reasonable time respecting registration decisions.</i></p>

QUESTION 13

Do you provide supports/referrals/information to unsuccessful applicants after a decision has been communicated to the applicant? (Examples: referrals to education institutions to gain additional credentials, bridging programs, etc.)?

Alignment with FRPA: *Sections 8(d) and 16(3)(k)*

RESPONDENT ANSWER	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p>If yes, what types of supports/referrals/information do you provide to unsuccessful applicants after a decision has been communicated?</p> <p>If a candidate was unsuccessful in the exams we would suggest potential mentors they could work with to gain understanding in regards to scaling methods</p>
COMPLIANCE CRITERIA	<p>Compliant:</p> <ul style="list-style-type: none"> • The regulating body provides, if applicable, information to unsuccessful applicants that may assist them in obtaining registration at a later date; and • the respondent's answer describes any other supports/referrals/information provided to unsuccessful applicants. <p>Not compliant:</p> <ul style="list-style-type: none"> • The regulating body does <i>not</i> provide, if applicable, information to unsuccessful applicants that may assist them in obtaining registration at a later date; or

	<ul style="list-style-type: none"> if the regulating body does provide any other supports/referrals/information to unsuccessful applicants (response = “yes”), the respondent’s does <i>not</i> describe this supports/referrals/information.
REVIEW FINDINGS	<p>To be completed by the FRPA Review Office:</p> <p><input checked="" type="checkbox"/> Compliant</p> <p><input type="checkbox"/> Not compliant</p>
COMMENTS: REVIEW FINDINGS	<p>Comments, to be completed by the FRPA Review Office:</p>

SECTION III: INTERNAL REVIEW/APPEAL PROCESS

Section 10 of the Act states “Where a regulating body does not provide registration to an applicant, the regulating body shall provide an internal review process within a reasonable time and shall inform the applicant of the internal review process and of the procedures and time frames for the internal review.” This section focuses on the internal review/appeal process, including opportunities for an applicant to provide new information for a decision and details surrounding the decision-makers involved in the internal review/appeal process. Additionally, information on the training provided to individuals who make internal review/appeal decisions will be required.

QUESTION 14

Do you have a process for an applicant to request an internal review/appeal after a decision has been made on the registration/application? Include how this process is communicated to the applicant.

Alignment with FRPA: *Sections 7(a), 10(1)(2)(4) and 16(3)(m)*

RESPONDENT ANSWER	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, explain the internal review/appeal process and how it is communicated.</p> <p>If no, what do you do if an internal review/appeal is requested?</p> <p>If an appeal was requested, we would have the board of examiners review the exam and results of the practical test against the answers to make sure that the exams were marked correctly by the scaling supervisor. This process would then be reviewed with the candidate</p>
COMPLIANCE CRITERIA	<p>Compliant:</p> <ul style="list-style-type: none"> • The regulating body provides an internal review process for applicants who are not granted registration, including opportunities for applicants to make submissions respecting such review; and • the respondent's answer includes a description of the internal review process, including how it is communicated to applicants. <p>Not compliant:</p> <ul style="list-style-type: none"> • The regulating body does <i>not</i> provide an internal review process for applicants who are not granted registration, including opportunities for applicants to make submissions respecting such review; or • the respondent's answer does <i>not</i> include a description of the internal review process, including how it is communicated to applicants.
REVIEW FINDINGS	<p>To be completed by the FRPA Review Office:</p> <p><input type="checkbox"/> Compliant <input checked="" type="checkbox"/> Not compliant</p>
COMMENTS: REVIEW FINDINGS	<p>Comments, to be completed by the FRPA Review Office:</p> <p>There is no internal review process for applicants who are not granted registration. The Act & Regulations do not prohibit a process, nor do they describe a process. The alternative proposed is not FRPA compliant (reviewers involved who were involved in the original decision is not an internal review) nor is it communicated to applicants. To be compliant with the FRPA regulating bodies must have a documented internal review process and provide it to applicants</p>

	who are not granted registration. The process must include a description of opportunities the applicant has to provide new information and to make submissions with respect to an internal review.
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QUESTION 15

Do you have a timeframe for applicants to submit a request to initiate an internal review/appeal, after a decision has been issued?

Alignment with FRPA: *Sections 7(a) and 10(1)*

RESPONDENT ANSWER	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, what is the timeframe that an applicant has, to initiate the internal review/ appeal process (in days)?
COMPLIANCE CRITERIA	<p>Compliant:</p> <ul style="list-style-type: none"> • The regulating body has established a timeframe within which they must provide applicants with an internal review/appeal; and • the respondent's answer includes a timeframe. <p>Not compliant:</p> <ul style="list-style-type: none"> • The regulating body has <i>not</i> established a timeframe within which they must provide applicants with an internal review/appeal; or • the respondent's answer does <i>not</i> include a timeframe.
REVIEW FINDINGS	<p>To be completed by the FRPA Review Office:</p> <input type="checkbox"/> Compliant <input checked="" type="checkbox"/> Not compliant

COMMENTS: REVIEW FINDINGS	Comments, to be completed by the FRPA Review Office: In the absence of a documented internal review process, there is currently no established timeframe within which applicants are provided with an internal review/appeal. “Where a regulating body does not grant registration to an applicant, the regulating body shall provide an internal review process within a reasonable time and shall inform the applicant of the internal review process and of the procedures and time frames for the internal review.”.
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QUESTION 16

Do you have a process for which an applicant can request access to records from the registration/application?

Alignment with FRPA: *Sections 12(4), 16(3)(j) and 16(3)(n)*

RESPONDENT ANSWER	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please describe the process, and include the associated fees, for the individual to obtain the records from the applicant's file. (Examples: application forms, reference letters, transcripts, criminal background checks, certificates of professional conduct, proof of good standing in another jurisdiction, etc.) If a mill or employer need to know if a person is a licensed scaler or when they are due for a refresher to remain licensed, we would be able to provide that information. We would not provide information beyond whether the persons license standing
COMPLIANCE CRITERIA	<p>Compliant:</p> <ul style="list-style-type: none"> • The regulating body has a process under which requests for access to records are considered; and • the respondent's answer provides a description of the process. <p>Not compliant:</p> <ul style="list-style-type: none"> • The regulating body does <i>not</i> have a process under which requests for access to records are considered; or • the respondent's answer does <i>not</i> provide a description of the process.
REVIEW FINDINGS	To be completed by the FRPA Review Office: <input type="checkbox"/> Compliant

	<input checked="" type="checkbox"/> Not compliant
COMMENTS: REVIEW FINDINGS	<p>Comments, to be completed by the FRPA Review Office:</p> <p>The FRPA requires that a regulating body establish a process by which an applicant can request access to their own records – their registration file. Confirmation of licensure by third parties is a different type of process. There is no established process by which an applicant can request access to their records. To be compliant with the FRPA the regulating body shall establish a process under which requests for access to records will be considered.</p>

QUESTION 17

Are the individuals who acted as decision-makers in respect to the initial registration decision different than the decision-makers in the internal review/appeal?

Alignment with FRPA: Sections 10(5) and 16(3)(n)

RESPONDENT ANSWER	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
COMPLIANCE CRITERIA	<p>Compliant:</p> <ul style="list-style-type: none"> • The respondent's answer states that no one who has acted as a decision maker for a registration decision has also acted as a decision maker in an internal review/appeal. <p>Not compliant:</p> <ul style="list-style-type: none"> • The respondent's answer does <i>not</i> state that no one who has acted as a decision maker for a registration decision has also acted as a decision maker in an internal review/appeal.
REVIEW FINDINGS	<p>To be completed by the FRPA Review Office:</p> <input type="checkbox"/> Compliant <input checked="" type="checkbox"/> Not compliant

COMMENTS: REVIEW FINDINGS	Comments, to be completed by the FRPA Review Office: In the absence of a documented internal review process, there is currently no statement to say that internal review decision-makers are separate from the initial decision-makers. To be compliant with the FRPA the regulating body will ensure that no one who acted as a decision-maker in respect of a registration decision may act as a decision-maker in an internal review of the same decision.
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QUESTION 18

Explain the process that is used to ensure that the initial decision-maker for the registration/application of an applicant is different than the decision-maker in the internal review/appeal process.

Alignment with FRPA: *Sections 10(5) and 16(3)(n)*

RESPONDENT ANSWER	Explain the process: The supervisor of Scaling conducts and checks the exams then reviews the marks with the Board of Examiners who will provide recommendations based on those marks. During the appeal process the Board of Examiners would be the ones that check the answers on the exam.
COMPLIANCE CRITERIA	Compliant: <ul style="list-style-type: none"> The respondent's answer explains any process that is used to ensure that the initial decision maker for the registration/application of an applicant is different than the decision maker in the internal review/appeal process. Not compliant: <ul style="list-style-type: none"> The respondent's answer does <i>not</i> explain the process (if they have one in place) that is used to ensure that the initial decision maker for the registration/application of an applicant is different than the decision maker in the internal review/appeal process.
REVIEW FINDINGS	To be completed by the FRPA Review Office: <p><input type="checkbox"/> Compliant</p> <p><input checked="" type="checkbox"/> Not compliant</p>

COMMENTS: REVIEW FINDINGS	Comments, to be completed by the FRPA Review Office: Both the Supervisor of Scaling and the Board of Examiners are involved in the original decision making. In the absence of a documented internal review process, there is currently no process to ensure that the initial decision maker is different from the internal review decision maker. To be compliant with the FRPA the applicant must be offered a review of the registration decision that is internal to the regulating body and ensure that internal review decision-makers are different from the original decision-maker(s).
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QUESTION 19

How are the results of an internal review/appeal decision communicated/provided to the applicant? (Examples: in writing, email, etc.) Are the reasons included in the results? Do you have a timeframe to provide an internal review/appeal decision, and is the timeframe written and communicated to the applicant?

Alignment with FRPA: *Section 10(3)*

RESPONDENT ANSWER	Explain how the results are provided and if the results include reasons (also include how the timeframe is written and communicated to the applicant): The results of the internal review would be provided in writing from the Board of Examiners providing an explanation of the process and the results. There is no written process and no written time frame.
COMPLIANCE CRITERIA	<p>Compliant:</p> <ul style="list-style-type: none"> The internal review decision maker provides applicants with a written decision that includes reasons and a timeframe. <p>Not compliant:</p> <ul style="list-style-type: none"> The internal review decision maker does <i>not</i> provide applicants with a written decision that includes reasons and a timeframe.
REVIEW FINDINGS	<p>To be completed by the FRPA Review Office:</p> <p><input type="checkbox"/> Compliant</p> <p><input checked="" type="checkbox"/> Not compliant</p>

COMMENTS: REVIEW FINDINGS	Comments, to be completed by the FRPA Review Office: In the absence of an internal review process, there is currently no process to communicate results of an internal review to the applicant. To be compliant with the FRPA regulating bodies ensure that internal review decision makers provide applicants with a written decision that includes reasons within a reasonable time.
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QUESTION 20

Have the decision-makers for the internal review/appeal process received training on how to conduct an internal review/appeal?

Alignment with FRPA: *Sections 11 and 16(3)(p)*

RESPONDENT ANSWER	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, explain what training is required for the decision makers for internal reviews/appeal:
COMPLIANCE CRITERIA	<p>Compliant:</p> <ul style="list-style-type: none"> • The regulating body provides training to individuals who make internal review decisions; and • the respondent's answer describes the training. <p>Not compliant:</p> <ul style="list-style-type: none"> • The regulating body does <i>not</i> provide training to individuals who make internal review decisions; or • the respondent's answer does <i>not</i> describe the training.
REVIEW FINDINGS	To be completed by the FRPA Review Office: <input type="checkbox"/> Compliant <input checked="" type="checkbox"/> Not compliant

COMMENTS: REVIEW FINDINGS	Comments, to be completed by the FRPA Review Office: In the absence of an internal review process, there is currently no training plan available. FRPA Section 11: A regulating body shall ensure that individuals acting as decision-makers in internal reviews receive training on conducting an internal review.
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III: OTHER NOTES

During the review process areas for improvement in registration practices may be noted that are outside what is required for compliance with the FRPA. Though not mandatory, these practices are noted in this section for consideration by the regulating body.

The following was noted during the review of registration practices for Timber Scalers:

- The online Scaling Manual contains valuable information related to the practice of timber scaling in Nova Scotia, including the knowledge and competency standards. It is recommended that the manual which is dated 2007 be reviewed and updated to reflect the changes in this report with respect to registration practices. Particular attention should be given to section 4.8 regarding Special Authorization where more details should be added about this process, including how the Supervisor of Scaling will determine competence and, section 4.9 regarding Persons Holding Scaling Licenses from Other Provinces which should be revised to include relevant details pertaining to a streamlined registration process.

For support with this and other actions associated with the improvement of registration practices, the regulating body may contact the Review Officer for advice, provision of templates, information, research and/or best practice. The FRPA Office can assist with templates and example policies on items that are required for compliance under the Act. (example: Checklist for Certifying Labour Mobility Applicants). Sample policies and templates can be requested from the Review Officer at any time or by visiting the FRPA website: Fair Registration Practices - Resources for Regulatory Bodies | novascotia.ca.

IV: ACKNOWLEDGEMENTS:

The Forest Inventory Division of Lands & Forestry hereby declares that the information contained in this report is a true and accurate representation of current registration practices for Timber Scalers and agrees to take action to address items of non-compliance as per the following Action Plan.

DATE: May 31 2021

SIGNATURE OF THE AUTHORIZED MEMBER OF THE REGULATING BODY:

X Shawn Higgins

APPENDIX A: ACTION PLAN

Note: The intent of the Action Plan is to identify how the items of noncompliance are going to be corrected before the next review period to ensure compliance, fairness, and transparency, as required by the Act.

NAME OF REGULATING BODY: Lands & Forestry – Forest Inventory Division for Timber Scalers

INFORMATION ON REGISTRATION PRACTICES AS OF: 2020-11-03

ACTION PLAN TIMELINES:

TIMELINES FOR ACTION PLAN PROGRESS UPDATES					
	Action Plan Deadline	Action Plan Progress Update 1	Action Plan Progress Update 2	Action Plan Progress Update 3	Action Plan Progress Update 4
Due Date	2021-02-18	2022-05-12	Click or tap to enter a date.	Click or tap to enter a date.	Click or tap to enter a date.
Actual Completed Date	2021-04-20	Click or tap to enter a date.			

ACTION PLAN:

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments
Sections 7(c), 9(a), 16(3)(a), (b), (e) and (g)	2	How is the registration/application process communicated to the applicant?	The website will be updated to include details on the experience and proof of experience requirements to apply for scaling school.	Dec 2021	A reasonable plan to address the current gap in registration practices.

		<ul style="list-style-type: none"> - provide clear instructions on what documentation must accompany applications - ensure that information regarding registration requirements and how requirements are to be met is clear and easily accessible in the public domain through print and electronic media. 	The regulator will update the website to include clear instructions on the final stages of the licensing process which was missing in the initial response. It will include clear instruction on the process and the documentation that is required and links to the forms which are currently not available electronically.		
Update 1					
Update 2					
Update 3					
Update 4					

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments
Action required	3	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - ensure that information regarding registration requirements and how requirements are to be met by applicants who received their qualifications outside of Canada is clear and easily accessible in the public domain through print and electronic media. 	Website will be updated to include specific information on the process for those apply outside of Canada and what type of experience is necessary for scaling school.	Dec 2021	A reasonable plan to address the current gap in registration practices. Make sure that clear information is available regarding the requirements for registration. For international applicants you may wish to consider whether an applicant could begin the process outside Canada and any requirements pertaining to translation of documents. Be clear about who will assess these applications

		<ul style="list-style-type: none"> - provide clear instructions on what documentation must accompany applications 			and what criteria will be used to assess them.
Update 1					
Update 2					
Update 3					
Update 4					

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments
Action required	4	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - ensure that information about registration requirements and how requirements are to be met by applicants who received their qualification outside NS but within Canada is clear and easily accessible in the public domain through print and electronic media. - ensure that information about registration requirements and how requirements are to be met by applicants registered in another Canadian jurisdiction are based on certificate-to-certificate recognition and are clear and easily accessible on the public domain through print and electronic media. - provide clear instructions on what documentation must accompany applications 	Website to be updated to include specific information on the process for applicants with other provincial scaling licenses to gain a license in NS. Application form will be updated to include information required by those apply from other provinces.	Dec 2021	Be sure to include the possible variations in process depending on whether the refresher course is currently available. Describe the alternative process leading to special authorization until the next refresher course is available. Make sure that the knowledge and competencies required of a Scaler in NS are available for applicants to review.
Update 1					
Update 2					

Update 3						
Update 4						

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments
Action required	5	Areas of non-compliance to be addressed in an action plan are as follows: - ensure that information setting out any fees for registration is clear and easily accessible in the public domain through print and electronic media.	The regulator will update the website to include clear instructions on the final stages of the licensing process and it will also include the schedule of fees.	Dec 2021	A reasonable plan to address the current gap in registration practices.
Update 1					
Update 2					
Update 3					
Update 4					

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
<i>Sections 9(b), 16(3)(c)</i>		Do you have a process to accept alternative information when the required documents cannot be obtained by the applicant, for reasons beyond their control (Example: a sworn statement in lieu of full documentation)?			
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments
Action required	6	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - document guidelines that describe alternatives that would be acceptable when documentation that must accompany an application cannot be obtained for reasons beyond the applicant's control 	The regulator will define what alternative documentation could be accepted instead of those required in the application process if the ones required cannot be obtained for reasons beyond the applicant's control. Any acceptable alternatives defined by the regulator will be updated on the website.	Dec 2021	A reasonable plan to address the current gap in registration practices. A template policy that can be used as a guideline to develop criteria around alternative documentation can be found on the Fair Registration Practices website: Fair Registration Practices - Resources for Regulatory Bodies novascotia.ca
Update 1					
Update 2					
Update 3					
Update 4					

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
<i>Sections 16(3)(h)</i>		<p>Do you have a policy and/or process on how to work with an applicant during the registration/application process that may have a physical or mental disability and requires an accommodation when registering/applying? If applicable, please provide a link to your policy and/or process. This is for the registration/application process only and not a workplace accommodation.</p> <p>Is your accommodation policy and/or process adaptable if a new situation arises? (Example: translation was not covered in the policy, but a request for an alternate language was requested)?</p>			
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments
Action required	8 & 9	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - document a description of the accommodation practices for applicants which includes: <ul style="list-style-type: none"> - how to request an accommodation - guidelines regarding types of accommodations - ensure that practices are adaptable if a new situation arises 	The regulator develops written accommodation process which will include information on how to request an accommodation, guideline on accommodation in the scaling application/licensing process. We will also need to consider how we can ensure the practices can adaptable if new situations arise. Once we have these process developed and approved it will be posted on the website.	Mar 2022	A reasonable plan to address the current gap in registration practices. A template policy that can be used as a guideline to develop a description of accommodation practices and advise applicants how to make such a request can be found on the Fair Registration Practices website: Fair Registration Practices - Resources for Regulatory Bodies novascotia.ca
Update 1					
Update 2					
Update 3					
Update 4					

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
<i>Sections 8(c), 10(1)</i>		Do you have a process for providing the reason(s) why a registration/application is not approved?			
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments
Action required	12	Areas of non-compliance to be addressed in an action plan are as follows: <ul style="list-style-type: none">- document a process to ensure that applicants who are not granted registration are provided with a written decision that includes the reasons why registration has been denied- ensure that information about the internal review process is provided to applicants who have not been granted registration.	The regulator only included information on the examination feedback in the initial response but throughout the application process the supervisor of scaling provides feedback through emails and letters at each stage of the process. The response also includes information on the approval or if they are being denied and the reasons behind this decision. The processes are currently not formally document and will be included in appeals/internal review process that are being developed for the action plans below.	Mar 2022	You could document a process for the provision of written decisions or develop a decision template that includes all potential reasons for denial of licensure. Any applicant who is denied registration/licensure should be provided with information on the internal review process.
Update 1					
Update 2					
Update 3					
Update 4					

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
<i>Sections 7(a), 10(1)(2)(4) and 16(3)(m)</i>		<p>Do you have a process for an applicant to request an internal review/appeal after a decision has been made on the registration/application? Include how this process is communicated to the applicant?</p> <p>Do you have a timeframe for applicants to submit a request to initiate an internal review/appeal, after a decision has been issued?</p>		
Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments
Action required	14 & 15 Areas of non-compliance to be addressed in an action plan are as follows: <ul style="list-style-type: none">- document a clearly defined process for an internal review of the registration decision which includes:<ul style="list-style-type: none">- procedures- timeframes- opportunities the applicant has to provide new information and to make submissions in support of their position (e.g. documented evidence, hearing, etc.)- ensure that information on the internal review process is clear and easily accessible in the public domain through print and electronic media- document the timeline and process by which an applicant who has been denied registration is informed about the procedures and time frames for the internal review.	The regulator will work to define an appeals/review process for the scaling application and licensing process. This process will include processes, procedures, timelines of the appeal. This will also include the opportunities and the process in which an applicant can make an appeal. Once approved this appeals process will be posted on the website.	Mar 2022	Since there is no internal review process currently in place, this one will take some time to develop and decide on a way to make this opportunity available to denied applicants. The process, when developed, must include all the details as listed in the column for Areas of non-compliance to be addressed. There is a template policy that can be used to help guide development that can be found on the Fair Registration Practices website: Fair Registration Practices - Resources for Regulatory Bodies novascotia.ca

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ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
Sections 12 and 16(3)(j)		Do you have a process for which an applicant can request access to records from the registration/application?			
Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments	
Action required	16 Areas of non-compliance to be addressed in an action plan are as follows: - develop and document a clearly defined process under which requests for access to records will be considered, including: - the process by which an applicant may make a request - any limitations with regards to access - any fees associated with the request	There was a clear misunderstanding of the question by the regulator which resulted in the noncompliance. Any applicant need only to contact the Supervisor of Scaling to access any of their documentation in relation to their application, registration, licensing information. The website can also be updated to include information on this process and the limitations with regards to what is available to the applicant.	Mar 2022	According to this information an informal process is already in place to address this requirement. The FRPA requires that an Access to Records process be formally documented. A template policy that can be used as a guideline to develop an Access to Registration Records process can be found on the Fair Registration Practices website: Fair Registration Practices - Resources for Regulatory Bodies novascotia.ca	
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ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
<i>Sections 10(5) and 16(3)(n)</i>		<p>Are the individuals who acted as decision-makers in respect to the initial registration decision different than the decision-makers in the internal review/appeal?</p> <p>Explain the process that is used to ensure that the initial decision-maker for the registration/application of an applicant is different than the decision-maker in the internal review/appeal process?</p>			
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments
Action required	17 & 18	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - document the process that is used to ensure that no one who acted as a decision-maker in a registration decision may act as a decision-maker in an internal review of the same decision - include in the description of the internal review process a statement to the effect that no one who acted as a decision maker in a registration decision may act as a decision maker in an internal review of the same decision 	The appeals process that is to be defined from the action plan in question 14-15 will also define who can make up the appeals committee (decision makers) and what qualification they must have to be part of the appeals committee. This information once approved will be posted on the website.	Mar 2022	The work that will take place on development of an internal review process will include consideration for the decision-maker(s), none of whom may be involved in the initial registration decision. This action will be connected with #14 & 15 to build a robust policy to cover all aspects of the internal review process and ensure that there are no conflicts of interest in the decision-making process.
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ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
<i>Sections 10(3)</i>		How are the results of an internal review/appeal decision communicated/provided to the applicant? (Examples: in writing, email, etc.) Are the reasons included in the results? Do you have a timeframe to provide an internal review/appeal decision, and is the timeframe written and communicated to the applicant?			
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments
Action required	19	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - ensure that the internal review process includes a requirement for decision makers to provide applicants with a written decision that includes reasons - the internal review process describes the timeframe for a decision to be communicated to the applicant 	The appeals process that is to be defined from the action plan in question 14-15 will also include a defined timeline and the communication requirement between the appeals committee and the applicant in regard to decisions around the appeals process.	Mar 2022	A reasonable plan to address the current gap in registration practices.
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ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES			
<i>Sections 11, 16(3)(p)</i>		Have the decision-makers for the internal review/appeal process received training on how to conduct an internal review/appeal?			
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion	FRPA Review Officer Comments
Action required	20	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - ensure that individuals acting as decision-makers in internal reviews receive training on conducting an internal review. - develop a plan and document training provided to individuals who make internal review decisions 	The appeals process that is to be defined from the action plan in question 14-15 will also include a component for the training required for the persons to sit on the appeals committee. The training plan will have to be developed and all training documented.	Mar 2022	This action will be closely connected with the other actions related to development of an internal review process. Details related to a reasonable training plan for decision-makers will evolve as the internal review process is developed.
Update 1					
Update 2					
Update 3					
Update 4					