



Purpose

The Forest Practices Board (Board) is an independent administrative justice tribunal in British Columbia. Members, including the Chair, are appointed to the Board after a transparent and merit-based recruitment process. This policy sets out the transparent and merit-based recruitment process for all appointments to the Board.

Summary

The Board recruitment process includes these steps:

1. A Notice of Position will be prepared before each new recruitment.
2. The Notice of Position will identify:
 - a. Board mandate
 - b. Position vacancy
 - c. Required knowledge, skills, and abilities
 - d. Required competencies¹
 - e. Desired competencies
 - f. Desired diversity objectives
 - g. Time commitment, term, and compensation for the position
3. The Notice of Position will be publicly posted for a reasonable period of time.
4. Applicants will be screened into the competition based on fair and objective criteria consistent with the Notice of Position.
5. The Board will conduct a transparent assessment process, which may include written tests, interviews, and reference checks.
6. The Board will recommend the successful applicant for appointment.

The Crown Agencies and Board Resourcing Office [CABRO] coordinates the Cabinet appointment process and establishes best practice guidelines for appointees to public sector organizations. CABRO usually plays the following role in the recruitment process:

- receives board recruitment requests
- posts recruitment notices on [CABRO advertised vacancy site](#)
- receives recommendations from the Board
- processes the requests for Order-in-Council appointments to Cabinet² for consideration

While the Board makes recommendations, it is Cabinet that ultimately decides whether to grant an order-in-council appointment.

¹ Required competencies must be met, at a minimum standard, in order to be considered for the position. If required competencies are met, desired competencies can be used to distinguish the most qualified individual.

² To preserve its independence, the Forest Practices Board carries out as much of the procedural aspects of the process as possible.

Legislation

The merit-based appointment process is grounded in both legislation and policy. The legislation requires a merit-based appointment process. Merit means that appointments are made based on an assessment of competence and ability to do the job, and are non-partisan. While the Board leads the recruitment process, the Board cooperates with CABRO as well as the Ministry of Forests, Lands, Natural Resource Operations and Rural Development, to fill vacancies.

The *Forest and Range Practices Act* sets out the following requirements for appointment of the Board Chair and Board Members:

The board consists of the following members appointed by the Lieutenant Governor in Council after a merit-based process:

- a. a member designated as the chair;
- b. one or more members designated as vice chairs after consultation with the chair;
- c. other members appointed after consultation with the chair.

The following provisions of the *Administrative Tribunals Act* also apply:

2(1) The chair of the tribunal may be appointed by the appointing authority, after a merit-based process, to hold office for an initial term of 3 to 5 years.

3(1) A member, other than the chair, may be appointed by the appointing authority, after a merit-based process and consultation with the chair, to hold office for an initial term of 2 to 4 years.

Policy

Commitment to Best Practices

Best practices commonly used in the public service for competency-based recruitment will be followed. A competency-based assessment process will be used to determine suitable candidates for consideration by the Lieutenant Governor in Council as the Board Chair and Board Members.

Commitment to Diversity

The Board will seek new board members who complement or increase the diversity of the Board.

- Diversity in its broadest sense means having board members who may be different from each other and who do not all come from the same background. Diversity in experience and cultural competency ensures the diversity of the Board and independence of decision-making that is necessary for the administrative justice sector.
- The Board will strive to have a balanced diversity so that each member brings a different background and perspective to the Board.
- Recognizing that not all perspectives can be represented, a core competency for all Board members is empathy;³ having a diverse board who is collectively empathic, will result in a board that is able to actively listen to and engage perspectives that may not be present on the board itself.

³ Empathy is our ability to put ourselves in the shoes of others and to understand what another person is experiencing. See: <https://www2.gov.bc.ca/gov/content/careers-myhr/job-seekers/about-competencies/indigenous-relations/empathy>

- Prior to each recruitment, the Chair will assess the current diversity of the Board. If there are significant gaps in diversity, then the Chair may identify opportunities to increase the diversity of the Board.
- The Board is guided by the purposes set out in section 3 of the *Human Rights Code* and government objectives for diversity and inclusiveness. What this means, in practice, is that the Board may recruit in support of the following diversity objectives:
 - Improving representation of specific equity groups (i.e., women, Indigenous Canadians, visible minorities, and people with disabilities).
 - Ensuring a range of experience in the natural resource field that are important to the *Forest and Range Practices Act* and the *Wildfire Act*; and
 - Including diverse geographic perspectives.⁴
- Candidates must possess the required knowledge, skills, abilities and competencies for the position. These candidates will be considered qualified.
- If there is more than one qualified candidate, the Panel may recommend the candidate who best meets the diversity objectives established in the position profile.

Commitment to Transparency

The Board will follow a transparent recruitment, assessment, and recommendation process.

Recruitment Process

- In addition to the CABRO website notification, the Board will initiate pro-active recruitment for potential board members that includes:
 - Appropriate notification of the position in media that are likely to reach highly qualified candidates
 - Personal outreach by the Board Chair or other Members to individuals who may be qualified candidates.
 - The Chair, in undertaking pro-active outreach, must be clear to all candidates that a merit based process will be used to recruit new members.
 - There can be no suggestion or expectation that the Chair will secure a position for an individual or that by being asked by the Board to apply, that the individual has a specific expectation of being appointed to the Board.
 - Pro-active recruitment should target outreach to candidates or audiences that may help increase the diversity of candidates in the competition pool. The recruitment strategy will be tailored to the diversity objectives for the position.

Assessment Process

- For Board Members, the recruitment panel will include:
 - the Chair, who will also chair the panel;
 - one or more Board members (“Peers on panels”); and
 - the Executive Director.

⁴ The Board will not seek to mirror all the perspectives that are relevant to forest practices in BC, as the Board is not a “representative” model.

- For recruitment of the Chair, the panel will consist of:
 - the Vice Chair, who will chair the panel
 - one or more Board members;
 - the Executive Director; and
 - One or two leaders from outside of the Forest Practices Board, who have experience in strategic leadership and organizational governance. This may include:
 - the head of a Professional Association (ABCFP, CAB, APEGBC); and/or
 - a senior public servant; and/or
 - a leader from an Indigenous organization; and/or
 - a representative of a central agency with experience in merit-based recruitment of senior leadership (e.g., CABRO, Public Service Agency, etc.).
- All panels will make recommendation decisions by consensus. If consensus is not possible, then a majority decision will apply.
- All panel members are bound by this policy, and must be confident that the process and recommendation met the requirements for a merit based appointment.

Recommendation Process

- Following the recruitment process, the panel chair will forward the recommendation to the Minister and coordinate with CABRO during the recommendation process. The recommendation will include a candidate, or candidates, who meets all of the position requirements. CABRO is responsible to coordinate materials for a decision by Cabinet.
- Board member appointments will normally be two- or three-year terms, as determined by the Lieutenant Governor in Council. Members may stand for reappointment upon term expiry, but no member will serve more than six years. The limit on appointment terms is intended to ensure the Board constantly refreshes its perspectives.
- Part-time member reappointments are subject to a satisfactory performance review by the Chair, and recommendations for reappointment are at the Chair's discretion.

Procedural Fairness and Accountability

The Board is committed to procedural fairness and is guided by the following principles:

1. structured process that is transparent and fair;
2. assessments that are objective and relevant to the role; and
3. decisions that are reasonable.

For the Core Public Service, a Merit Commissioner can review and audit appointments across the public service to ensure the merit principle is met. In addition, there is considerable guidance on the best practices and tools that can ensure a merit-based process. These processes apply to the recruitment of Board staff (who are appointed under the *Public Service Act*) but Board member recruitment is not covered by the *Public Service Act*. However, in practice, the Board has used a similar process for Member and Chair appointments to ensure best practices for a merit-based appointment.