

# Professional Matters

By Sam Goldstein, LLB

**U**nder normal circumstances, most professionals consider their association as a rich resource for advocacy, education and networking. When faced with the prospect of a professional audit, however, the once amiable relationship between member and association can seem to make an about-face, as the possibilities and implications of regulatory discipline loom large.

Of course, for most organizations, a professional audit is standard procedure within the first few years of membership, and will be followed by another random audit after several years. But what if the audit comes as a result of a complaint about or inquiry into your professional conduct?

The reality is that regardless of what triggered the audit, you can still rely on your association to support you in many ways that will contribute to the best possible outcome for you, will ensure that your name remains as unblemished as possible, and will protect your customers as well.

Keeping in mind the best defence is always a good offence, here are some key suggestions that can help you to avoid the worst-case scenarios that ruin careers and leave reputations shattered:

First and foremost, bear in mind that your professional accreditation is a privilege and not a right. As with any governing body, your professional association is duty-bound to protect the public, not you. Its mission is to advance the profession and enhance client outcomes; regulations are put in place to ensure the highest standards are maintained. You may be a paying member with an impeccable record (until now), but that does not mean you can expect any infractions to be overlooked or any more serious charges to be watered down.

You have a duty to respond to any letter or inquiry by your professional body. In some professions, your organization may even have the right to search and seize professional documents and client files. Despite your instincts to dispute such actions, it is a professional misconduct offence to interfere or prevent the collection of these records.

It would be naive to expect your governing body to stand behind you no matter what. The truth is that in such a situation, they are not your friend, but they are not your worst enemy, either. Cooperate. Be professional. And use them to your best advantage. Take a good look at the resources at hand. This is the perfect time to make certain you are up-to-date and complying with your professional obligations.


You will have some say in the scheduling of your audit. Select a date that allows you adequate time to prepare your records and have all the required items assembled. If you anticipate having difficulty managing this task, you may need to budget the time and money to have an assistant ensure things are in order. Failing to produce documents on time only results in delays and aggravation for all concerned. Again, be professional and be prepared.

In the event you are required to hand over accounting records, it is a good idea to have your bookkeeper on hand to assist with all compliance. It never hurts to have a second set of eyes on documents, especially when you are feeling nervous and the consequences are significant.

If there are any deficiencies found in your practice, adopt the approach that constructive criticism aids in our professional and personal development. By all means, take advantage of the opportunity to receive specific guidance in best practice management from the experts. Ask any questions you may have and be sure you understand the explanations offered. The more you can take away from the audit experience and apply to your everyday work, the more likely you are to steer clear of future difficulties.

As with any official correspondence, be sure to get copies of any documents requiring your signature. These records are essential in order to protect you down the road. Do not assume you'll never have need of them again. (Another golden opportunity to set up or improve your record-keeping.)

Professionals need to understand the legal implications of any disciplinary action and how it can impact their future. If the situation deepens and you are charged with an offence by your professional body, you need to seek legal advice. Do not face charges without the benefit of solid legal counsel; the cost will certainly be far less than the financial and emotional losses that could befall you if you fail to protect yourself.

Finally, the best advice of all: take the time to learn and comprehend your association's regulations. Stay current on industry news and updates. The health of your career depends on it. 

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