

PROFESSIONALIZATION

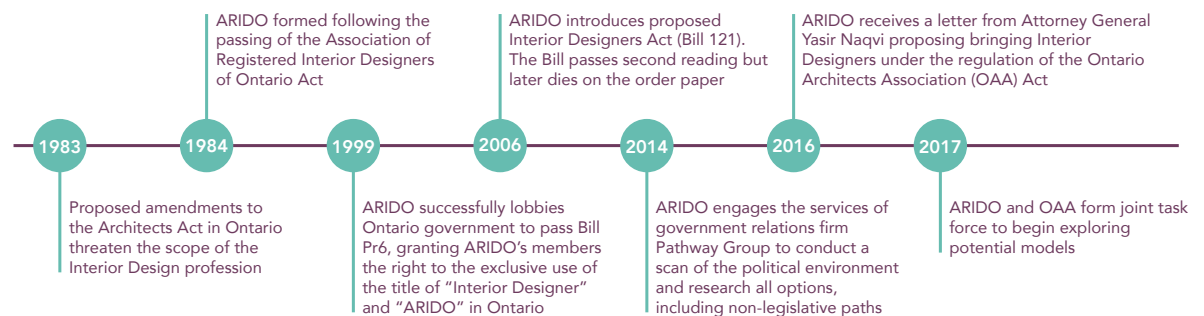
Why is professionalization important?

The interior design profession has struggled for decades to be recognized as an essential, specialized scope of work. The lack of a more formal structure governing our profession leaves us with little protection from a range of threats, including:

- Competition by other industry partners for projects;
- Requests for proposal released to architects only for interiors projects;
- Lack of recognition for the speciality scope that this profession practices;
- Members denied permit due to 2012 changes to the Ontario Building Code;
- Competition by non-qualified individuals; and
- A lack of autonomy.

What is ARIDO's history with professionalization?

On March 22, 2017, ARIDO held a Town Hall meeting¹ to discuss recent events and to share history and information. The timeline below provides an overview of key milestones:



In 2014, ARIDO engaged the services of Pathway Group, a government relations consulting firm. Pathway Group conducted an environmental scan² in April 2014 to assess the level of support for the introduction of an interior design practice act.

The results showed little chance of moving the legislation forward before the 2014 provincial elections. Following the elections, Pathway Group led the ARIDO Board of Management through the pros and cons of all legislative and regulatory options that ARIDO should consider.

What are our options when it comes to professionalization?

The following forms of professionalization have been researched and considered:

1. TITLE PROTECTION THROUGH THE EXISTING PRIVATE MEMBER'S BILL.

Currently ARIDO regulates use of the title of Interior Designer under Bill Pr6, a Private Member's Bill in place since 1999.

ARIDO establishes the credentials needed to become a registered ARIDO member. Only registered ARIDO members are allowed to use the title of Interior Designer.

Pros	Cons
<ul style="list-style-type: none"> • Qualifications and credentials for Interior Design are established by ARIDO. • Only registered ARIDO members can use the title of Interior Designer. • ARIDO can investigate improper title use and initiate cease and desist proceedings. 	<ul style="list-style-type: none"> • Individuals can practice under similar titles (design consultant, design specialist). They may be claiming to provide services similar to ARIDO registered Interior Designers but without the same qualifications. • ARIDO cannot restrict people from practicing the profession, only from using the title. • ARIDO has no jurisdiction to provide support to a client who wants to make a claim against somebody practicing the profession in Ontario without sufficient qualifications. • As a Private Member's Bill there is no Provincial ministry responsible for enforcement and as such ARIDO has less power/influence.

2. NON-EXCLUSIVE SELF-REGULATION.

With this model, a Public Act would be legislated under the purview of a Ministry.

The act would still only pertain to ARIDO members and would not restrict unqualified designers from practicing, only from using the title of Interior Designer.

This option was considered in 2014 as a potential first step towards further regulation at a later time.

Pros	Cons
<ul style="list-style-type: none"> • A Public Act offers higher status in the eyes of the Provincial government and a more serious level of public protection. • There is an opportunity to expand 	<ul style="list-style-type: none"> • Individuals can practice under similar titles (design consultant, design specialist). They may be claiming to provide services similar to ARIDO registered Interior

Pros

- the breadth of the current titles act beyond just “Interior Designer”.
- The Public Act would be drafted to define the scope of work for the interior design profession and afford permit privileges to those registered ARIDO members operating within that defined scope of work.
- Practicing unqualified designers would not enjoy permit privileges
- ARIDO would have stakeholder status with the Ministry (a seat at the decision-making table).
- Option for future enhancements to regulation because it is easier to amend an existing public act vs. a Private Members Bill.

Cons

- Designers but without the same qualifications.
- ARIDO cannot restrict people from practicing the profession, only from using the title.
- ARIDO has no jurisdiction to provide support to a client who wants to make a claim against somebody practicing the profession in Ontario that is not an ARIDO member.

3. EXCLUSIVE SELF-REGULATION.

With this model, a Practice Act, would be legislated under the purview of a ministry. The Practice Act defines the scope and practice of interior design in Ontario, outlining licensing requirements and defining penalties for violations of the law. This approach was attempted by ARIDO in 2006 with the introduction of Bill 121.

Pros

- Legislation would provide ARIDO the legal authority to protect the Interior Design scope of practice in Ontario and regulate, not just the title, but the profession.
- ARIDO’s scope of authority would extend beyond only ARIDO members.
- ARIDO would have stakeholder status with the Ministry (a seat at the decision-making table).
- ARIDO would have the jurisdiction to provide support to a client who wants to make a claim against somebody practicing the profession in Ontario without sufficient qualifications.
- ARIDO Registered members would carry permit privileges.

Cons

- Already-regulated professions under heavy scrutiny due to ongoing challenges of self-regulating in their own best interest.
- Very little legislator support for this model based on ARIDO’s experience and currently the government views of the model as “outdated”.

4. DELEGATED ADMINISTRATIVE AUTHORITY (DAA)

A new government body would be formed to regulate the interior design profession.

Pros	Cons
<ul style="list-style-type: none"> The practice of interior design would be regulated and only those with sufficient credentials and qualifications would be allowed to practice. 	<ul style="list-style-type: none"> ARIDO would have no control over regulation. The Province would establish a new government body to regulate the practice of interior design. Start-up costs for government body would be borne by ARIDO members. ARIDO would no longer be the regulatory body.

I have heard that Ontario government is still granting legislation to other professions. Why hasn't ARIDO been granted a Practice Act?

The Ontario government has granted legislation to several bodies recently and other professions are moving their draft legislation forward. However, it is important to understand that not every piece of new legislation is a "Practice Act" or self-regulation. The ARIDO Board asked Pathway Group to provide information on two recent changes of regulation in Ontario. Their review³ confirmed that neither of the two legislations represent self-regulation or a Practice Act (the two most viable options for ARIDO).

Here is a brief overview of those two recent changes:

- The Ontario Professional Planners Institute (OPPI) announced on May 11, 2017 that the Second Reading was occurring for the Registered Professional Planners Act, 2017⁴. This Act is not a Practice Act and the scope of Professional Planners will not be protected or restricted.
- Recently, the Ontario Association of Home Inspectors had new legislation introduced and passed by government. This legislation is a Delegated Administrative Authority (DAA) model and is not self-regulation (Practice Act). [Click here for more information.](#)

Are any other provinces using the non-exclusive self-regulation model?

Yes. Recently, the province of New Brunswick amended its existing Titles Act⁵, which was a Public Act, to include restriction of the scope of interior design. The scope included in the amendment was modeled after the existing Nova Scotia Practice Act. The result is that New Brunswick now has a Practice Act. Because the Titles Act is a Private Member's Bill and not a Public Act, ARIDO would first need to pursue the "Non-Exclusive Self Regulation" path noted in the chart above and then work over time to amend this Public Act into a Practice Act.

How has ARIDO shared this research and information with the ARIDO membership?

In fall 2014, ARIDO began to tour the province and conduct regional roundtables with the membership to discuss all options and engage in member feedback. These presentations⁶ were also delivered through webinars. ARIDO provided this information to the membership to solicit member feedback and guide the ARIDO Board of Management.

Where do things stand today for ARIDO?

In November 2016, ARIDO received a letter⁷ from the Attorney General, Yasir Naqvi, proposing an alternate route for the profession wherein he recommends “bringing interior designers under the regulation of the Ontario Association of Architects (OAA) Act” in order to “give ARIDO self-regulation status under the umbrella of a broader profession.” The OAA is governed by the Exclusive Self-Regulation model noted in the chart above. Because this Practice Act is already in place, it may be possible to amend the Act, and meet the desired goals of ARIDO and its members.

What are ARIDO’s next steps?

As a result of the Attorney General’s letter⁷, the ARIDO board has begun preliminary discussions with the OAA. A Joint Task Force, comprised of three board members and the Executive Directors from both organizations, has been formed between ARIDO and the OAA. The Task Force has established Terms of Reference⁸ and the following guiding principles for discussions moving forward:

- There are several models and options for the two organizations to explore with nothing ruled out
- Maintaining a core identity for interior design is important for any potential model
- Interior Designers must have meaningful participation in the governance of any potential model
- Any model considered must reflect a “partnership” of the two professions.

How can members get involved in the discussions with the OAA?

The ARIDO board has committed to providing monthly email updates to the membership on the progress of the discussions and progress with the OAA. The ARIDO board has also committed to touring the province in fall 2017 to engage the membership. Meeting dates will be listed in the Chapter news sections on the ARIDO website.

ARIDO and OAA are also considering holding joint regional roundtables to ensure both memberships are engaged throughout the process and have a direct connection to the leadership of both organizations on this matter.

What happens if the OAA and ARIDO agree to a model? How will members be consulted in any decision-making moving forward?

Nothing moves forward without a vote from the ARIDO membership. If a consensus is reached on a model, both ARIDO and the OAA will bring the model forward to their respective memberships for a vote.

Why is this taking so long?

In their initial discussion, both organizations agreed that it is important to “do it right” rather than “do it quickly.” There are many factors for the Joint Task Force to analyze, including a clear understanding of the potential risks and benefits to the interior design profession, both in the short term and for the next generation.

What if the discussions with the OAA do not work? What’s next?

ARIDO believes that doing nothing is not in our profession’s best interest. Additional paths to professionalization may not involve provincial legislation, but may still bring the necessary influence needed to establish ARIDO’s professional recognition and standing. Therefore, in addition to discussions with the OAA during 2017, the ARIDO Board will research other viable paths to professionalization.

FOR MORE INFORMATION

In the interest of transparency, we have included links to documents referenced in this section below:

- ¹ 2017 Town Hall meeting minutes
- ² 2014 Pathway Group environmental scan
- ³ Pathway Group’s memo to the ARIDO board regarding recent changes to Ontario legislation
- ⁴ 2017 draft bill of the Registered Professional Planners Act
- ⁵ New Brunswick legislation
- ⁶ 2014 members’ presentation
- ⁷ Copy of the 2016 letter from the Attorney General to the ARIDO board
- ⁸ ARIDO/OAA Joint Task Force Terms of Reference