

Inspector

Unit: Inspections & Case Management

Location: Burnaby, BC

Supervisor's Title: Director, Inspections & Case Management

Approved Classification: AO 24

Organization Summary

Consumer Protection BC is a not-for-profit corporation dedicated to strengthening consumer protection in BC and enforcing BC's consumer protection laws. As a regulator, we license and inspect specific industries, respond to consumer inquiries, investigate alleged violations of consumer protection laws and educate consumers and businesses about their rights and responsibilities under the laws we administer. Our vision is a province where all citizens of British Columbia are empowered in their transactions as a result of rigorous and consistent business compliance and through the provision of solution-based information. For more information about our organization and to read our annual reports, please visit our corporate website at www.consumerprotectionbc.ca.

Values & Working Environment

At Consumer Protection BC, we believe in accountability to ourselves and each other, in the investment and maintenance of integrity, and in the pursuit of excellence in the delivery of services that ultimately make a positive difference in the lives of British Columbians. These values guide the delivery of our services and employee behaviour – it is expected and required that all employees adhere to these values when governing themselves. Consumer Protection BC is a place where there is respect for all dimensions of diversity, such as age, gender, race, national origin, sexual orientation, disability, indigenous status, gender expression/identity, education, religion and other dimensions that are intrinsic to who we are. As such, discriminatory, bullying or harassing behaviours will simply not be tolerated. We expect the staff at Consumer Protection BC to treat each other and our stakeholders with respect and dignity. In return, you can expect to work in an equal opportunity workplace, where all individuals are supported in a safe environment that is committed to continuous learning and dialogue to become an ally for change.

General

The Inspector conducts province-wide inspections (onsite and remotely) of businesses to ensure compliance with legislation. The position performs a preventative and educational role, maintains public relations by liaising with law enforcement and regulatory agencies, and provides advice to the licensees, federal, provincial and municipal officials and the community. The position also performs investigations and engages in other enforcement activities such as writing statutory decisions and managing project-based inspections programs.

Nature of Work

The Regulatory Services Group is responsible for ensuring licensing requirements and business practices are in compliance with consumer protection laws. The inspections and investigations work performed by Regulatory Services staff is often initiated as the result of license applications and renewals, document reviews, consumer complaints, routine inspections, and issues that come to Consumer Protection BC's attention through police, Crown Counsel, the media, industry associations, and provincial government programs. Inspectors will regularly lead or participate in complex, large scale operations that may be sensitive and high profile, involve allegations of wrongdoing by individuals in all aspects of society, and the seizure of significant assets or imposition of significant penalties under the BPCPA and Offence Act.

Delegated Inspection powers enable Inspectors to perform warrantless searches of businesses, to demand production of records, seize evidence, "freeze" assets, impose administrative penalties and issue remedial orders.

Where business non-compliance is identified by Inspectors and enforcement or licensing action is considered necessary, the Inspector will prepare reports to be relied on by the Director to determine whether a violation of the law has taken place and make recommendations if action should be taken. It is critical these reports detail the evidence and material to support a contravention. From time to time, Inspectors are tasked with being statutory decision-makers. Evidence and records collected and used in reports prepared by Inspectors may also be used to commence civil proceedings, or to form reports to Crown Counsel in criminal prosecutions. Inspectors may be called as witnesses in criminal and civil proceedings.

The Director has a responsibility to supervise the conduct of licensees. This obligation begins with ensuring that all applicants for a licence are "suitable" to be licence holders. Inspectors will perform such background reviews as character assessments, financial integrity assessments, compliance history, and the existence of any criminal convictions. The Inspectors perform suitability (fit and proper) investigations into these matters and prepare reports to the Director for consideration.

Position Links

- **Director, Inspections & Case Management:** Keeps Director informed of issues arising from inspections and seeks clarification as required on issues of legislation interpretation, application of administrative law principles, and Consumer Protection BC's policies and procedures.
- **Law Enforcement and other Regulatory Agencies:** Participates in and assists with investigations and protective programs afforded to consumers; provides advice and information.
- **Businesses:** Solicits compliance with legislation; conducts inspections and ensures stakeholders understand their rights and responsibilities.
- **Public:** Educates and provides information regarding the administration of Acts and Regulations

- **Financial Institutions:** Communicates with officials to obtain confidential banking information about a business through the drafting of Inspection Orders and ensures any “freeze orders” over assets are properly administered by the financial institution.
- **Director, Business Practices & Classification:** Prepares reports for licensing decisions by the Director; performs inspections and investigations based on information provided by the Director; at request of Director, carries out background reviews of applicants and licensees to report on suitability to be a licence holder.
- **Legal Counsel:** Works with legal counsel retained by Director to prepare cases in response to applications for judicial review or in civil proceedings commenced by the Director; attends civil trials as a witness and presents evidence before court.
- **Ministry of Attorney General Crown Counsel:** Provides evidence for the formulation of a charge under the appropriate act when prosecution is recommended; attends criminal trials as a witness and presents evidence before the courts.

Specific Accountabilities

- Investigates complaints about businesses from customers, interest groups, local governments, police agencies and the public.
- Responds to complaints by collecting evidence of transaction; carries out interviews of complainants and witnesses; gathers records from consumers and various open sources channels; contacts business and communicates nature of complaints and obtains business response; exercises inspection powers to acquire necessary records about consumer transaction from business involved or third parties; works with complainants and respondents in effort to resolve complaints and where this does not occur; prepare reports.
- Performs complex and detailed reviews of businesses to assess adherence with Acts and Regulations and the terms and conditions of licences; reviews contracts to confirm required contents and consumer rights are being respected; undertakes reviews of business’s financial records and banking records; ensures facilities have required equipment or infrastructure in place to operate in compliance; reviews business activities and communications with consumers; conducts in-depth examinations of business banking records for evidence of non-compliance and/or financial viability and stability of licensees and applicants;
- Where appropriate, informs licensees of all issues of non-compliance at the time of the inspection; documents inspections; updates the database and files with the information gathered during the inspection including notes and survey data collected.
- Collects evidence through physical observations, examinations of business practices and records, interviews of involved parties and witnesses; conducts open source reviews to support allegations of business non-compliance and to identify responsible parties.
- Prepares Inspection Orders to financial institutions to obtain evidence about a business’ financial activities and to verify flow of funds prior to recommending that a business’ assets be frozen or charged.

- Prepares detailed formal reports to businesses regarding violations that may result in action being taken against the business; prepares other reports and briefs necessary for holding enforcement meetings or hearings.
- Liaises with businesses, police forces, local governments and other regulatory agencies at the community level to ensure compliance or prevent enforcement problems; leads/participates in teams conducting project-based inspections programs; establishes and maintains positive relationships with management and employees of businesses;
- Provides advice and information to new businesses, general public, and police and local government officials on Consumer Protection BC policies and procedures and how best to comply with or administer the legislation and regulatory framework and minimize enforcement action;
- Provides testimony at administrative hearings related to alleged infractions of the legislation.
- Conducts compliance monitoring and audits; serving hearing notices, notices of licence suspension or revocation, notices of delinquent accounts and orders of the Director.
- Plans, coordinates and executes formal inspections and large scale projects, including modifying and developing methods and strategies for gathering information and securing potential evidence, and deciding if other Inspectors and/or agencies should be involved, and the best alternatives for dealing with alleged breaches of law; contacts the agencies that need to be involved in the investigative team to identify the resources required; negotiates assignments and reporting relationships, and leads inspection projects through all phases; maintains the integrity of evidence seized. Provides direction and oversight to other Inspectors who may be assigned to the investigation.
- Conducts searches within businesses and other areas; gathers, analyses, documents and preserves evidence obtained in a manner acceptable to the standards of administrative law and, where appropriate, the courts; records information obtained in accordance with policies and information management requirements; interviews and takes statements from complainants, professionals, experts, witnesses, traders, and alleged offenders; conducts or arranges for routine and forensic audits of business transactions, including analyzing and documenting the flow of finances through banking institutions in such a way as is acceptable for obtaining Director's Orders and presentation at hearings;
- Independently, or in consultation with the Classification team, determines whether or not a seizure of unapproved or undocumented films is warranted under provisions of the legislation; and, if warranted, to seize and reviews films to determine status under provisions of the legislation; may review films or other goods seized by other enforcement officials to determine their status under the legislation and regulations.
- Other duties may be assigned as required.

Working Conditions

- Inspectors are required to inspect licensed sites that are considered hazardous, including: Preparation rooms in funeral homes where human remains are stored and prepared for burial or cremation (including washing, dressing, and embalming with chemicals); and public and private film exhibition areas where materials such as used condoms or hypodermic needles are common.

- As such, appropriate vaccinations and use of personal protective equipment is required and will be provided by Consumer Protection BC.
- Video material viewed by an Inspector has content that is sexually explicit and frequently includes sexual and other forms of violence and may involve children. Eligible candidates are subject to a screening test based on this material as part of the selection process.
- Inspectors are frequently required to move and transport records, computers, viewing equipment and seized film product that weighs approximately 40 to 50 pounds.
- Inspectors are required to apply and effectively integrate emerging technology including computer hardware and software into their work processes in a timely manner.
- Inspectors are required to travel throughout British Columbia with frequent absences of several days when cases involve outlying areas.
- Required to work some weekends and some evenings.

Special Requirements

- Required to complete a criminal record check.
- Valid BC Class 5 Driver’s License. Access to a private vehicle is a requirement although employer does provide vehicles for work purposes.
- Required to sign Consumer Protection BC’s Standards of Conduct.

Organizational Chart



Selection Criteria

Education & Experience

- Post-secondary education with a focus in the humanities, public administration, criminology or other related discipline **and/or** several years’ experience conducting inspections, preferably in a compliance/enforcement environment **and/or** a combination of formal training and experience.
- Experience working with, interpreting and applying legislation.
- Experience dealing with a variety of contacts (e.g., business representatives, legal counsel, and members of the public) on complex, sensitive or contentious issues.
- Experience dealing with people who may be confused, angry or hostile.
- Experience preparing reports or regulatory documentation in a timely and efficient way.
- Experience in delivering concise and effective verbal and written summaries of complex matters to internal and external stakeholders.
- Experience administering quasi-judicial hearings and crafting complex determinations with findings including issuance of orders and penalties.

Knowledge, Skills & Abilities

- Ability to organize and manage independently a high-volume workload while adjusting to changing priorities within time-sensitive deadlines
- Ability to peer review work of others and provide clear, effective and relevant insight into other's work products.
- Ability to prepare and write case summary material to be published in a public forum.
- Ability to reference, interpret and apply legislation, regulations, policies and procedures to recommend an appropriate course of action.
- Ability to obtain and provide clear, concise and complete oral and written information of a complex and technical nature while maintaining confidentiality.
- Ability to establish and maintain working relationships with diverse stakeholders to influence compliance.
- Ability to conduct interviews to obtain accurate, complex, and relevant information.
- Ability to deal effectively with irate and hostile individuals while conveying information that they may not want to hear.
- Ability to defuse volatile situations using tact, persuasiveness, and diplomacy.
- Ability to research, analyze, verify, and evaluate information and situations, identify options and recommend appropriate courses of action.
- Ability to use computer applications to enter/retrieve data and produce/edit a variety of effective reports and documents.
- Ability to build cases for presentation in quasi-judicial setting.
- Ability to write clear, well-reasoned statutory determinations that demonstrate understanding of applicable legislation and policies
- Strong knowledge of the principles of administrative law and natural justice.
- Excellent presentation and oral and written communication skills.

Competencies

- **Teamwork:** The ability to work co-operatively within diverse teams, work groups and across the organization to achieve group and organizational goals.
- **Listening, Understanding & Responding:** The ability to understand accurately and respond effectively to both spoken and unspoken or partly expressed thoughts, feelings and concerns of others.
- **Service Orientation:** The desire to identify and serve customers/clients, who may include the public, co-workers, other branches/divisions, other ministries/agencies, other government organizations, and non-government organizations.
- **Planning, Organizing and Coordinating:** Proactively planning, establishing priorities and allocating resources to meet performance targets.
- **Information Seeking:** Going beyond the questions that are routine or required in the job.
- **Flexibility:** The ability and willingness to adapt to and work effectively within a variety of diverse situations, and with diverse individuals or groups.