



RECOGNIZED CONSULTANT PROGRAM MANUAL

FOR ELIGIBLE AGRICULTURAL OPERATION STRATEGY
AND PLAN DEVELOPMENT CERTIFICATE HOLDERS

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1.0 Program Overview

The **Recognized Consultant Program (RCP)** is a voluntary program that is open to all certified consultants who can meet and maintain the established criteria. See section 2.0 below.

The program is not a requirement of the Agricultural Operation Strategy or Plan Development (AOSPDC) certificate. Regardless of a consultant's status in terms of RPC, he or she can continue to submit Nutrient Management Strategies (NMS) for approval.

1.1 Objective

The purpose of the RCP is to improve efficiency and reduce approval times for all submissions, while maintaining the integrity of the Nutrient Management Strategy Review and Approval process.

The program allows OMAFRA to focus review time on the attributes of a NMS that are complex and/or at risk of error or non-compliance in NMS submitted by RCP consultants.

To increase efficiency of the review and approval process, the RCP criteria has been set to ensure submissions are as clear, accurate and as error free as possible.

The program will leverage these tools/practices:

- standardized submissions (i.e., use of templates); and
- error-free submissions (i.e. use of checklists and the practice of checking and double-checking submissions)

1.2 Scope

All individuals who hold a valid AOSPD Certificate and who are not in the Progressive Compliance System may apply to be in the program.

2.0 Program Eligibility

2.1 What is Required to be Accepted into the RCP?

2.1.1 Submitting an Application to RCP

Any consultant (who holds a valid AOSPD certificate and is not in the Progressive Compliance System) may apply to be in the program during the application period. See section 2.1.2 below.

Upon signing the application, the consultant is agreeing to the RCP **Code of Practice** which is in the application on nutrientmanagement.ca and section 3.3 of this manual.

Prior performance and error rate of the applicant will be considered to determine acceptance into the program's probation period. If an applicant has not recently shown high quality low error work, they will not be accepted into the program's probationary period. Applicants who are not accepted into the probationary period are encouraged to use the RCP templates and process to improve submission quality. These consultants may apply again during the next application period.

2.1.2 Application Period

Applications will be accepted between November 1st and 30th of each year.

2.1.3 Acceptance to the RCP

To be accepted into the program, the consultant must meet the following criteria:

1. Submit high-quality accurate NMS with an average of less than one error per submission. Any incorrect or missing information will be considered an error.
2. Sign the Application as an indication of agreeing to the declaration.
3. Agree and adhere to the RCP Code of Practice found in section 3.3.
4. Submit all NMS's according to the Submission Requirements identified in section 3.1.
5. Not be in the Progressive Compliance System
6. Not have any compliance issues that would lead the Manager - Approvals, Certification and Licensing (ACL) to question his or her ability to follow the RCP Code of Practice.

Probationary Period

A comprehensive review will be completed on the first five submissions after an RCP application is received to evaluate the quality of the submissions relative to the first and fourth criterion identified above. The five submissions must be received in the 12 month period following the application.

Once the quality has been assessed on the first five submissions, the consultant will be notified if he or she has been accepted to the RCP. Acceptance to the program is at the discretion of the Manager - Approvals, Certification and Licensing.

If five submissions are not received in the 12 month period following the application, the application will be denied.

OMAFRA strongly recommends that you wait for feedback on the first submission during the probationary period so that you can incorporate the feedback into the next four submissions.

2.1.4 Certification and Progressive Compliance

All RCP applicants must hold a valid AOSPD certificate.

AOSPD certification is an independent process. A consultant can hold an AOSPD certificate and submit NMS for approval without applying for or becoming accepted into the RCP.

The Progressive Compliance System is a separate process and will continue to operate as usual. However, the performance evaluation from the RCP may be used to inform a decision in the Progressive Compliance System.

A consultant in the Progressive Compliance System cannot apply to the Recognized Consultant Program. This includes anyone who has an outstanding Voluntary Action Plan (submitted to the NM Director) or has had conditions imposed on his or her certificate by the NM Director.

A consultant who is put into the Progressive Compliance System will be immediately removed from the RCP.

2.2 What is Required to Remain in the RCP?

2.2.1 Follow Submission Requirements for all NMS submissions

All NMS submitted by a consultant in the RCP must be completed according to the requirements identified in section 3.1. Any missing or incomplete information will be considered an error in the calculation of average errors per submission.

2.2.2 Maintain Submission Quality / Average Error Rate

Consultants must maintain an average of less than one error per submission. An error will be counted for every missing piece of information, miscalculation, inaccurate or illegible information in each submission. Any items not submitted according to the Submission Requirements Checklist in section 3.1 will be counted as errors.

Example:

10 NMS submitted

- 3 missing pieces of information identified (in 2 RAI's) and
- 1 missing complexity assessment

This would result in an average of 0.4 errors/submission. (3+1= 4 errors/10 submissions)

Any errors on the Complexity Assessment Tool will be counted as an error and will contribute to the overall error rate. However, significant errors on the Tool may result in immediate removal from the program.

The error rate will be calculated at the end of the probationary period and quarterly.

2.2.3 Maintain Annual Minimum Number of Submissions

Consultants must submit a minimum of 10 NMS submissions for approval each calendar year. If 10 NMS are not submitted for approval in each calendar year, continuation in the Recognized Consultant Program is up to the discretion of the Director.

A minimum was established as a way to ensure that consultants are adequately familiar with the Regulation in a variety of situations.

If the consultant is removed from the program due to submission numbers, he or she is welcome to apply in the next application period. Once the subsequent application is received, the consultant will have to qualify to be accepted (as per section 2.1.3) including obtaining an average of less than one error per submission on the next five submissions.

2.2.4 Stay Current

Consultants must attend all update meetings and/or webinars offered by OMAFRA or the University of Guelph relating to OMAFRA's Nutrient Management Program. If you are unable to attend, please contact OMAFRA's NM Team Lead prior to the event.

2.2.5 Obtain "Satisfactory" on all Pre-Approval Site Visits

Consultants must obtain "Satisfactory" on all Pre-Approval Site Visits completed by OMAFRA. Any significant concerns identified during a Pre-Approval Site Visit will result in a "Needs Improvement" rating. Consultants in the RCP may be subject to more frequent Pre-Approval Site Visits.

2.2.6 Ensure Compliance with Relevant Legislation

2.2.6.1 Regulatory Compliance – Inspections and Enforcement

Any compliance issues identified by the Ministry of the Environment, Conservation, and Parks (MECP) may be considered as not adhering to the RCP Code of Practice. e.g missing wells

2.2.6.2 Progressive Compliance

If a consultant enters the Progressive Compliance System while in the program, he or she will be immediately removed from the RCP.

If a consultant is removed from the program due to the quality of submissions, the evaluation from the RCP may be used to inform a decision in the Progressive Compliance System.

2.2.7 Hold Valid AOSPD Certificate

An individual in the program must maintain a valid AOSPD Certificate. Should his or her certificate expire, he or she will be removed from the RCP immediately and will have to apply again during a future Application Period once he or she has a valid certificate.

2.2.8 Adhere to RCP Code of Practice

The Manager – Approvals, Certification and Licensing has the discretion to determine if a consultant is not adhering to the RCP Code of Practice.

Any concerns identified by a consultant's client may be considered as not adhering to the RCP Code of Practice.

2.2.9 Provide timely information

An individual in the RCP must respond to any request for additional information within 30 days by:

- Providing the requested information, or
- Providing an update on the status of the file.

2.3 Can I be removed from the RCP? And what happens if I am?

A quarterly review will be completed to evaluate the consultant's performance. See section 3.5.

2.3.1 Notification to Consultant

The consultant will be advised by email by OMAFRA's Nutrient Management Program Lead that he or she is being removed from the RCP with an explanation. The Manager of Approvals, Certification and Licensing has the discretion to determine if a consultant is not adhering to the RCP Code of Practice.

Disputes must be issued in writing to OMAFRA's Nutrient Management Program Lead within 30 days of notification, including details disputing all errors or other factors provided in the explanation for removal from the program.

One of the NMA signing Directors, other than the Manager of Approvals, Certification and Licensing, will review the dispute and issue a decision.

The RCP is an enhancement to certification. Removal from the program does not impact a consultant's AOSPD certification or ability to submit NMS's.

2.3.2 RCP Consultant Lists

The consultant's name and contact information will be immediately removed from any RCP list that OMAFRA or the University of Guelph may publish.

2.3.3 How do I re-enter the program?

A minimum of a full year must pass after a consultant is removed from the program before a consultant is eligible to apply to the RCP.

Re-entry to the program may have additional requirements than the original entry, such as training.

If a consultant is removed from the program twice, he or she must wait a minimum of 5 years to re-apply.^{3.0}
Program Processes and Requirements

3.1 Submission Requirements or Criteria

The Submission Checklist identifies the submission requirements for NMS prepared by consultants in the RCP. The current version of this form must be completed and included with

every NMS submission during the **probationary period**. If the applicant meets the requirements and is accepted into the Program, the checklist should be reviewed and completed prior to submitting each NMS but not included in the submission. The RCP NMS Submission Checklist is available on nutrientmanagement.ca.

3.2 Summary of the RCP Performance Criteria

The following table summarizes the Performance Criteria, and the rationale for the criteria, required of all consultants accepted into the program. See section 2.2 for detail

Performance Criteria	Rationale
Must maintain an average of less than one error per submission	Complete, accurate, error free submissions allow for greater efficiency in the review and approval of NMS
Must attend all update meetings and/or webinars offered by OMAFRA or the University of Guelph relating to OMAFRA's Nutrient Management Program	RCP consultants need to be current on all Nutrient Management Program discussions and decisions to ensure submissions are up to date and accurate and current information is passed onto their clients
Consultants must submit a minimum of 10 NMS submissions for approval each calendar year, or continuation in the Program is at Director's discretion	Ensure that consultants are adequately familiar with the Regulation in a variety of situations.
Agree and adhere to the RCP Code of Practice	RCP consultants are expected to go beyond the minimum standard of the regulations and ensure their works promotes a high degree of efficiency and integrity in the program
Consultants must obtain "Satisfactory" on all Pre-Approval Site Visits completed by OMAFRA	Concerns found during site visits will negatively impact the reliability and integrity of RCP consultants
Hold Valid AOSPD Certificate	This is a criteria for acceptance into the program
Must respond to any request for additional information within 30 days	Prompt replies to request for additional information allow for efficient approval of NMS

3.3 RCP Code of Practice

Recognized Consultant Program Code of Practice

As a Recognized Nutrient Management Consultant I agree to:

1. Submit all Nutrient Management Strategies using the current RCP submission criteria. (Section 3.1 of Program Manual)
2. Consistently submit high-quality Nutrient Management Strategies that are clear, concise and accurate.
3. Ensure my work and actions promote efficiency and integrity of the Nutrient Management Program, which includes following documented AOSPDC Performance Guidelines
4. Not misrepresent or conceal any information or circumvent the regulation and ensure all Nutrient Management Strategies I prepare accurately reflect the realities or proposed realities of the farm operation I am representing.
5. Ensure the information and professional advice I give is accurate, up-to-date, follows agronomic best practice and adheres to legislative requirements.
6. Explain the following to my clients: the NMS and all relevant regulations, the approval documents and conditions added to the approval, the ongoing record keeping requirements and the renewal requirement after five years.
7. Report serious contravention of the NMA and related Acts and Regulations (e.g., the Environmental Protection Act, and the Ontario Water Resources Act) to the proper authority.

Note that all Recognized Consultants may be required to recommit to the Code of Practice on an annual basis and confirm intent to stay in the program.

3.4 OMAFRA Review Process

Most NMS's received from consultants in the RCP will receive a Focused Review based on the Complexity Assessment Tool.

Any errors on the Complexity Assessment Tool will be counted as an error and will contribute to the overall error rate. However, significant errors on the Tool may result in immediate removal from the program..

3.5 Quarterly Review/Audit of Requirements

A random sample of NMS's submitted by consultants in the RCP program will receive a comprehensive review. Any errors identified at this time will be counted in the consultant's average error rate.

A review of all submission errors, the calculation of the consultant's error rate, any Pre-Approval Site Visits and any other qualifying criteria will be completed on a quarterly basis.

3.6 Enhancements to the Program

Enhancements to the program will be made as deemed necessary by the Manager – Approvals, Certification and Licensing. Changes may include additional submission requirements, adjustment to required error rate and /or adjustment to the minimum submission requirements.

All consultants in the program will be advised of any changes and must incorporate any changes into their submissions. Current versions of all required forms or templates will be available at nutrientmanagement.ca.

4.0 Program Benefits

Consultants who are accepted into the Recognized Consultant Program will receive the following benefits. All benefits will be immediately withdrawn if a consultant fails to meet the established criteria and is removed from the RCP.

4.1 RCP Review and Approval Turn-Around

The target approval turnaround time for NMS's submitted by consultants in the RCP will be approximately half the time of NMS's submitted in the standard process. There is no set or guaranteed turnaround time for Nutrient Management Strategies submitted by consultants in the RCP.

There will be a separate RCP queue maintained to manage turnaround for NMS's submitted by consultants in the program.

4.1 RCP Designation

There will be a list of RCP consultants maintained on the nutrientmangement.ca website along with information about the program. The list will be updated quarterly.

Consultants are welcome to advise clients of their status in the RCP.

5.0 Reference

5.1 RCP Forms and Templates

The current version of RCP forms and templates are available on nutrientmanagement.ca.

- a. RCP Application Form and RCP Code of Practice
- b. RCP NMS Submission Checklist
- c. Complexity Assessment Tool

Other required forms are also available on nutrientmanagement.ca.