



## **CPIO PROFESSIONAL DESIGNATION PROTOCOLS**

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# CPIO PROFESSIONAL DESIGNATION PROTOCOLS

## INTRODUCTION

The Council of Professional Investigators - Ontario (the “CPIO”) is committed to providing our members with the highest level of education and training in the investigation industry. Our aim has always been to improve, educate and grow our industry. This starts with you—our members.

As a result, the CPIO has implemented a tiered designation process to identify the experience and education of each member. Qualified members, known as “Designation Holders”, are entitled to use one of three professional designations:

**CPIO-PI\*** (Council of Professional Investigators Ontario Certified Professional Investigator)

**CPIO-SI\*** (Council of Professional Investigators Ontario Certified Senior Investigator)

**CPIO-MI\*** (Council of Professional Investigators Ontario Certified Master Investigator)

The CPIO also acknowledges the abundance of experience amongst our membership and will offer a “Grandfathering” clause until the end of 2021 to qualifying members. A member may apply for a Designation under the Grandfathering clause in accordance with the requirements outlined in Appendix III.

\*Trademark pending

# CPIO PROFESSIONAL DESIGNATION PROTOCOLS

## SECTION 1: INTERPRETATION AND DEFINITIONS

- 1.1. No part of this document shall supersede the *Private Security and Investigation Services Act, 2005* or its regulations.
- 1.2. In these CPIO Professional Designation Protocols (“Designation Protocols”), unless the context requires otherwise,

“Applicant” means a Member in the process of obtaining a Professional Designation.

“Designation” means one of:

- a. CPIO-PI
- b. CPIO-SI
- c. CPIO-MI

“Designation Holder” means an individual or designated representative of a business entity that:

- a. Holds a license under the Ontario *Private Security and Investigative Services Act, 2005*; and
- b. Is a member in good standing with the CPIO; and
- c. Satisfies the minimum requirements set out in Appendix I, or the requirements under the “Grandfather” clause set out in Appendix III; and
- d. Has received approval from the Designation Committee.

“Membership” or “Member” means

- a. An Individual Member, Full Member or designated representative of a business entity as defined by the CPIO membership categories; and
- b. A dues paying member of the CPIO in good standing.

- 1.3. The Designation Protocols and the Designation Holder Code of Professional Conduct (the “Code”) function to:

- a. Set a high standard of professional investigative services provided by every Designation Holder;

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- b. Maintain the confidence of the public and the profession; and
- c. Support and encourage respect toward a Designation Holder and the investigative profession by government bodies, regulatory bodies, law enforcement, clients, the public, and members & non-members.

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### SECTION 2: DESIGNATION HOLDER CODE OF PROFESSIONAL CONDUCT

#### 2.1. Reputation of the Profession

A Designation Holder shall:

- 2.1.1. Conduct themselves at all times in a manner consistent with the Code.
- 2.1.2. Fulfill their duty to be competent in the performance of investigative services on a client's behalf.
- 2.1.3. Serve the client in a conscientious, diligent and efficient manner.
- 2.1.4. Conduct themselves at all times in accordance with the spirit and intent of all applicable governing legislation, including, but not limited to, provincial and federal legislation regarding the protection of information and privacy and human rights.
- 2.1.5. Participate in educational and professional development on an annual basis.
- 2.1.6. Ensure all employees, subcontractors, and other persons engaged to assist the Designation Holder in their performance of investigative services comply with the Code of Ethics.
- 2.1.7. Use only the appropriate professional designation for which they are granted (*i.e.*, "CPIO-PI", "CPIO-SI", or "CPIO-MI").
- 2.1.8. Advise each client in a manner that is honest, factually based and objective (*e.g.*, in providing verbal advice or a written report).

#### 2.2. Conflicts of Interest

- 2.2.1. A Designation Holder shall not act for or advise a client where there is a conflict of interest.
- 2.2.2. A Designation Holder shall, at the first opportunity, disclose to a client any influence, interest or relationship which may impair or adversely affect the Designation Holder's professional judgment or objectivity.
- 2.2.3. Before a Designation Holder acts for or advises more than one party in a matter, they must obtain the written consent of each party.
  - 2.2.3.1. The Designation Holder will provide both parties with adequate and continuing disclosure.

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### **2.3. Retainers and Fees**

- 2.3.1. A Designation Holder shall verify the identity of each client and ensure each retainer is for a lawful purpose (*e.g.*, to discover facts respecting a breach of contract, contravention of a law, or any litigious matter).
- 2.3.2. Before accepting a retainer, a Designation Holder shall:
  - a. Identify the nature of the retainer in writing; and
  - b. Provide and explain the Designation Holder's fee schedule in writing; and
  - c. Provide the cost of the services and the amount of time estimated to be involved in writing.
- 2.3.3. A Designation Holder shall not withdraw from a retainer except for good cause and on reasonable notice to the client.
- 2.3.4. A Designation Holder shall ensure all fees are fair, reasonable and fully disclosed.

### **2.4. Confidentiality**

- 2.4.1. A Designation Holder shall hold in confidence all information concerning the business and affairs of the client acquired in the course of the professional relationship and shall not divulge any such information except as expressly or impliedly authorized by the client or required by law.
- 2.4.2. A Designation Holder will ensure security for personal information collected in the course of an investigation and take all reasonable steps to protect against disclosure.
- 2.4.3. A Designation Holder shall not use information obtained in an investigation for any purpose other than that which has been agreed to by the client, or without the written permission of the client.

### **2.5. Relationship to Fellow Members**

- 2.5.1. A Designation Holder shall be courteous, civil and act in good faith towards all other members with whom contact is made in the course of professional activities.
- 2.5.2. A Designation Holder will assist in maintaining the integrity of the profession.
- 2.5.3. A Designation Holder shall not make false or misleading statements about a fellow member.

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- 2.5.4. A Designation Holder is encouraged to employ the services of fellow members when appropriate.
- 2.5.5. A Designation Holder, upon receiving a referral from another member, shall not undermine the other member's client relationship.

### **2.6. Complaints to the Ethics and Discipline Committee of the Board of Directors**

- 2.6.1. A Designation Holder is subject to the authority of the Ethics and Discipline Committee of the Board of Directors and shall cooperate by responding promptly and fully to any inquiries of that Committee, its agents, or the Director of Ethics with respect to a complaint received by the Ethics and Discipline Committee respecting the member. The Ethics and Discipline Committee reserves the right to have any parties involved in a complaint or dispute, provide written submissions and/or complaints as a written submission.
- 2.6.2. The Ethics and Discipline Committee shall determine its own procedure to ensure a member has a full and fair opportunity to consider any complaint and to respond to that Committee.
- 2.6.3. A Designation Holder shall not interfere with or hinder the activities of the Ethics and Discipline Committee in respect of a complaint.
- 2.6.4. A Designation Holder shall inform the Ethics and Discipline Committee promptly of any formal complaints, non-compliance findings, or legal actions (civil or criminal) against themselves or their agency.
- 2.6.5. A Designation Holder shall be subject to the decisions of the Ethics and Discipline Committee, the Inquiry Panel and the Board of Directors respecting any issue under the scope of the Code.

### **2.7. Amendments to the Designation Protocols or Code**

- 2.7.1. The Board of Directors reserves the right to amend the criteria for obtaining or maintaining a Designation.

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### SECTION 3: REQUIREMENTS TO OBTAIN A CPIO PROFESSIONAL DESIGNATION

- 3.1. The Applicant must be a Private Investigator and licensee as defined under the Ontario *Private Security and Investigative Services Act, 2005*.
- 3.2. The Applicant must be eligible to work in Canada.
- 3.3. The Applicant must be a current Member in good standing of the CPIO.
- 3.4. The Applicant must fully complete and submit the Designation Application, including:
  - 3.4.1. In the case of an application for the CPIO-PI designation:
    - a. Proof of having been licenced as a Private Investigator for a period of at least one (1) year; and
    - b. Evidence of a minimum of 2,000 hours work experience as a licensed Private Investigator (*e.g.*, verification from an employer); and
    - c. Evidence of successful completion of the mandatory courses as outlined in Appendix I, including approval of a special interest course.
  - 3.4.2. In the case of an application for the CPIO-SI designation:
    - a. Proof of having been licenced as a Private Investigator for at least five (5) years; and
    - b. Evidence of a minimum of 7,500 hours work experience as a licensed Private Investigator (*e.g.*, verification from an employer); and
    - c. Evidence of successful completion of the mandatory courses as outlined in Appendix I, including approval of a special interest course.
  - 3.4.3. In the case of an application for the CPIO-MI designation:
    - a. Proof of having been licenced as a Private Investigator for a period of at least ten (10) years; and
    - b. Evidence of a minimum of 15,000 hours work experience as a licensed Private Investigator (*e.g.*, verification from an employer); and
    - c. Evidence of successful completion of the mandatory courses as outlined in Appendix I, including approval of a special interest course.
- 3.5. The Applicant must submit application fees as set out by the Board of Directors.



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- 3.6. The Designation Application must be submitted in writing and may be submitted electronically.
- 3.7. By signing the Designation Application, the Applicant agrees to adhere to all Designation Protocols governing the Designation (including the Code).
- 3.8. The Designation Application will be reviewed by the Designation Committee.
  - 3.8.1. The Designation Committee will review an application within ninety (90) days of its receipt.
  - 3.8.2. A decision of the Designation Committee may be appealed by following the appeal process as outlined in Section 8 of the Protocols.

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### SECTION 4: THE DESIGNATION COMMITTEE

- 4.1. The Designation Committee will be comprised of:
  - a. One (1) Chairperson of the Designation Committee, who will hold the CPIO-MI designation and be a member of the Board of Directors; and
  - b. Five (5) Committee Members, who have been licensed as a Private Investigator for a minimum of seven and one half (7.5) years and must hold a minimum of the CPIO-SI designation.
- 4.2. The Chairperson of the Designation Committee will be elected by the Board of Directors.
- 4.3. The Committee Members are appointed by the Board of Directors. The composition of the Designation Committee will be reviewed by the Board of Directors at least once every two (2) years.
  - 4.3.1. If a Designation Committee Member is an employee, affiliate or representative of an organization or business entity, the Designation Committee Member may not serve on the Designation Committee at the same time as a co-worker or Designation Committee Member employed or affiliated with the same organization. For clarity, the Designation Committee must be composed of Designation Committee Members employed by or affiliated with separate and distinct organizations or business entities.
- 4.4. A minimum of three (3) members of the Designation Committee will sit at any review of an application, promotion (*e.g.*, CPIO-PI to CPIO-SI) or appeal.

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### SECTION 5: CONTINUING PROFESSIONAL EDUCATION

#### 5.1. Interpretation and Definition

An “eligible activity” means an activity that serves to maintain or enhance a Designation Holder’s professional knowledge, skills, attitude or ethics, as determined by the CPIO.

A “year” means a calendar year.

5.2. Each year, a Designation Holder must fulfill the Continuing Professional Education (“CPE”) requirements as outlined in section 5.

5.3. Each year, a Designation Holder shall complete a minimum of twenty (20) hours of eligible activities.

5.4. If a Designation Holder obtains more than the minimum twenty (20) hours of eligible activities within the year, the additional hours may carry over to the next year.

5.4.1. A Designation Holder may only carry over hours earned in the previous year.

5.5. If a Designation Holder fails to obtain the minimum twenty (20) hours of eligible activities within the year their Designation will be suspended.

5.5.1. If a Designation Holder fails to obtain the remaining necessary hours by March 31 of the year following the year to which the requirement relates, the Designation will be subject to review by the Designation Committee and may be permanently revoked.

5.6. Each year, a Designation Holder shall file, with the Designation Committee, a report in respect of eligible activities completed by the Designation Holder in the year.

5.6.1. The report shall be in a form provided, and in an electronic format specified, by the Designation Committee and shall be filed as permitted by the Designation Committee.

5.6.2. A Designation Holder must file the report by December 31 of the year in which the hours are obtained.

5.7. A Designation Holder shall keep all documents substantiating the Designation Holder’s completion of the eligible activities reported by him in a year for five (5) years following the year in which the activities were reported.

5.8. If requested, a Designation Holder shall provide to the Designation Committee all documents kept by the Designation Holder in accordance with subsection 5.6.

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- 5.9. If requested, the Designation Committee may require a Designation Holder to provide to it specific information about the Designation Holder's completion of the required number of hours of eligible activities.
  - 5.9.1. The Designation Holder shall provide to the Designation Committee the specific information required of him not later than thirty (30) days after the date specified on the notice of the requirement to provide information.
- 5.10. If a Designation Holder's Designation is suspended subject to any provision in section 5, a Designation Holder shall be reinstated upon proof of payment of all necessary fees and proof of completion of all CPE requirements.

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### SECTION 6: MAINTAINING THE CPIO PROFESSIONAL DESIGNATION

- 6.1. The Designation Protocols may be amended from time to time by the CPIO, the Board of Directors or the Designation Committee. When an amendment is made to the Designation Protocols, the amendment will be posted on the CPIO website.
- 6.2. It is the responsibility of a Designation Holder to review any amendment posted.
- 6.3. A Designation Holder must provide any changes in current home address, business address, or contact information to the Designation Committee within thirty (30) days of the actual change.
- 6.4. If a Designation Holder fails to renew their Membership within sixty (60) days of the deadline for renewal, the Designation Committee may suspend and/or revoke the Designation.
- 6.5. To renew a Designation, each Designation Holder must:
  - a. Meet the reporting requirements regarding Continuing Professional Education contained in section 5; and
  - b. Pay annual membership dues as determined by the Board of Directors; and
  - c. Meet all other requirements of a Member.

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### SECTION 7: SUSPENSION AND/OR REVOCATION OF THE DESIGNATION

- 6.6. If the Designation Committee suspends a Designation for any violation of the Designation Protocols, the Designation Committee will notify the member in writing of the suspension within ten (10) days of the Designation Committee's decision.
- 6.7. A Designation may be suspended and/or revoked for any of the following:
- a. Loss and/or suspension of a valid Private Investigator's license issued by the Ministry of the Solicitor General of Ontario;
  - b. Failure to execute an Agreement to Maintain as set out in section 6;
  - c. Failure to adhere to any provision of the Designation Protocols, the Code, or the CPIO Mission Statement;
  - d. Failure to maintain a current Membership;
  - e. Provision of false and/or misleading information that is material and/or relevant to the Designation Application, the Agreement to Maintain, or any requirement contained within the Designation Protocols or the Code;
  - f. Any act of professional misconduct;
  - g. Any other infraction brought to the attention of the Chairperson of the Designation Committee that is investigated and found to be a violation of any part of the Designation Protocols or the Code.

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### SECTION 8: APPEAL PROCESS

- 7.1. A Member or Designation Holder may appeal a decision of the Designation Committee, including the following:
  - a. A suspension or revocation of a Designation; or
  - b. The denial to award a Designation or promotion to the next Designation.
- 7.2. The Member or Designation Holder may commence an appeal by providing a written submission, indicating the intent to appeal, to the Chairperson of the Designation Committee within thirty (30) days of the notification of suspension, revocation or denial.
  - 7.2.1. An intent to appeal shall include all relevant and/or material justifications for reinstatement, promotion or acceptance.
  - 7.2.2. The Designation Committee will review the request, as appropriate, within thirty (30) days of receipt of the request.
- 7.3. Failure to file an appeal per subsection 8.2 will result in the Member or Designation Holder having no further rights to appeal regarding the matter.
- 7.4. If a Member or Designation Holder is granted leave to appeal, a hearing will take place at a time of mutual convenience.
  - 7.4.1. The Appeal Panel (the "Panel") shall adjudicate the hearing. The Panel shall consist of no less than three (3) members of the Board of Directors.
  - 7.4.2. The Appellant shall attend the hearing and may be accompanied by one (1) other Member.
- 7.5. The Chairperson of the Designation Committee will be present at the hearing.
- 7.6. The Panel will provide a decision and written reasons to the Appellant within thirty (30) days of the conclusion of the hearing, unless otherwise specified.

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### APPENDIX I – DESIGNATION MANDATORY COURSES

A Member is eligible to apply for a Designation or promotion upon completion of the relevant mandatory courses as well as all requirements set out in section 3 of the Designation Protocols.

#### I. CPIO-PI

A Member is eligible to apply for the CPIO-PI Designation upon successful completion of:

1. CPIO Note Taking/Report Writing 101 course
2. CPIO Ethics/Legislation 101 course
3. CPIO/Toddington Open Source Intelligence Training (“OSINT”) course:
  - a. 101E IRT – Using the Internet as a Research Tool (self study); **OR**
  - b. 201C AIIT – Advanced Internet Intelligence & Online Investigations (live training)
4. One special interest course relevant to work as a professional Private Investigator, suggestions include (but are not limited to)\*:
  - a. Surveillance (minimum 16 hours training)
  - b. Photography
  - c. Basic interview techniques

#### II. CPIO-SI

A Member is eligible to apply for the CPIO-SI Designation upon successful completion of all CPIO-PI requirements, and:

1. CPIO Ethics/Legislation course
2. CPIO/Toddington OSINT Intermediate course:
  - a. 201E SMI – Social Media Intelligence & Investigation (self study); **OR**
  - b. 202C SMI - Social Media Intelligence & Investigation (live training)
3. Professional Interview Techniques training course



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4. One special interest course relevant to work as a professional Private Investigator, suggestions include (but are not limited to)\*:
  - a. Document analysis
  - b. Body language and deception training
  - c. Forensic investigations
  - d. CPIO/Toddington non-mandatory courses

### **III. CPIO-MI**

A Member is eligible to apply for the CPIO-MI Designation upon successful completion of all CPIO-SI requirements, and:

1. CPIO Ethics/Legislation course
2. CPIO/Toddington 203E CTI – Critical Thinking for Investigators
3. One special interest course relevant to work as a professional Private Investigator, suggestions include (but are not limited to)\*:
  - a. Workplace Investigations
  - b. CPIO/Toddington advanced non-mandatory courses
  - c. Forensic auditing

\*A special interest course must be approved by the Designation Committee. Failure to seek approval may result in ineligibility for the Designation. A Member may submit a request for approval, in writing, at any time to the Designation Committee.

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### **APPENDIX II - DESIGNATION FEES**

1. Until December 31, 2022, a Member will receive an invoice for all applicable Designation or application fees included with their invoice for individual Membership fees.
  - a. Until December 31, 2022, all fees shall be paid in accordance with the existing payment structure as per the annual Membership renewal.
2. Fees are subject to change at the discretion of the Board of Directors.

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### **APPENDIX III - GRANDFATHERING CLAUSE**

In an effort to encourage the adoption and proliferation of the new Designations, the Board of Directors has authorized the CPIO-SI and CPIO-MI Designations to be granted to a qualifying Member.

The Grandfathering requirements emphasize experience as a licensed Private Investigator over course participation. A Member must have senior management experience to qualify for a Designation under the Grandfathering clause. The required experience shall replace the mandatory course requirements as set out in Appendix I.

#### **1. APPLICATIONS**

A Member may apply for Grandfathering until December 31, 2021. No late applications will be accepted. An application may be submitted in accordance with all procedures as set out in section 3 of the Designation Protocols.

#### **2. CPIO-SI – REQUIRED EXPERIENCE**

A Member is eligible to apply for a CPIO-SI Designation under the Grandfathering clause if the Member has completed ten (10) years of licensed private investigation experience, including one (1) year of management experience (*i.e.*, President, Vice-President, Director, Agency Owner, Regional Manager, Manager or Investigation Manager).

#### **3. CPIO-MI – REQUIRED EXPERIENCE**

A Member is eligible to apply for a CPIO-MI Designation under the Grandfathering clause if the Member has completed twenty (20) years of licensed private investigation experience, including five (5) years of senior management experience (*i.e.*, President, Vice-President, Director, Agency Owner or Regional Manager).