

Office of the Fire Marshal
Review of response to
Nova Scotia Auditor
General Report



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Executive summary

The Nova Scotia Auditor General (AG) released a report on May 18, 2011 outlining twenty-five (25) recommendations related to the following areas of the Office of the Fire Marshal (OFM): management information, monitoring of municipalities, inspection, compliance and enforcement, and fire safety education. The Department of Labour and Advanced Education (LAE) responded to these twenty-five recommendations and requested an independent, external assessment and, in conjunction with the Internal Audit Centre (IAC), engaged Deloitte & Touche LLP (Deloitte) to respond to the following objectives:

- Provide a critical assessment of the department's responses, action plans and timelines (collectively, the project plan) to address the findings and recommendations noted in the AG's report;
- Perform an assessment of the OFM's proposed risk framework; and,
- Perform an assessment and provide recommendations on the organizational and reporting structure for the OFM.

Deloitte conducted several interviews, assessed information provided by the OFM, and reviewed the results from a cross country jurisdictional scan which was conducted with support by a Policy Analyst from LAE. Deloitte reviewed the OFM project plan, which was created to outline action steps to guide the OFM in responding to and implementing the recommendations in the AG report. The OFM project plan is a high-level plan which includes:

- Mandate, role and priorities of the OFM
- Operations – OFM Office
- Operational – Deputy Fire Marshals
- Human resources
- Legal
- Education plan for stakeholders
- Change management
- Outreach
- Other priorities

The plan focuses on aligning the above with key recommendations – for example, management information, monitoring municipalities, inspection compliance and enforcement, and fire safety education.

The OFM has successfully initiated its response to the AG report recommendations and has a number of steps in their plan moving forward; however there are opportunities for improvement noted in this report. The following are the key findings as a result of our review.

Project plan review

Deloitte conducted a critical assessment of the OFM project plan. This assessment evaluated the alignment of the plan with the AG recommendations, timeline reasonableness, and other potential areas for improvement. The following findings are general overall findings related to this work and are not specific to any one AG recommendation. For further detail please see **Appendix A**.

- The OFM has addressed the AG recommendations and has established a “roadmap” plan for how it will analyze, design and implement significant changes to the OFM over the next year and a half.
- The OFM has set reasonable timelines for most of the key action plan items in the roadmap / project plan.

- The OFM should develop a more detailed project plan which will replace the roadmap in order to gain greater clarity about the scope, resources and timelines / deliverable dates.
- The OFM should consolidate its policy and process action items into one major project stream, as there is commonality of approach specifically for the AG recommendations 6.15 to 6.19 and 6.21.
- The OFM should be clearer on who is accountable to complete each of the deliverables in the plan.
- The OFM project plan (currently the roadmap but in future a detailed plan) should be updated regularly and tracked against a baseline; this will assist in monitoring potential slippage and determine if additional resources or project management is required.
- While expected, many of the project action items have not started, it would be ideal if a start date was added to the project plan to get a sense of the sequence of work that will occur and to validate if resources are under / over allocated.
- A formal risk assessment of the project plan should be considered to identify potential risks to the achievement of the plan. Ideally this should happen in the Fall 2011 when many of the tasks will be underway.
- The current OFM plan addresses the “what”, “who” and “when” questions related to addressing the AG recommendations, however, it does not outline “how”. More detail as described above will be needed to lay out the steps that will be taken to achieve the deliverables as expected.
- The OFM plan should integrate other 3rd party plans (at least at a high-level) to further understand dependencies (e.g., the IT project and branch review).
- The OFM should provide status updates to the Minister that includes financial status against budget. There does not appear to be a set budget or financial section to the status reports reviewed.
- The project plan observations and recommendations (see *Project plan review* section and **Appendix A**) as identified by Deloitte are meant to provide guidance and a critical assessment of the project plan. The OFM should consider these recommendations; however, it is at their discretion.

Risk framework

The OFM has developed a risk framework to help address the need to prioritize and plan inspections in the province on a risk basis. This new risk framework was reviewed as a work in progress document which the OFM will continue to modify according to internal consultation, jurisdictional research and independent feedback provided in this report. We believe that the OFM have established a good initial straw model and should continue to augment the maturity of the framework. The following findings are based on the review of the risk framework and should provide guidance on areas that can be used to improve the maturity and application of the framework by the Fire Marshal and staff at the OFM. For further detail please see the *Risk framework review* section.

- The OFM’s risk framework is in the early stages and will require additional design work and user guidelines.
- The risk framework does address common risk criteria used to address fire safety risk. We noted that it is consistent in principle to the Simplified Risk Assessment used by the Government of Ontario Fire Marshal.
- The OFM may find it difficult to develop a comprehensive framework and process, as there are limited risk frameworks used by other jurisdictions,. The OFM may wish to review the Australia / NZ 4360:2004 risk assessment standard that is currently licensed by the Government of Nova Scotia as a reference in establishing a proven risk assessment process. Also, this standard has further been updated to ISO 31000 which is now a globally accepted standard for risk assessment.
- The risk framework will need to have an assigned owner, who will be accountable to ensure that it is implemented and operating effectively.
- The risk framework should be implemented at the provincial level, however, the OFM may wish to share it with the municipalities in order to establish a consistent basis of defining and ranking fire inspection risk, developing fire inspection plans and allocating resources.
- The risk framework should be supported by guidelines and procedures which articulate the evaluation, quantitative / qualitative risk assessment method, and escalation method; these are common elements of a risk framework.

Organization and reporting structure

The OFM made a recent decision to create a “stand alone” Fire Marshal position that will report directly to the Associate Deputy Minister (ADM) of LAE. While this decision was made during the course of our review, we believe this further enhances the support and oversight of performance and outcomes at the OFM. The following findings are based on the review of the current organizational structure, review of positions within the OFM, a review of other jurisdictional structures and other input received from interviews with the staff of the OFM. For further detail please see the *Organization and reporting structure* section.

- The OFM organizational structure is flat in that most staff report directly to the Fire Marshal. The OFM has limited central office administrative support, and staff are geographically dispersed and highly mobile. New resources may be required to support the administrative and documentation recommendations as outlined in the AG report.
- The OFM will need to formalize its relationship with the municipalities in order to address the AG report recommendations and legislative mandate. The OFM may require a fully dedicated Municipal Inspector Relations resource to support and maintain routine communications (formally) with the municipalities.
- We noted that the OFM does not have a formal organizational structure model. A new organization chart should be developed and posted based on the new organization structure.
- We noted that the OFM will be hiring a database administrator to support the OFM with technology improvements and user support; this is an important new role for the OFM as it increases technology adoption and mobile documentation to achieve performance targets as outlined by the AG report (e.g., turnaround in issuing inspection reports and follow up).

Conclusion

The OFM has responded quickly to the AG report recommendations and the project plan has covered the requirements and set a direction for change. The project plan is best described as a project “roadmap” in that it is very high level, which is appropriate for early stage project planning. The OFM should continue to develop the plan at a detailed level to ensure that the approach to achieving the numerous deliverables is clear.

The OFM is currently on target as planned; however there is a degree of risk in the plan should any of the Fall 2011 deliverables experience delays resulting in pressure to meet the forecasted deadlines for Spring 2012. It will be critical to monitor resource capacity, develop a baseline for the plan, and set specific dates for completion of the deliverables.

The OFM needs to consider next steps to address the findings and recommendations in this report. We would recommend that they prioritize the following items:

- Redesign the current project plan into a full work breakdown structure (detailed project plan) that is deliverable base and has measurable start and end dates.
- Continue to update the risk framework and establish the evaluation criteria so it can be measurable.
- Hire additional staff for administrative and municipal inspector relations.
- Monitor progress against plan from a scope, resource, timeline, and budget perspective.

We would like to thank the OFM, LAE and IAC for their commitment to this engagement and openness to this review. We recognize that the OFM is clearly supportive of this period of transition and improvement and were impressed with the level of commitment to achieving the objectives of the project plan.

Management Response

The OFM agrees with the assessment conducted by Deloitte and our management response to each of the specific recommendations is provided within this report. We are pleased that the report acknowledges that the OFM has responded quickly to the AG’s recommendations. We anticipated that our project plan “roadmap” would require more detailed planning in a number of areas (i.e monitoring of municipalities) as we move forward. The information provided will be helpful for us.

Our methodology and approach

Objectives and scope

Deloitte conducted the following three streams of work:

1. Reviewed the AG's report and recommendations in order to provide a critical and independent analysis of the LAE's action plans and timelines to address each recommendation.
 - a) Deloitte assessed the appropriateness of each response, the reasonability of the timelines for each action plan and if there were any gaps or opportunities for improvement. Our assessment leveraged, where appropriate, results of a jurisdictional scan to identify policies and practices in place in other jurisdictions with a Fire Marshal's office, LAE (including OFM) staff interviews, and other best practices research.
2. Performed an assessment of the OFM's proposed risk framework for its priority inspection plan to ensure inspection responsibilities will be carried out as required under legislation and policies.
 - a) Similar to the approach for the review of the AG's report and recommendations, this work was completed through documentation review, LAE (including OFM) staff interviews, and other best practices research.
3. Performed an assessment of the current organizational structure and reporting relationships within the OFM to provide recommendations for change.
 - a) This was undertaken by conducting a jurisdictional review including best practices research (where information was available), and interviewing LAE (including OFM) staff, as well as leveraging other areas and services within the LAE.

Approach

Deloitte's approach for this engagement was as follows:

1. Conducted documentation gathering and review. Documentation considered for this engagement included:
 - Project plan provided by OFM
 - AG's report and recommendations
 - OFM draft responses to the AG's report
 - Organizational structure for the OFM
 - Meeting minutes and status reports related to the OFM project
 - Job descriptions for all staff roles within the OFM
2. Conducted interviews of various Department of Justice and LAE staff members:
 - Anne Partridge, Project Director, OFM, LAE
 - Harold Pothier, Acting Fire Marshal, OFM, LAE
 - Nadine Smillie, Department of Justice, Legal
 - Derwin Swinemar, Deputy Fire Marshal, OFM, LAE
 - Sheila Harvey, Fire Service Co-ordinator, OFM, LAE
 - Fiona Wang, Policy Analyst, LAE

3. Reviewed the results of a jurisdictional scan to identify policies and practices in place in other provincial jurisdictions (see **Appendix C**). To complete the jurisdictional reviews on a consistent basis, a questionnaire was developed to align with the objectives of the engagement (see **Appendix B**).
4. Conducted analysis of documentation and developed a draft report.
5. Reviewed findings and recommendations with the IAC and OFM.
6. Developed final draft report and issued to IAC and the OFM. OFM provided management responses for inclusion in the final report.
7. Updated the final report with management responses and issued the final report to the IAC and OFM.
8. Closed the project.

This engagement was conducted in accordance with the International Standards for the Professional Practice of Internal Auditing.

1. Project plan review

In our engagement, Deloitte reviewed the AG's report and recommendations in order to provide a critical and independent analysis of the LAE's action plans and timelines to address each recommendation. The following outlines our observations and our recommendation for changes to the project plan to improve its alignment with the AG's expectations and to provide other areas of improvement. See **Appendix A** for a complete table of AG findings, OFM responses to the AG findings, as well as our related observations and recommendations.

2. Risk framework review

As part of the engagement, Deloitte performed an assessment of the OFM's proposed risk framework for its priority inspection plan to ensure inspection responsibilities are carried out as required under legislation and policies. Our work focused on documentation review, interviews with OFM staff and review of insights gained from the jurisdictional review. The findings and recommendations outlined below represent advisory feedback for the OFM to consider as it develops and implements a revised risk framework. This section is not intended to outline specifically how the OFM should design, build and implement a risk framework.

Findings and recommendations

#	Finding	Recommendation	Management Response
2.1	The OFM risk framework provided for our review is in the early stages of development. Its current structure is based on established criteria (legislation, client and building features) that cluster specific risk characteristics to assess a property, dwelling or location. Although directionally appropriate, the risk framework is not based on standards or broadly recognized risk management frameworks. The risk is that the OFM framework may be too customized and is not based on other standards of risk management.	We recommend that the OFM further develop the existing risk framework with an internationally approved leading risk framework, such as ISO 31000. The ISO 31000 standard can be downloaded from the following link: http://www.iso.org/iso/catalogue_detail?csnumber=43170 or, the OFM may request a copy of the AUS/NZ 4360: 2004 standard from the Internal Audit Centre as the Province currently has licenses.	We will review risk framework standards and look for best practices.
2.2	The OFM risk framework does not include an escalation process.	The OFM should be clear about which risk ranking and/or specific characteristics automatically escalate the inspection priority of a building despite its overall risk ranking or legislative requirement.	Agree – we will incorporate this.
2.3	The current risk framework does not provide both quantitative and qualitative methods of prioritizing fire risk.	The OFM should establish both qualitative and quantitative risk assessment methods. The risk evaluation process should assign ratings to specific standard characteristics which can determine a quantitative risk rating. Also, for special situations, the Fire Inspectors will need to have the ability to provide qualitative comments and findings which should be able to be mapped to a risk assessment rating scale. This would allow inspectors to consider all relevant risk characteristics and rank all quantitative and qualitative risks as part of an overall risk profile. The full risk profile should establish a risk rating based on the cumulative group of characteristics and inspector observations. Creating the scoring for risk characteristics involves significant effort upfront, but the advantage is that, once created, using clear measurements to score each risk characteristic results in an overall score for the building, which provides an objective, defensible basis for planning, coordinating and deploying inspection resources.	This will be considered in developing a risk framework.
2.4	The jurisdictional review demonstrated that few provinces	We recommend that the OFM develop and use a risk framework as a defensible basis to support their	Agree.

#	Finding	Recommendation	Management Response
	<p>have formalized a risk framework. Other than Nova Scotia, the provinces included in the jurisdictional review (Appendix C) were British Columbia, Alberta, Manitoba, Ontario and New Brunswick. Of these five provinces, the municipalities have significant inspection responsibilities and, therefore, the OFM has not had the need to create a risk-based inspection plan. Alberta, however, is responsible to inspect non-accredited municipalities (about one third of the province) and is in the process of creating a risk based inspection framework. Their approach to the development of the framework is through consensus building among stakeholders. In Ontario, the OFM is only responsible for inspections in municipalities that do not have fire services; however, the OFM includes a group that conducts research and provides results to the municipalities to support them in their risk-based prioritization of inspections.</p>	<p>decisions with respect to the prioritization of buildings according to the inspection plan. The OFM should consider sharing the risk framework with the municipalities to enhance consistency of evaluation and planning. The OFM risk framework should also be clearly aligned with national fire inspection standards (taxonomy) in order to establish a common base of terminology, risk rating scores and definitions for the risk characteristics.</p> <p>We recommend that the OFM consider the addition of risk assessment functionality for its new system requirements, which is an opportunity to increase efficiency and ease of use. This may include for example:</p> <ul style="list-style-type: none"> • Ability to create a risk profile for each building and occupancy type • Ability to create a table of risk ratings / scores which can be used based on specific criteria applicable to each building and occupancy type • Ability to develop a report that risk ranks a list of properties based on geography, owner department, municipality, county, and postal code • Ability to override a building (reclassify it at a lower risk rating) • Ability to escalate a building to the top priority based on legislative requirements or based on Fire Marshal request 	
2.5	<p>The OFM risk framework is not clearly owned by a staff member of the OFM. Risk frameworks require top down support to encourage standardization across the OFM and related stakeholders.</p>	<p>We recommend that the ADM of LAE assign the accountability to the Deputy Fire Marshal for implementing, maintaining and enforcing the risk framework.</p>	<p>The Fire Marshal will have oversight for all policies and frameworks relating to the OFM risk framework.</p>
2.6	<p>We noted that the OFM has identified a list of higher risk clients in the risk framework which includes:</p> <ul style="list-style-type: none"> • Seniors • Children • Persons with disabilities • Inmates / residents within secure facilities 	<p>We recommend that the OFM also consider the following higher risk occupancy types:</p> <ul style="list-style-type: none"> • Hospitalized patients • Multi-tenant building residents with high density of language or cultural differences • Student housing tenants 	<p>Will be taken under consideration.</p>
2.7	<p>We noted that “high risk” facilities were identified in the risk framework. The following building classifications were identified:</p> <ul style="list-style-type: none"> • Assembly • Institution / Care • Residences (Care / Support) • Office / Business • Mercantile • Industrial 	<p>We recommend that the OFM also consider the following building classifications:</p> <ul style="list-style-type: none"> • Data centres • Hotel / Motel (e.g., Signature resorts) • Hybrid (e.g., mercantile with residential) 	<p>We believe that the classifications of buildings are predetermined by the National Building Code. As a result, the examples provided would fall under an existing classification based on consideration to a number of factors (ie. type of occupancy).</p>
2.8	<p>We noted that “high risk” facilities were identified in the risk framework. The following physical structure criteria were identified:</p> <ul style="list-style-type: none"> • Physical dimensions and related criteria • Age and condition of building • Inspection track record • Outstanding orders 	<p>We recommend that the OFM also consider the following physical structure criteria:</p> <ul style="list-style-type: none"> • Spacial separation of buildings (space between buildings) 	<p>Will be taken under consideration.</p>

3. Organization and reporting structure

The OFM's authority and responsibilities are contained in the *Fire Safety Act* for the provision of fire safety in buildings and for safe storage of flammable and combustible materials. The office advises various levels of government on fire-related matters, including fire protection. The office is also responsible for the safe installation and usage of fuel gases and electricity. The OFM advises various levels of government and municipalities on fire-related matters including fire protection systems and provides education on fire prevention to stakeholders. The OFM has fourteen (14) full-time staff, eight of whom are Deputy Fire Marshals (DFMs) located in seven (7) regions throughout the province. The Acting Fire Marshal was appointed in June 2010 when the previous Fire Marshal (and Director of Public Safety) retired.

The OFM has an operational budget of \$1.6 million per year and utilizes a central database system – the fire department management system (FDM) which captures information on fire inspection and investigation activities.

The OFM is currently a flat organizational structure reporting to the Fire Marshal. The OFM is organized primarily by geography where eight (8) DFMs are aligned to various combinations of counties as outlined in the graphic below.



During the time of our review, LAE determined that it would create a “stand alone” Fire Marshal position that will report directly to the Associate Deputy Minister (ADM) for LAE. We believe this is an improved governance model which will increase departmental oversight and also provide additional support to the OFM during its transition.

In our review of the organization structure and in consultation with staff of the OFM, we noted the following areas which may require further investigation by the ADM for LAE and the Fire Marshal. Some of our findings make recommendations for additional staff and roles within the OFM based on our general review of the business, an assessment of the AG report recommendations and the expected procedural changes that will affect the OFM. These recommendations should be considered as independent points of

view, however, we would recommend additional evaluation of workload and monitoring of process efficiency outcomes as the OFM implements its plan this year. Specifically the findings are:

#	Finding	Recommendation	Management Response
3.1	The documentation and information management requirements for the OFM are significant and require a geographically dispersed and mobile workforce to retain, document and manage “paperwork” for their field activities. This process will be further supported based on the OFM’s new inspection checklist. The checklist and related documentation management steps currently lack administrative support.	<p>The OFM should consider hiring a full time or part-time administrative support person who will assist DFMs in gathering checklists and related orders from the field staff and monitor for completeness. Eventually, this person may be required to data enter the findings from the checklist.</p> <p>Inspection Reports and Fire Investigation Reports for the municipalities and related evidence will be retained for a period of time and administered by this position.</p> <p>If managed properly, the additional staff member will be able to conduct regular follow ups to get the documentation for scheduled inspections and proactively review the checklists for consistency and quality. It would also be expected that by supporting the documentation process, DFMs will be able to increase field inspection productivity.</p> <p><i>Potential impact:</i> One additional FTE to report to Fire Services Coordinator.</p>	Currently, we are using an Excel spread sheet to track activities of DFMs which are submitted on a monthly basis. Over time and with a new IT system, we will need to review system and resource requirements including administrative support. We will put temporary measures in place.
3.2	The OFM is recruiting for and will be hiring a Database Administrator to support ongoing IT systems and reporting requirements. This role will be responsible for maintaining the system for OFM and will provide training and support to the staff (DFMs).	<p>We support this decision to hire a Database Administrator to support the OFM. We expect that the role may need to align in the future with an IT group within LAE; however, for now a dedicated professional to support the OFM through transition is critical. As the position is defined, we would expect that the Database Administrator would report directly to the Fire Marshal.</p> <p><i>Potential impact:</i> None – previously approved for recruitment.</p>	Agree.
3.3	<p>From the jurisdictional review (Appendix C), we reviewed the fire inspection and investigation responsibilities for five provinces other than Nova Scotia. We noted that one of the major differences between Nova Scotia and all other provinces was the extent to which each province is responsible for the inspection of buildings. As in Nova Scotia, requirements to conduct inspections are shared between municipalities and the province, but the similarities end there. For all provinces in the jurisdictional review, other than Nova Scotia, municipalities have the primary responsibility for inspections. It appears that the OFM for other jurisdictions are in place to respond to escalated and higher risk inspection requirements. The circumstances range under which the provinces perform inspections, as follows:</p> <ul style="list-style-type: none"> • In British Columbia, the province only performs an inspection where there has been a complaint of fire hazard or possibly on request. • Alberta performs inspections for non-accredited municipalities. • Manitoba inspects Crown-owned buildings, or on request of a municipality. • Ontario performs inspections in areas 	<p>We recommend that the OFM consider hiring a new DFM who would be responsible for Municipal Inspector relations and formally supporting the municipalities and specifically the municipal inspectors. Currently, this role is allocated a very small percentage of time within the Fire Marshal’s job description. The purpose of this new role will be to increase the “system” of fire safety inspections and increase the interaction between the Province and the municipalities. Currently, this process is informal and at the discretion of the regional DFMs. Also, the Fire Marshal’s role would be better able to focus on management of the team and mandate of the OFM through transition.</p> <p>In order to achieve a functional system of fire inspection the OFM’s Municipal Inspector Relations Liaison would allocate at least 75% of his / her time to supporting municipalities and 25% of time providing back up support for the other DFMs.</p> <p><i>Potential impact:</i> One FTE.</p>	We agree that we need to further examine a “function” related to municipal inspector relations. However, at this point in time, we are unsure if that would be a DFM role.

#	Finding	Recommendation	Management Response
	<p>with no fire service.</p> <ul style="list-style-type: none"> In New Brunswick, there are eight large municipalities responsible for their own fire inspection. For the rest of the province, the department responsible for inspection is NOT the OFM. Inspections were moved in 2005 to the Technical Inspection Services, a branch of the Department of Public Safety. <p>In addition, Alberta is the only province in which the Office of the Fire Commissioner has responsibility to monitor the inspections of the municipalities, which it does through an annual audit.</p> <p>Similarly, investigations are also a responsibility that is shared between municipalities and the provinces, as follows:</p> <ul style="list-style-type: none"> British Columbia will assist, if requested by the municipality, where there has been a fatality, explosion, loss of high dollar value, or there are other sensitive issues. Alberta performs investigations for non-accredited municipalities. In Manitoba, the provincial Office of the Fire Commissioner has full responsibility for investigations, although local resources may be used. Ontario investigates where there has been a fatality, serious injury, explosion or loss of high dollar value. 		

Appendix A – Analysis of the OFM action plan

Auditor General Recommendation	Labour and Advanced Education Response	Targeted Completion	Status	Observation/Recommendation	Management Response
<p>6.1 The OFM should conduct a comprehensive assessment of its operations, including an identification and assessment of fire safety risks and resources needed to address those risks. Subsequent to the assessment, a plan should be developed and implemented to change operations as required. Both the assessment and the resulting plan should be completed immediately.</p>	<p>LAE has assigned a Project Director to conduct an analysis of operations including inspection/ investigation activities and an identification and assessment of risks. A draft working plan has been developed which incorporates activities related to implementing each of the recommendations. This will also include a determination of appropriate staffing levels to fulfill our responsibilities and to ensure that resources are allocated to the highest priority areas. The objective is to ensure that the timelines noted in each recommendation are met.</p>	<p>Not referenced in the OFM response to AG report</p>	<p>On track</p>	<p>Observations: We noted that:</p> <ul style="list-style-type: none"> The LAE has assigned a Project Director who is very active and engaged in supporting the OFM to implement an action plan and engage relevant support to achieve expected outcomes (as per the AG Report). We noted that the Project Director has gained significant knowledge of the business and has been proactively communicating progress and project issues to stakeholders on a regular basis. The stated activities in the project plan related to AG Report Recommendation 6.1 focuses on the establishment of a mandate for the OFM and do not specifically address a plan to conduct a comprehensive assessment of operations, identification and assessment of fire safety risks and resource requirements. Recommendations 6.3, 6.9, 6.13 also refer to this task and associated activities, increasing the importance. The project plan has a reference to developing a risk framework; however, the risk framework established to prioritize inspections does not address the AG's expectation of an organizational review or evaluation of resources required to address the fire safety risks in the inspection portfolio. <p>Recommendation: 1.1 The OFM should have a task added to the project plan to conduct a formal organizational review and assess resource requirements needed to fulfill the fire inspection volume based on the results of the risk assessment.</p>	<p>Agree.</p>

Auditor General Recommendation	Labour and Advanced Education Response	Targeted Completion	Status	Observation/Recommendation	Management Response
<p>6.2 The OFM should evaluate its operational information needs and its management information systems to ensure that all necessary information is being collected and is available for use by staff and management.</p>	<p>The OFM will immediately begin an assessment of its information needs so that management information systems can be evaluated that meet operational requirements, policy/legal considerations, and our stakeholders' needs. An interim process will be established to ensure that information needs for operational management are met over the next eight months. In the meantime, a more comprehensive review will be undertaken to establish a long term solution over the next eighteen months. This will include a review of existing information management systems within LAE with consideration to the business requirements for the OFM.</p>	<p>Fall 2012</p>	<p>On track</p>	<p>Observations:</p> <p>We noted during our review that the OFM has selected a local IT Consultancy firm to conduct a needs analysis and develop an IT system strategy. This engagement is expected to outline options for the OFM to consider as it assesses the current limitations of existing inspection activity tracking software and other alternative solutions that may be a good fit.</p> <p>The OFM is expected to identify an interim solution within the next 8 months. It is expected that this solution will be further detailed in the consultant's report that is currently in development.</p> <p>The OFM plan currently lacks detail related to the IT system sub-project. The key deliverables and milestones of the IT project plan (from the external consulting firm) are not incorporated into the master OFM transformation plan.</p> <p>There is a lack of clarity as to who is accountable for each task and activity in the plan. The plan should clearly identify an individual who is assigned the accountability to lead the project activity and achieve the expected results.</p> <p>The design and implementation of a new system is a critical path activity in order to address the AG findings.</p> <p>Recommendations:</p> <p>1.2 The OFM should meet with the external IT consultant and determine the key deliverables, milestones and other critical events in order to incorporate an additional level of detail in the master OFM project plan. This will enhance monitoring and reporting as well as identify dependency issues.</p> <p>1.3 The plan should include "Accountable" as a heading which names a key leader in the LAE or in the OFM who is accountable for specific deliverables or action items. The current "Resources Required" column may continue to be used to note key resources that are responsible for the work.</p> <p>1.4 The IT system tasks may need to be broken into smaller milestone stages to minimize dependency on one major task. We recommend that major deliverables are achieved every 60 to 90 days. Any delays in the achievement of deliverables should be escalated to the Associate Deputy Minister.</p>	<p>Agree in part as follows:</p> <p>1.2 – The third party IT consultants have provided an initial high level implementation plan.</p> <p>1.3 – Agree.</p> <p>1.4 – Timelines for major deliverables need to be determined with consideration to the entire project plan.</p>

Auditor General Recommendation	Labour and Advanced Education Response	Targeted Completion	Status	Observation/Recommendation	Management Response
<p>6.3 The OFM should ensure that at a minimum, a complete inventory of all buildings requiring inspections by that Office, and all inspection and investigation activities, are entered into the system in a timely manner.</p>	<p>The OFM has acquired a listing of provincial buildings from Transportation and Infrastructure Renewal (TIR). The OFM is also in the process of obtaining listings for other buildings for which the OFM is responsible (e.g. Department of Health - nursing homes). A complete inventory will be compiled no later than June 1, 2011. Once a management information system is in place, all activities will be entered into the system in a timely manner (see Recommendation 6.2).</p>	<ul style="list-style-type: none"> • June 1, 2011 (gather inventory list) • Winter 2011/12 (finalize) 	<ul style="list-style-type: none"> • Complete • On track 	<p>Observations:</p> <p>The OFM has initiated the collection of inventory of Provincial buildings and are now waiting for a system to enter the data into once it becomes available.</p> <p>We noted as part of the project plan review that a conversion / reconciliation process for the new system is not included in the plan. It is expected that the new system will need to have all building inventory added; therefore, a conversion or reconciliation of completeness, validity and accuracy should be considered in the plan.</p> <p>Recommendation:</p> <p>1.5 The OFM should add a task and related activities in the OFM project plan to address the gathering, validation, conversion and reconciliation of the building inventory. The conversion / reconciliation should be an ongoing process as new inventory is identified or changes as the period of time elapsed could impact the accuracy of the data collected (OFM received lists from various government sources).</p>	<p>The list has been completed as per the AG's recommendation. We are inputting the completed inventory into our current database (FDM). We will consider business requirements related to validation, conversion, and reconciliation as we examine IT systems.</p>
<p>6.4 The OFM should ensure that all Deputy Fire Marshals submit activity reports as required.</p>	<p>The OFM has already implemented daily/monthly activity reporting utilizing a software program. As we move forward, we will review processes and systems to ensure that any necessary adjustments are made.</p>	<p>Implemented at time of review</p>	<p>Complete</p>	<p>Observation:</p> <p>Completed at time of report.</p> <p>Recommendation:</p> <p>None.</p>	<p>N/A</p>
<p>6.5 The OFM should implement performance standards for Deputy Fire Marshal's activities.</p>	<p>The OFM has updated the position description for the Deputy Fire Marshals (DFM). Once approved, the OFM will work in collaboration with other regulatory agencies to develop and implement performance standards reflective of the roles and responsibilities of this position. This work will be completed over the next six months.</p>	<p>Fall 2011</p>	<p>In progress</p>	<p>Observations:</p> <p>The OFM has submitted a new Deputy Fire Marshal (DFM) position description and it is currently under review and in progress of being finalized. The performance standards are integrated into the position description. We were unable to review the final version of this position however the completion date will be in September 2011.</p> <p>The focus of the AG report was to enhance performance expectations of the DFM position. This is in progress.</p> <p>Recommendation:</p> <p>1.6 Performance standards should be developed top down and be based on enterprise / corporate / divisional</p>	<p>We agree that all staff within the OFM should have performance standards. We are reviewing performance standards for DFMs and will work on standards for other staff.</p>

Auditor General Recommendation	Labour and Advanced Education Response	Targeted Completion	Status	Observation/Recommendation	Management Response
				<p>goals. In this case the focus is on the Deputy Fire Marshals, which is only one group of individuals in the organization.</p> <p>The OFM should consider a broader review of performance standards for all employees. The Deputy Fire Marshal performance standards should be more critically reviewed; however, a review of alignment and balance of performance standards among other staff should be incorporated into this review.</p>	
<p>6.6 The OFM should implement a system to regularly monitor and assess staff performance.</p>	<p>The Province of Nova Scotia has an annual performance management process for bargaining unit employees. The OFM will ensure that an annual performance planning process is implemented for 2011-12.</p>	<p>Fall 2011</p>	<p>In progress</p>	<p>Observation:</p> <p>The OFM has provided reasonable high-level tasks to guide its work to improve its application of the Government's performance management process.</p> <p>Recommendations:</p> <p>See 6.5.</p> <p>1.7 We recommend that OFM stay focused on the continued application, implementation and monitoring of performance in order to consistently apply the process to the OFM and its staff.</p>	<p>A performance planning process has begun for 2011/12. The Acting Fire Marshal has met with DFMs to review targets (it should be noted that 2 DFMs were hired in April and June, 2011).</p>
<p>6.7 The OFM should implement a quality assurance process which includes key operational activities.</p>	<p>The OFM will develop and implement a quality assurance process to ensure that policies and procedures are consistently applied. This process will be based on best practices and similar programs in place within LAE. This work will support the overall operating policy development as noted below in Recommendation 6.15.</p>	<p>Spring 2012</p>	<p>On track</p>	<p>Observation:</p> <p>We noted that the OFM project plan has a task planned to align its quality assurance process to other practices with LAE (e.g., Occupational Health and Safety (OHS)). We also noted that the Project Director has initiated conversations with the Steering Committee and a decision was to include this work in the Branch review. However, the steps outlined in the plan do not adequately address the steps needed to implement the QA process. Assuming the QA process will not be implemented exactly as it has been at OHS, there will be consultation, refinement, tools and training required.</p> <p>Recommendation:</p> <p>1.8 Enhance the project plan to provide more detail on how the OFM will assess, configure / build, and implement a quality assurance process which includes key operational activities.</p>	<p>Agree.</p>
<p>6.8 The OFM should define the minimum standards to be used in determining an</p>	<p>The OFM recognizes the importance of providing support and direction to</p>	<p>Winter 2011/12</p>	<p>Not started</p>	<p>Observations:</p> <p>The relationship between the OFM and the municipalities in maintaining and aligning their system of inspection is</p>	<p>We will assess if we need legislation, regulation, or policy as we progress and are prepared to</p>

Auditor General Recommendation	Labour and Advanced Education Response	Targeted Completion	Status	Observation/Recommendation	Management Response
<p>appropriate system of inspections for municipalities and update legislation as required.</p>	<p>municipalities to enable them to successfully carry out their responsibilities under the Act. The OFM has begun work in collaboration with the Fire Inspection Association to develop a standard for assessing “a system of fire-safety inspections” which will allow municipalities to develop their own inspection programs to make sure that public safety is a priority. This work will be completed over the next nine months.</p>			<p>currently not clear within the current Fire Safety Act. The AG report suggests changes to legislation may be required. LAE and OFM are not required to change legislation based on the AG request. However, if the OFM wanted to consider or review legislation changes in its plan, this activity is currently not included in its project plan.</p> <p>The OFM project plan addresses the recommendation to develop a minimum standard. It is, however, currently unclear as to how the municipalities will be trained and supported on how to apply the new standards.</p> <p>Recommendation:</p> <p>1.9 The OFM should add an activity in its project plan if it is considering any legislative changes. In the event that the OFM does develop minimum standards of inspections and there is a new legislated requirement for meeting the minimum standard, the OFM would also need to consider adding a new section of tasks to its project plan to address training and support.</p>	<p>do what is required.</p>
<p>6.9 The OFM should perform fire safety inspections when municipalities fail to complete inspections as required by the Fire Safety Act.</p>	<p>The OFM will develop and implement a plan to support municipalities to ensure that legislative requirements are met – this will include a review of inspection practices. The OFM will conduct inspections and ensure that activities are tracked when municipalities fail to do so. This plan is part of our broader agenda to ensure that our mandate and legislative requirements are met and as a result, will be completed over the next twelve months.</p>	<p>Spring 2012</p>	<p>Not started</p>	<p>Observations:</p> <p>The mandate for the OFM should become clearer to enable improvements in the Monitoring Municipalities section of the OFM project plan.</p> <p>The OFM has not identified the type of monitoring and reporting that will be needed to determine if the municipalities have been compliant with the Fire Safety Act.</p> <p>We noted during our review that the OFM plans to track failed inspections and conduct inspections where necessary; however, the plan does not include steps to develop procedures to periodically assess, review, audit or oversee the municipalities in order to gather information about failed inspections or municipalities that are not performing inspections.</p> <p>Recommendations:</p> <p>1.10 The OFM should establish a reporting process that is standardized across all municipalities (meeting legislative requirements) for inspection planning and compliance monitoring purposes.</p> <p>1.11 The OFM should assign a designated Deputy Fire Marshal to oversee and support the municipalities and to</p>	<p>1.10 – Will take under consideration.</p> <p>1.11 – See earlier comments – we agree that function should be considered; we are unsure if the role would be a DFM.</p> <p>We recognize that we need to develop a detailed project plan (resources requirements, accountability, time line etc) for the recommendations related to our work with municipalities.</p>

Auditor General Recommendation	Labour and Advanced Education Response	Targeted Completion	Status	Observation/Recommendation	Management Response
				formally confirm the completeness of the municipalities' inspection plans and their ability to achieve planned inspections.	
6.10 The OFM should implement policies and procedures to follow up deficiencies identified during its reviews of municipalities.	Once the "system" is defined as noted in recommendation 6.8, the OFM will develop and implement procedures to ensure that identified deficiencies are corrected. This work will be completed over the next nine months.	Spring 2012	Not started	<p>Observations:</p> <p>The OFM project plan has not identified a task to develop a process for documenting deficiencies, determining the severity of the deficiency and assessing when a deficiency has been resolved. The OFM will need to track deficiencies within its systems and develop a policy and process with each municipality to provide a period of time to correct deficiencies. Also, there will need to be an audit or review of the municipality to evaluate if the deficiency was in fact addressed.</p> <p>Recommendations:</p> <p>1.12 The OFM may wish to work with the IAC to review procedures that are used to follow up and review deficiencies from audits. If desired the IAC could help the OFM develop the actual procedures.</p> <p>1.13 The OFM should add a specific activity to its project plan relating to the development of a deficiency monitoring process to address the AG report finding.</p>	<p>1.12 – We will be following up with the IAC regarding their assistance as we move forward with addressing the AG's recommendations</p> <p>1.13 – Will take under consideration. See Management Response for 6.9.</p>
6.11 The OFM should develop and implement a plan to determine whether municipalities are currently complying with their legislative responsibilities and to ensure that they continue to comply.	See Recommendation 6.8 - The plan will include an assessment of inspection, compliance, and enforcement activities performed by municipalities to ensure legislative responsibilities are met.	Spring 2012	Not started	<p>Observations:</p> <p>The AG's recommendation related to Monitoring Municipalities is a significant shift for the OFM. The work required to address these recommendations has not been fully assessed within the current OFM project plan as much of the work required will be based on the decision to stay status quo or to change the Fire Safety Act to increase the oversight role of the OFM. Currently, the OFM's plan outlines steps that seek guidance and consultation with other stakeholders including Service Nova Scotia and Municipal Relations and the Union of Nova Scotia Municipalities.</p> <p>We noted that the AG Report recommendation 6.11 states that the OFM will "ensure" that the municipalities comply with their legislative responsibilities. To ensure compliance may require the OFM to implement compliance auditing or testing or, at a minimum, assigning a designated Deputy Fire Marshall who can monitor municipal compliance with the Fire Safety Act.</p>	See Management Response for 6.9.

Auditor General Recommendation	Labour and Advanced Education Response	Targeted Completion	Status	Observation/Recommendation	Management Response
				<p>Recommendations: See 6.8 and 6.9.</p>	
<p>6.12 The OFM should meet their inspection responsibilities as required by legislation and OFM policy.</p>	<p>The OFM recognizes the importance of meeting our legislative responsibilities. The OFM will review its mandate and operational inspection activities to ensure that legislative responsibilities are carried out. This will include a comprehensive review of our current structure, allocated resources, and management information systems. This will be part of our broader agenda to ensure that our mandate and legislative requirements are met. This will be completed over the twelve months.</p>	<p>Spring 2012</p>	<p>On track</p>	<p>Observations: The OFM has initiated several work streams to address the AG Report Recommendation 6.12. Specifically, new processes, roles and responsibilities modification, systems assessment and an independent project plan review has been initiated. The OFM has outlined various steps to achieve their inspection responsibilities. One area that has been considered is to focus attention on specific building type inspections (e.g., schools and hospitals). During our review, a DFM was assigned to inspect schools as part of the priority inspection plan. Recommendations: 1.14 The future risk-based inspection plan should clearly denote where inspections cannot be performed that create a compliance gap. These should be proactively identified and escalated to determine what steps are required to achieve compliance or rationale for exempting the inspection.</p>	<p>Will take under consideration – we will be developing a risk evaluation framework for inspection of properties and an escalation process will be included. The natural process would be from DFM to FM and as previously noted, the FM will report directly to the ADM so we have created a senior executive escalation process.</p>
<p>6.13 The OFM should ensure that public schools are inspected at the frequency required by the Fire Safety Act.</p>	<p>See Recommendation 6.12 - this will include a review of our legislative responsibilities related to "public schools" under the Act (See Also Recommendation 6.9).</p>	<p>Spring 2012</p>	<p>On track</p>	<p>See 6.1 and 6.9.</p>	<p>See Management Responses for 6.1 and 6.9.</p>
<p>6.14 The OFM should define what constitutes a serious fire safety deficiency identified during inspections.</p>	<p>See Recommendation 6.15 - In addition, the OFM will develop procedures to provide support for key operational activities and to ensure consistency in approach. This will include the definition of a "serious fire safety deficiency" so that consideration can be given to the appropriate reporting method, follow-up, and enforcement action when</p>	<p>Spring 2012</p>	<p>In progress</p>	<p>Observation: We noted during our review that the OFM has developed a Fire Inspection Checklist which is being used (in a pilot project) by Deputy Fire Marshals in the field. This checklist is a clear response to improving the reporting and documentation requirements and improving the timely turnaround of reports and orders back to building owners. Recommendations: 1.15 Once defined, consider adding the serious fire safety deficiency within the checklist and document these deficiencies on the form. Consider aligning the future risk framework with the</p>	<p>Agree. Note: Specific function requirements will be considered when assessing an IT system solution (see Recommendation 6.2).</p>

Auditor General Recommendation	Labour and Advanced Education Response	Targeted Completion	Status	Observation/Recommendation	Management Response
	applicable.			<p>checklist as a way to help track and identify recurring deficiencies.</p> <p>The future OFM system should have the functionality to identify recurring deficiencies with an “owner”, “address”, and “postal code” for limited but useful reporting for targeted inspections and enforcement.</p>	
<p>6.15 The OFM should implement policies and procedures regarding the inspection reporting method to be used by Deputy Fire Marshals when deficiencies are found.</p>	<p>The OFM will develop and implement overall operating policies to ensure that inspection, compliance, and enforcement activities are carried out as required by the Act. This will include specific inspection processes and procedures to ensure compliance. This is part of our broader policy agenda for the OFM which will be completed over the next twelve months.</p>	Spring 2012	Not started	<p>Observations:</p> <p>The OFM has outlined plans to develop a broad policy framework that will support the policy recommendations from the AG Report. This approach will help to establish aligned and relevant policies. While policy design and implementation will be an important step, the OFM has not clearly planned how policies will be supported from a people, process and technology perspective.</p> <p>The OFM is expected to redesign its current processes to respond to the AG report recommendations (6.15, 6.16, 6.17 and 6.18). The OFM has established general steps in its plan to address the recommendations; however, we believe there needs to be more thought put into the plan around how the OFM should structure a comprehensive process redesign. We believe that the three recommendations should be analyzed and assessed together for improved workflow efficiency and procedural consistency. In the future, the OFM and building owners may need to determine a performance expectation metrics of X days after the inspection for reporting and for addressing deficiencies and for follow-up. In order to meet these requirements the OFM will need to adopt a proven methodology for redesigning the process and testing it to validate it can be achieved. There may also need to be consultation with building owners to confirm the reasonableness of future policy requirements. A series of new steps should be added to the existing project plan which may include:</p> <ul style="list-style-type: none"> • Determining performance targets • Establishing a policy vision (what is desired) • Conducting stakeholder interviews and consultation • Determining current state (workflow and performance) • Developing a future state (workflow and performance) • Developing enabling tools to support future state process 	Agree.
<p>6.16 The OFM should implement policies and procedures regarding the time frames required to report deficiencies identified during inspections.</p>	<p>See Recommendation 6.15 - This will also include the establishment of time frames to report identified deficiencies.</p>	Spring 2012	Not started		
<p>6.17 The OFM should implement policies and procedures regarding required time frames for building owners to address deficiencies noted in inspection reports.</p>	<p>See Recommendation 6.15 - This will also include the establishment of time frames for building owners to address deficiencies as noted in inspection reports.</p>	Spring 2012	Not started		
<p>6.18 The OFM should implement policies and procedures for adequate follow-up and enforcement of inspection deficiencies.</p>	<p>See Recommendation 6.15 - This will include specific inspection processes and procedures to ensure there is adequate follow up and enforcement of inspection</p>	Spring 2012	On track		

Auditor General Recommendation	Labour and Advanced Education Response	Targeted Completion	Status	Observation/Recommendation	Management Response
	deficiencies.			<ul style="list-style-type: none"> • Consulting on future state results with stakeholders • Testing / piloting new process • Updating policies based on results • Training staff on new process and building into performance (update position descriptions) • Implementing new performance policies and procedures <p>Recommendations:</p> <p>1.16 The OFM should develop policy and procedures to reflect the observations noted above.</p> <p>The OFM may choose to increase the level of detailed steps within the project plan to provide more direction for the project.</p> <p>The OFM should evaluate the process prior to developing the policies based on expected resources and results of the process testing.</p>	
6.19 The OFM should implement inspection guidelines regarding inspection coverage.	Inspection guidelines will be developed and implemented by the fall of 2011. This will provide guidance regarding inspection coverage expectations and ensure that there is consistency in approach among DFM.	Fall 2011	In progress	<p>Observation:</p> <p>We noted that the OFM has developed a high level plan to develop inspection guidelines regarding inspection coverage. We also noted that the expectation was to have the guidelines implemented by the Fall of 2011. The Fall may be difficult to achieve based on the volume of project activities due at that time. We noted that the plan has a complete by date of Winter 2012; this is achievable.</p> <p>Recommendation:</p> <p>1.17 The OFM should confirm that a revised date of Winter 2012 is valid. If more time is available, consider the output from the process design work in 6.15 to 6.18 as there may be information relevant to the guidelines.</p>	Work is underway and one DFM has been assigned to lead this work to ensure it is completed by the deadline noted in our response, Fall 2011.
6.20 The OFM should implement an inspection checklist which should be signed by the Deputy Fire Marshal.	The OFM is developing an inspection checklist that will be implemented by the fall of 2011.	Fall 2011	On track	<p>Observation:</p> <p>A draft inspection checklist has been completed for immediate use and evaluation as a pilot and will be further refined and revised in the fall of 2011.</p> <p>Recommendation:</p> <p>None.</p>	N/A
6.21 The OFM should implement policies and	See Recommendation 6.15 - This will also include	Spring 2012	On track	See 6.15 – 6.18.	See Management Responses for

Auditor General Recommendation	Labour and Advanced Education Response	Targeted Completion	Status	Observation/Recommendation	Management Response
procedures related to the documentation and investigation of fire safety related complaints.	processes and procedures to ensure there is appropriate documentation regarding the investigation of fire safety complaints.				6.15 - 6.18.
6.22 The OFM should implement an orientation training policy.	The OFM will develop and implement an orientation training policy based on best practices and existing programs within LAE. The policy/program will incorporate the Department's generic orientation program and include specific training components so that customized plans can be developed. This policy will be implemented by the winter of 2011/12.	Winter 2011/12	On track	<p>Observation: The OFM has outlined its plan to develop an orientation training policy. In addition, the OFM will develop orientation training which includes mentorship and job shadowing.</p> <p>Recommendation: None.</p>	N/A
6.23 The OFM should follow up on fire safety deficiencies noted during the review of construction plans to ensure that these deficiencies have been appropriately addressed.	See Recommendation 6.15 - this will also include follow up on fire safety deficiencies as noted during a review of construction plans	Spring 2012	Not started	<p>Observation: We noted during our review of the OFM project plan that a high-level action item has been included that outlines the development of a "construction plan" process.</p> <p>Recommendation: 1.18 The activities for this action step need to be further detailed in the project plan. In addition, there should be an aligned activity to develop the process for construction plans and determine if there are IT system requirements needed to support improved follow-up of construction plan deficiencies.</p>	Agree.
6.24 The Department of Labour and Advanced Education should make it a priority to address all recommendations in this Chapter.	Addressing all of the recommendations contained in the Audit Report is a priority for LAE (see preamble and Recommendation 6.1). In addition, the Project Director will issue progress reports for each time line to the senior officials within LAE (i.e. fall 2011, winter 2011/12, spring 2012) to ensure that all	No deadline noted in the OFM response to the AG Report	On track	<p>Observation: We noted during our review that the OFM has been proactive in developing a sense of urgency to address the AG report recommendations and in establishing and initiating a project plan which incorporates the AG recommendations and also seeks to implement other actions items as part of continuous improvement (e.g., establish an annual report, review the organizational structure, enhance training, develop a succession plan, and establish a change management plan). These steps,</p>	Agree.

Auditor General Recommendation	Labour and Advanced Education Response	Targeted Completion	Status	Observation/Recommendation	Management Response
	recommendations are implemented as soon as possible.			<p>if executed, will enable the transition of the OFM and improve its ability to meet the mandate and respond to the AG report.</p> <p>Recommendation:</p> <p>1.19 The OFM should review the project plan in the Fall 2011 to confirm its progress. It would be advised that the OFM monitor the volume of larger project streams which have been deferred to the Spring 2012. These should start early (by Fall) in order to meet the Spring deadlines. The project plan will require more detail and should be deliverable (versus task) based in order to clearly show when a key deliverable (e.g., policy) will be completed.</p>	
6.25 The OFM should implement a fire safety education plan based on an assessment of risks. The plan should be monitored and periodically updated where applicable.	The OFM will conduct a risk assessment of fire safety education requirements to prioritize needs and develop an appropriate education plan. This work will be completed over the next twenty four months.	Spring 2013	On track	<p>Observation:</p> <p>The OFM plan and activities associated with this task do not address monitoring and periodically updating the education plan.</p> <p>Recommendation:</p> <p>1.20 The risk framework for inspections should be expanded to also cover education, as there is likely a correlation between identifying the key risks that determine inspection frequency and those that determine education requirements.</p>	Agree – there is a correlation between the two and this will be taken under consideration in developing a risk evaluation framework for inspection of properties.

Appendix B – Jurisdictional questionnaire

Questions for Jurisdictional Review

Office of the Fire Marshal (OFM)

(As prepared by LAE Policy Analyst and Deloitte)

June 2011

Jurisdiction: _____

Interviewee: _____

Interviewer: _____

Date: _____

Introduction:

Hello, my name is _____ and I am calling on behalf of the Nova Scotia Department of Department of Labour and Advanced Education, (with the assistance of Deloitte). We have undertaken a review of the OFM further to the Auditor General's Report that was released on May 18, 2011.

The main objective of the review is to provide independent advice to the department respecting the appropriateness of their response to the AG Report and to provide some recommendations related to organizational and reporting structure for consideration. To achieve this, we have compiled a number of questions to get input from the various jurisdictions.

Harold Pothier (the Acting Fire Marshal) has sent along your contact information as he felt that you and your jurisdiction would be an excellent source of information.

Your contribution will be kept confidential between myself (from Department of Labour and Advanced Education), the Deloitte Project Team, and those directly involved with this review.

The questions should take about XX minutes of your time.

Questions:

1. What are the objectives/mandate of the OFM in your jurisdiction?
2. Is this derived from your specific legislation? And/or is there other provincial legislation that requires “inspections” by the OFM?
3. Please describe your main activities? <ul style="list-style-type: none"> – Inspection? – Audit? – Investigation? – Education?
4. What responsibilities, if any, do municipalities have with respect to inspection activities in your jurisdiction?
5. What is the working relationship between the provincial OFM and the various municipalities? What works well? What does not?
6. What method of risk assessment or risk based decision making do you use to prioritize/plan? <ul style="list-style-type: none"> a. How do you priorities where you will inspect? b. How do you prioritize how you will deploy resources?
7. Describe the systems, technology and/or automated processes that you use (what kind of technology exists and what processes, documents and reporting does it provide)? What are the pros/cons?
8. How is your particular organization structured? What works well? What would you change if you could? <ul style="list-style-type: none"> – Request copy of organizational structure
9. What is the reporting structure in your OFM? In particular, is your Fire Marshal a “stand alone” position and to whom does this position report to? <ul style="list-style-type: none"> – Request copy of position description
10. Do you have the resources required to fulfil your mandate? Please explain...
11. Please explain generally the role of your deputy fire marshals (DFM). Do you have specialized positions i.e DFM who may conduct inspections only? And, if so, dedicated to particular building classification (schools)?
12. What challenges do you face with respect to resources and/or your current organizational/reporting structure?
13. What are you most proud of with respect to your organization and/or your work – what is really working well?
14. Are there any jurisdictions that we should look to with respect to best practices and OFMs that are leading organizations in your opinion?
15. How there been any major changes to your organization in the last 3-5 years? Has the OFM in your province been audited in the past 5 years? If so, where can I find a copy of the public report?

Closing:

Thank you very much for taking the time to speak with me today. We really appreciate your input. If I have any further questions, follow up, I will be in touch. Thanks again.

Appendix C – Jurisdictional review

The following information has been provided to Deloitte completed by the LAE’s Policy Analyst who was seconded to the project to assist in gaining pertinent information about other jurisdictions in a short period of time (3.5 weeks). Deloitte would like to thank the jurisdictional members who provided their time and supported this important comparison across the country as well as the Policy Analyst who compiled this information. There continues to be a significant amount of differences among the regions with wide ranging practices, legislative mandates and organizational structures.

Organization	
British Columbia	Office of Fire Commissioner, Emergency Management BC
Alberta	Office of Fire Commissioner, Alberta Emergency Management Agency
Manitoba	Office of Fire Commissioner, Department of Labour and Immigration
Ontario	Office of Fire Marshal
New Brunswick	Office of Fire Marshal
Nova Scotia	Office of Fire Marshal, Department of Labour and Advanced Education

Legislation	
British Columbia	<i>Fire Services Act</i> and the BC Fire Code
Alberta	There is no actual <i>Act (Safety Codes Act)</i> . Fire Services Advisory Committee is launching a consultation for the creation of a new <i>Fire Service Act</i> .
Manitoba	The <i>Fires Prevention and Emergency Response Act (FPER)</i> The <i>Buildings and Mobile Homes Act</i> http://www.firecomm.gov.mb.ca/codes_acts_regulations.html
Ontario	<ul style="list-style-type: none"> The <i>Fire Protection and Prevention Act, 1997 (FPPA)</i> The Fire Code
New Brunswick	<i>Fire Prevention Act</i>
Nova Scotia	<i>Fire Safety Act</i>

Mandate/Mission/Objective	
British Columbia	The Office of the Fire Commissioner is the senior fire authority in the province with respect to fire safety and prevention. Services include administration and enforcement of fire safety legislation, training of local assistants to the fire commissioner, fire loss statistics collection, fire investigation, fire inspection, response to major fire emergencies, advice to local governments on delivery of fire protection services, public fire safety education and fire fighter certification.

Mandate/Mission/Objective	
Alberta	<p>The Alberta Emergency Management Agency (AEMA) leads the coordination, collaboration and co-operation of all organizations involved in the prevention, preparedness and response to disasters and emergencies.</p> <p>This ensures the delivery of vital services during a crisis. These organizations include government, industry, municipalities and first responders.</p> <p>The Alberta Emergency Management Agency is accountable and responsible to our government, to Albertans, to their communities and to industry for the protection of people, their property and the environment from the effects of emergency events.</p>
Manitoba	<p>To safeguard both persons and property from fire and life safety hazards through education, investigation, emergency response and code application.</p> <p><i>Note: The mission statement is under revision. Inspection and other issues will be added.</i></p>
Ontario	<p>The mission of the OFM is to contribute to an environment for the residents of Ontario that is safe from fire and other public safety hazards by providing leadership and expertise in the reduction and elimination of these hazards.</p> <p>Reduce loss of life and/or property due to fire damage.</p> <p>The OFM is taking a leadership role in fire protection and prevention.</p>
New Brunswick	<ul style="list-style-type: none"> • To promote the life and fire safety of NB residents by developing programs and policy, through the <i>Fire Prevention Act</i>. • To contribute to public safety through investigation, the implementation of standards, life safety codes and plans review based on the National Building Code, National Fire Code and appropriate National Fire Protection Standards. • To provide funding for Level 1 firefighter and Basic Remote Rescue training and administration of the 3rd party examination process for such training. • To promote evidence based-decisions regarding fire prevention, education and programs across New Brunswick Communities. • To fulfill our national reporting obligation regarding provincial statistics on fire loss. • To fulfill our provincial data collection obligation, with respect to the <i>Firefighters Compensation Act</i>, by capturing individual fire scene attendance statistics. • To continuously improve program processes, outcomes, efficiency and effectiveness.
Nova Scotia	No statement of mandate. The office of Fire Marshal is mandated under the <i>Fire Safety Act</i>

Main Activities	
British Columbia	<p>The OFC does not do audit currently.</p> <p>Inspection is municipalities' responsibility. OFC does not monitor municipalities' inspections. OFC only inspect upon complaint for fire hazard.</p> <p>Local assistant does the investigations. If the local assistant does not have enough experience to conduct certain investigations, a request for assistant from the OFC can be made.</p> <p>Request for assistant follows the "guidelines" (death, explosion, sensitive issues, and large amount of money).</p> <p>The local assistant can also seek for help of local RCMP.</p> <p>The OFC does education for firefighters, but the office only develops the fire fighter training standard. The office does not deliver or monitor the training.</p>
Alberta	<ul style="list-style-type: none"> • Inspection for non-accredited municipalities (1/3 of the province) • Audit accredited municipalities once a year according to their quality management plan (the document submitted to the Safety Codes Council for accreditation application; the document defines the activities the municipalities intend to do); the OFC cannot interfere with the accredited municipalities. • Investigation for non-accredited municipalities • There are 7 Safety Codes Officers providing assistant for municipalities • Education: transferred fire services education to secondary education • Training: uniform training for investigators and inspectors. All needs to be certified by Safety Codes Council
Manitoba	<p>Inspection</p> <p>The Codes and Standards section now known as Inspection and Technical Services Manitoba:</p> <ul style="list-style-type: none"> • Develops new, and updates existing, code requirements • Examines building plans for code compliance • Issues building and occupancy permits • Inspects buildings, mobile homes, and recreational vehicles

Main Activities

- Provides support to the Manitoba Building Standards Board
- Building permits and inspections
- Plumbing permits and inspections
- Fire inspections
- RV and mobile-home inspections
- Boiler, pressure vessel and refrigeration plant inspections
- Gas and oil-fired equipment inspections and permits
- Electrical application inspections
- Elevator and amusement ride inspections
- Licensing of power engineers, welders, gas fitters and electricians
- Quality assurance reviews of certain engineering plans and decisions;
- Quality assurance program reviews for pressure equipment, pressure piping manufacturing and installation.

Crown owned buildings: mandatory inspections, done by OFC staff.

Other buildings: mandatory inspections by the municipalities, high hazard occupancies are required to be done annually (elderly person residence, childcare, personal care, residential care and hospital); public/private schools, bars, motels/hotels, recreation centers, community clubs and restaurants with one or more dwelling units need to be inspected at least once in every three years.

The OFC will assist if requested by the municipalities.

Municipal Support

Responsible for firefighting, developing reports for risk management, giving recommendations

Will also give advice to first nation communities

Mutual Aid System

Investigation

The Office of the Fire Commissioner (OFC) is mandated under the *Fires Prevention and Emergency Response Act (FPER)* to provide investigation services for the determination of origin and cause of all fires within Manitoba. Local Fire Chiefs are provided the Authority under the *Act (FPER)* as local Assistants to determine the origin and cause of Fires within their jurisdiction, but in a number of instances rely on the expertise of Fire Investigators within the OFC to either assist them or investigate the origin and cause of the fire.

Presently the OFC has nine (9) full time fire investigators, along with a Manager of Investigations assigned to conduct origin and cause when requested and assigned. The investigators are based in Brandon (3) and Winnipeg (6). Three of these members are assigned full time to the Winnipeg Arson Strike Force.

Other staff members trained as Fire Investigators may be assigned as required to conduct and/or assist with Fire Investigations.

Based on the Winnipeg Arson Strike Force Model, similar models have been set up in Brandon and Thompson. In circumstances that dictate problem areas, Investigators are assigned to assist the local Police and Fire Agencies.

Information gathered as a result of fire investigations are compiled by the Statistical Section and the information is used to design Fire and Life Safety Programs targeted for specific groups. These include the Youth Fire Stop Program, home and business safety programs as well as the recall of unsafe devices that have been found to cause fires.

Fire Investigators have also been trained and are utilized to assist the local Police Agencies when required to conduct Life Safety Inspections involving "Grow-op" and Clandestine Lab search warrants.

Staff members are also trained or are in the process of being trained to conduct Wildland Fire Investigations in areas under municipal control.

All fire investigation results need to be entered into the provincial system by the fire chief.

Fire incidents need to be reported to the OFC and need OFC to be involved:

- Death, serious injury
- Suspicious
- Explosion
- Can't determine cause
- Significant loss determined by the local assistants
- Education

Manitoba Emergency Services College (firefighters and paramedics) Goals:

- To seek international recognition as a provider of quality education and training in the areas of Life Safety, Emergency Response and Emergency Management;
- To preserve and disseminate knowledge and skills now available in the various professional disciplines

Main Activities

relative to the emergency services;

- To extend the boundaries of knowledge and skills through research and development;
- To plan and implement the educational programs necessary to provide individuals with the experience and competencies required to reduce the fire problem, enhance life safety and better respond to public safety issues; and
- To serve the Province and the public at large by providing educational services and counsel wherever possible.

All firefighters in the province are trained by the college and free of charge.

Public education is provided by the college too.

Emergency Response

The Office of the Fire Commissioner provides an operational level of Emergency Response within the Province. Recent legislative changes in *The Fires Prevention and Emergency Response Act* has mandated the OFC to respond to emergencies and disasters. As such, the OFC provides a critical link in Manitoba's safety infrastructure, through support of the municipal emergency response system. The Emergency Response section provides emergency response to all areas in the province when:

- Requested by a municipality or government agency
- An incident is too large/complex for the responding agency to handle
- An effective Incident Command model is not demonstrated
- A lost person GSAR is required
- Where the responding Agency does not have the capabilities to handle any hazardous materials incident or CBRN event
- Any USAR is required
- Any emergency is deemed to be provincial in nature

Through several initiatives the OFC has become the leader in Manitoba for the proficient response to incidents involving hazardous materials, wild land urban interface fires, GSAR, USAR and incident command/management of major provincial/municipal emergencies.

The Office of the Fire Commissioner is responsible for helping to administer the following:

The Fires Prevention and Emergency Response Act:

- Manitoba Fire Code
- Fire Safety Inspections Regulation
- Fire Hose Regulation
- Fire College Fees Regulation
- Property Insurance Assessment Regulation
- Centrally Monitored Fire Alarm System and fire Alarm Monitoring Agencies

The Buildings and Mobile Homes Act:

- Manitoba Building Code
- Manitoba Plumbing Code
- Classes of Buildings Designation Regulation
- Building Fees Regulation
- Mobile Homes Standards and Permits Regulation
- Manitoba Farm Building Code

http://www.firecomm.gov.mb.ca/codes_acts_regulations.html

Ontario

- Academic Standards and Evaluation
 - Applied Research
 - Corporate Services
 - Fire Investigation Services
 - Fire Protection Services
 - Fire Safety Standards
 - Ontario Fire College: Together with Ontario Association of Fire Chief provides training to the fire services. The occupational standards are created by Ontario Association of Fire Chief and delivered through Ontario Fire College.
 - Public Education and Media Relations: Train fire service for public education, and train certified fire educators.
- "Local fire departments conduct fire safety inspections in their municipalities to enforce the provisions of the Fire Code. We inspect only a small number of properties in areas where there is no municipal structure (unincorporated areas), such as resorts and tourist camps that have sleeping accommodations. However, we

Main Activities

will continue to assist fire departments with their inspections on request.”

Investigation/Research:

“Local municipal fire and police departments notify us of fires and explosions that meet our criteria for investigation. Our fire investigators, with the technical support of our engineering staff, seek to determine the origin, cause and circumstances of these occurrences. Some cases require examination of factors such as the performance of the occupants of a building and the building’s fire safety systems or the actions of the responding emergency services.

All fires are investigated to a forensically credible level. We assist police services in the prosecution of offenders where arson has been uncovered by an investigation. Our fire investigators qualify as experts in court and provide testimony in criminal prosecutions and coroner’s inquests.

Information derived from investigations often uncovers critical public fire safety issues. The results are instrumental in developing better fire safety standards and fire prevention programs.”

Investigation by OFM is done on the fire incidents that are fatal, causing serious injuries, with explosions, and with loss of large dollar amount. (About 600 fires/year)

Municipalities will do the investigations on rest of the fire incidents. The data of these investigations will be reported to the OFM. These data together with the ones gathered by OFM will be stored and analyzed in a statistics database. The analysis results are used for risk assessment, environmental scan, creating new programs or legislations.

Inspection:

OFM does the inspections for the areas with no fire service (only a small number each year).

Every Fire Chief is the assistant to the Fire Marshal. The Fire Chiefs do the inspections for their responsible areas. For municipalities, inspections upon complaints are mandatory. Fire prevention inspections are done yearly on the municipal level. The municipalities do their own fire risk assessment for fire inspection management purpose (inspection frequency according to fire risk and etc.). Province provides support to these activities.

New Brunswick

- Promoting fire prevention through inspection, investigation and education programs
- Receiving and analyzing fire reports from all fire services in the province to determine trends and priorities for future policies and programs
- Providing leadership for the development of safe and effective training and equipment standards
- Providing leadership and support for collaborative training and professional development activities of the New Brunswick Fire Service and the New Brunswick Association of Fire Chiefs
- Providing funding for Level 1 firefighter training
- Managing the provincial Hazardous Materials (Hazmat) Emergency Response Program

Nova Scotia

Inspection

Government buildings, hospitals, nursing homes

Audit

Schools are required to do self inspections, and the OFM need to audit the self inspection.

Schools and universities/colleges pose a challenge for inspection responsibilities. It is hard to define which level of government to inspect them.

The inspections carried out by municipalities haven’t been audited. The OFM is working on it.

Investigation

“Fire investigations

33 (1) Where a fire has occurred upon land or premises, the Fire Marshal, a deputy fire marshal or a local assistant may, at any reasonable time, enter upon, investigate and make an examination of the land or premises or any adjoining or nearby land or premises without a warrant, for the purpose of ascertaining the cause, origin and circumstances of the fire or to provide for fire-safety or fire-prevention measures.

(2) The fire official referred to in subsection (1) may

(a) enter the land or premises with any equipment, machinery, apparatus, vehicle or material that the fire official considers necessary for the purpose of the investigation;

(b) take anyone who, or thing that, the fire official considers necessary to assist with fulfilling the purpose of the investigation.

(3) Where the fire official referred to in subsection (1) considers it necessary for the purpose of the investigation, the fire official may, by oral or written order, close the land or premises, prohibit any person from entering or remaining until the purpose of the investigation is fulfilled and post a security watch.

(4) The fire official referred to in subsection (1) may, to the extent that it is relevant to the purpose of the investigation,

(a) examine documents or things;

(b) use data storage, information processing or retrieval devices or systems that are normally used on the land or premises being inspected to produce a document in readable form;

(c) collect and remove data or samples;

Main Activities

	<p>(d) make an inspection, carry out a study or conduct a test on the land or premises or anything on the land or premises;</p> <p>(e) take photographs or make videotapes or other images, electronic or otherwise;</p> <p>(f) remove anything from the land or premises for the purpose of conducting a test;</p> <p>(g) require the production of, remove from the land or premises, retain, copy or examine anything;</p> <p>(h) make such excavations on the land or premises as the fire official considers necessary;</p> <p>(i) require that any machinery, equipment or device be operated, used or set in motion under specified conditions;</p> <p>(j) make any reasonable inquiry of a person, either orally or in writing, or cause any of the above to be done.</p> <p>(5) Where the fire official referred to in subsection (1) demands that a document or thing be produced for inspection, the person with custody of the document or thing shall produce it and, in the case of a document, shall, on request, provide any assistance that is reasonably necessary to interpret the document or to produce it in readable form.</p> <p>(6) Anything removed from land or premises pursuant to this Section shall</p> <p>(a) on request, be made available to the person from whom it was removed</p> <p>(i) subject to any requirements that might be necessary to protect its integrity as evidence in an appeal or prosecution, and</p> <p>(ii) at a time and place that are convenient for the person and for the fire official; and</p> <p>(b) unless it is impossible or impracticable to return it, be returned to the person within a reasonable time unless it</p> <p>(i) has been lawfully seized and retained for use as evidence in a prosecution, or</p> <p>(ii) is required for use in an appeal pursuant to this Act or the regulations.</p> <p>(7) Where the fire official referred to in subsection (1) considers it necessary for the purpose of the investigation, the fire official may summons any person to give evidence and administer an oath or affirmation to that person.</p> <p>(8) While a fire official is acting pursuant to this Section, no person shall</p> <p>(a) fail to comply with a reasonable request of the fire official;</p> <p>(b) knowingly make a false or misleading statement to the fire official;</p> <p>(c) unless the fire official permits, remove, alter or interfere in any way with anything seized, detained or removed by the fire official; or</p> <p>(d) obstruct or interfere with the fire official. 2002, c. 6, s. 33. "</p> <p>Education</p> <p>Training for fire fighters, local assistants, fire investigation, health care workers and provide education programs to the public, such as Arson Prevention Programs for School Children</p>
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Municipal Responsibilities

British Columbia	<p><i>Fire Services Act</i>: "Municipal duty to inspect hotels and public buildings</p> <p>26 (1) A municipal council must provide for a regular system of inspection of hotels and public buildings in the municipality. (2) A municipal council may authorize persons, in addition to the local assistant, to exercise within the municipality some or all of the powers under sections 21 to 23."</p> <p>Local government makes the decision in inspecting other type of buildings.</p>
Alberta	<ul style="list-style-type: none"> • Municipalities must report all fire incidents • Accredited municipalities are responsible for investigation and inspection; investigation data need to be reported to the OFC • Municipalities make decisions on what need to be done (inspections) and how often the inspections should be done (Hospitals, sprinklers) • There are no regulations on fire inspections

Municipal Responsibilities

Manitoba	<p>Buildings except the Crown owned ones: mandatory inspections by the municipalities, high hazard occupancies are required to be done annually (elderly person residence, childcare, personal care, residential care, personal care and hospital); public/private schools, bars, motels/hotels, recreation centers, community clubs and restaurants with one or more dwelling units need to be inspected at least once in every three years.</p> <p>Municipalities are responsible for their own fire protection services, and they will decide how the fire protection services should be organized.</p> <p>All fire investigation results need to be entered into the provincial system by the fire chief.</p> <p>Fire incidents need to be reported to the OFC and need OFC to be involved:</p> <ul style="list-style-type: none"> • Death, serious injury • Suspicious • Explosion • Can't determine cause • Significant loss determined by the local assistants
Ontario	<p>"Local fire departments conduct fire safety inspections in their municipalities to enforce the provisions of the Fire Code."</p> <p>Investigation by OFM is done on the fire incidents that are fatal, causing serious injuries, with explosions, and with loss of large dollar amount. (About 600 fires per year). Municipalities will do the investigations on rest of the fire incidents. The data (not reports) on investigations need to be sent to the OFM for research and risk management purpose.</p> <p>The Fire Chiefs do the inspections for their responsible areas. For municipalities, inspections upon complaints are mandatory. Fire prevention inspections are done yearly on the municipal level. The municipalities do their own fire risk assessment for fire inspection management purpose (inspection frequency according to fire risk and etc.).</p>
New Brunswick	<p>There are eight large municipalities, which are responsible for their own inspections and investigations. This is done by the municipalities' Fire Prevention Officers that are appointed under the <i>Fire Prevention Act</i>.</p> <p>The Fire Prevention Officers are responsible for investigation and annual inspections (all government buildings, schools, daycares, special care centers, senior homes and hospitals).</p>
Nova Scotia	<p>The municipalities are required to inspect assembly buildings once every three years.</p> <p>Other buildings are based on risk.</p> <p>"Duties of a municipality</p> <p>19 (1) A municipality shall</p> <p>(a) establish a system of fire-safety inspections of land and premises situate within its jurisdiction, as required by the regulations, to provide for compliance with this Act, the regulations and the Fire Code;</p> <p>(b) appoint a municipal fire inspector who shall carry out the inspections; and</p> <p>(c) ensure that the Fire Marshal is notified, in writing, of the appointment of the municipal fire inspector and the revocation of any such appointment.</p> <p>(2) A municipality that is required to establish and conduct a system of inspections pursuant to subsection (1) shall ensure that</p> <p>(a) a record is made of every inspection undertaken by the municipality;</p> <p>(b) the records are made available, on request, to the Fire Marshal or a deputy fire marshal; and</p> <p>(c) unless otherwise prescribed by the regulations, the records are kept for at least five years. 2002, c. 6, s. 19. "</p>

Working Relationship with Municipalities

British Columbia	<p><i>Fire Services Act</i>: "Local assistants</p> <p>6 (1) The local assistants to the fire commissioner are as follows: (a) in a municipality that maintains a fire department, the fire chief and persons authorized in writing by the fire chief to exercise the powers of a local assistant; (b) in a municipality that does not maintain a fire department, the mayor of the municipality or another person appointed as a local assistant by the fire commissioner; (c) in any other part of British Columbia, a person appointed as a local assistant by the fire commissioner.</p> <p>(2) The fire commissioner may appoint local assistants for the purposes of this Act.</p> <p>(3) If no local assistant has been appointed in an area of British Columbia not in a municipality or the appointed local assistant has ceased to act, the members of the police force or police department stationed in the area are local assistants until another local assistant is appointed by the fire commissioner."</p> <p>The OFC has an advisory role to the municipalities. The municipalities are invited to approach the OFC for advice and assistance. Their request is considered on an issue by issue basis.</p>
Alberta	<ul style="list-style-type: none"> • Inspection for non-accredited municipalities (1/3 of the province)

Working Relationship with Municipalities

	<ul style="list-style-type: none"> • Investigation for non-accredited municipalities • Audit accredited municipalities once a year according to their quality management plan (the document submitted to the Safety Codes Council for accreditation application; the document defines the activities the municipalities intend to do); the OFC cannot interfere with the accredited municipalities on inspections. • Municipalities can ask for advice and assistance from the provincial government. • Back in 1994, most municipal fire services related issues were under the governance of OFC • Now, only the Minister can interfere
<p>Manitoba</p>	<p>The Municipal Support section is the most recent section developed within the OFC organizational structure. This section was developed in response to the increasing challenges and expectations facing municipal and emergency services officials across Manitoba.</p> <p>The Municipal Support section is dedicated to provide direct support to municipal and elected officials to develop effective and efficient emergency service departments to meet the present and future needs of their respective communities and regions. The Municipal support section has also been tasked with the responsibility to manage and support the development of the Provincial Mutual aid system to meet the future needs of the Province.</p> <p>The following is an overview of the services that will be provided by the Municipal support section to support municipalities and the Manitoba Fire Service:</p> <ul style="list-style-type: none"> • At the request of municipal councils or other AHJs, conduct and complete comprehensive fire protection surveys and risk assessments • Manage and support the provincial mutual aid system • Assist municipalities in the development of bylaws and other supporting documents • Manage and maintain northern fire protection areas • Assist municipalities and other AHJs in the development of their local fire prevention inspection programs • Assist municipalities with the implementation of “Firesmart” initiative • Manage the financial training incentive program on behalf of the OFC <p>Dedicated and experienced field staffs have been assigned to this new section, and to be the first point of contact for municipal officials, AHJs and the Manitoba Fire Service.</p> <p>Information gathered for the management team is used to create risk management manuals for municipalities. The risk management manual provides risk based recommendations on how to improve the fire services. The recommendations in manuals are also discussed with the municipality councils by the OFC. This improves the collaborative working relationship.</p>
<p>Ontario</p>	<p>“We inspect only a small number of properties in areas where there is no municipal structure (unincorporated areas), such as resorts and tourist camps that have sleeping accommodations. However, we will continue to assist fire departments with their inspections on request.”</p> <p>“The Office of the Fire Marshal (OFM) and municipal fire departments are two distinct and separate entities that operate independently. Although we have common goals concerning fire safety in Ontario, our roles and responsibilities are different. The <i>Fire Protection and Prevention Act, 1997 (FPPA)</i>, defines the powers and duties of the Fire Marshal on a provincial scale as well as the responsibilities of municipal councils for fire-related services at the local level.</p> <p>Municipal Fire Departments</p> <p>Generally, municipal councils establish and fund fire departments to deliver local fire protection and prevention services. These services include:</p> <ul style="list-style-type: none"> • Running local public fire safety education and fire prevention programs • Providing fire suppression services such as firefighting • Conducting inspections to enforce the Fire Code, which may result in tickets, fines and prosecution <p>Municipal fire departments may provide other services that are necessary depending on the needs and circumstances of the communities they serve. For example, additional services a fire department might provide include:</p> <ul style="list-style-type: none"> • Emergency medical response • Automobile extrication • Fire, water or ice rescue • Hazardous materials response <p>Office of the Fire Marshal</p> <p>Much of the work we do aims to ensure that all fire departments in Ontario provide adequate levels of fire prevention and protection in accordance with the needs and circumstances of the areas they serve and the provisions of the FPPA. We do that by collecting information about each fire department to monitor service levels and by providing them with the following support:</p> <ul style="list-style-type: none"> • Training for firefighters and other fire department personnel • Seminars and materials on understanding legislated obligations

Working Relationship with Municipalities

- Programs, resources and guidelines on fire department management, firefighter safety, risk analysis, fire prevention, public education, volunteer recruitment, master fire planning and fire protection
- Professional development seminars
- Media relations tools and public service announcements
- Information on product recalls and warnings
- News relevant to their profession including peer activities
- Recognition of service (medal programs)

We provide fire departments and municipal councils with advice and assistance in several ways. For example: Each fire department is assigned an OFM Fire Protection Adviser who can be called upon to assist with fire safety inspections, make recommendations for improving the efficiency or effectiveness of their fire protection services, and offer advice on other fire safety matters.

Our engineering and technical staff assist with interpretations and technical issues involving the Fire Code and the *Fire Protection and Prevention Act, 1997*. Upon request, they will also assist with assessing the circumstances that may warrant building closure along with technical guidance in preparing the Order to Close and related documents.

Other key OFM responsibilities include:

- The administration of the *Fire Protection and Prevention Act, 1997*, the Fire Code, and provincial emergency systems involving fire services
- Conducting fire investigations
- Maintaining fire-related statistics
- Applied research”

The OFM has a good working relationship with various municipalities. OFM works as an advisory group for the municipalities. OFM also monitors the municipal fire services. If the performance is lower than expected, OFM will present the concerns and recommendations to the municipal councils, who make the final decisions for further actions.

Province of ON has very strong legislation on public safety. However, the province prefers to influence the municipalities rather than go to the extreme by exercising the legislation. The OFM works cooperatively with the municipal fire services.

New Brunswick

Eight large municipalities are doing their own inspections and fire investigations. The inspectors from the Technical Inspection Service are doing inspections for the rest of the province. The Regional Fire Marshals are doing investigations for the rest of the province. They also provide investigation support to the eight municipalities, when the municipalities need help, such as after a major fire.

The OFM works with the municipalities as a consultant but does not have direct control over municipalities' activities.

Nova Scotia

“Local assistant to Fire Marshal

14 (1) The Fire Marshal may appoint as a local assistant to the Fire Marshal a qualified fire chief or, with the consent of the fire chief, another qualified member of the fire chief's fire department.

(2) A fire chief shall notify the Fire Marshal, in writing, of

(a) the fire chief's name, mailing address and telephone number and such other information as the Fire Marshal may request; and

(b) the name and address of the fire department of which the person is the fire chief, as soon as possible after the person becomes fire chief.

(3) In a municipality or part thereof for which no fire department is established, the mayor or warden, as the case may be, of the municipality is, by virtue of that person's office, deemed to be a local assistant to the Fire Marshal.

(4) Local assistants to the Fire Marshal shall, within their territorial jurisdiction and, subject to the directions of the Fire Marshal, assist in administering this *Act*, the regulations and the Fire Code.

(5) The Fire Marshal may appoint additional local assistants for a territorial jurisdiction, with or without restrictions, who shall

(a) be qualified persons who

(i) have consented to the appointment, and

(ii) are recommended for the appointment by a local assistant referred to in subsection (1) or (3); and

(b) act on behalf of or, to the extent requested by the Fire Marshal or a local assistant referred to in subsection (1) or (3), assume the responsibility of a local assistant referred to in subsection (1) or (3).

(6) Where a local assistant appointed pursuant to subsection (5)

(a) has been employed by or otherwise associated with a fire department or municipality for the purpose of assuming a role as a local assistant and the employment or association ends;

(b) is, in the opinion of a local assistant referred to in subsection (1) or (3), no longer able to fulfill the role of a local assistant; or

Working Relationship with Municipalities

(c) has indicated an intention to resign from the office of local assistant and has not communicated this fact, in writing, to the Fire Marshal,

a local assistant referred to in subsection (1) or (3) for the territorial jurisdiction shall provide the information referred to in clause (a), (b) or (c) to the Fire Marshal, in writing, as soon as practicable.

(7) The Fire Marshal may revoke the appointment of a local assistant appointed pursuant to subsection (1) or (5). 2002, c. 6, s. 14.”

“Inspection of educational premises

20 (1) In this Section,

(a) "Nova Scotia Community College" means the Nova Scotia Community College established pursuant to the *Community Colleges Act*, and "Collège de l'Acadie" means the Collège de l'Acadie established pursuant to that *Act*;

(b) "private school", "public school" and "school board" have the same meaning as in the *Education Act*;

(c) "university" means a university described in the regulations.

(2) The following persons or bodies shall establish and conduct a system of inspections to provide for fire safety, assess the adequacy of fire-prevention measures and ensure compliance with this *Act*, the regulations and the Fire Code:

(a) a school board, in respect of the premises of the public schools for which it is responsible;

(b) a person who operates a private school, in respect of the premises of the private school;

(c) the Nova Scotia Community College, in respect of the premises of the Nova Scotia Community College, and the Collège de l'Acadie, in respect of the premises of the Collège de l'Acadie;

(d) a university, in respect of the premises of the university;

(e) a person who owns, operates, manages or controls a plant or equipment used primarily for the production, transmission, delivery or furnishing of electric power or energy for sale, in respect of the plant or equipment; and

(f) where the regulations so prescribe, other persons or bodies, or classes of persons or bodies.

(3) A person who, or body that, is required to establish and conduct a system of inspections pursuant to subsection (2) shall ensure that

(a) a record is made of every inspection undertaken;

(b) the records are immediately

(i) provided to the workplace joint occupational health and safety committee as referred to in the *Occupational Health and Safety Act*,

(ii) provided to a workplace health and safety representative as referred to in the *Occupational Health and Safety Act*, or

(iii) where no committee or representative exists, posted conspicuously in an area where it will come to the attention of the employees, until another such record is posted, and

(iv) in the case of facilities referred to in clauses (2)(a) to (d), provided upon request to a student who attends or is likely to attend the relevant school or university and to the parent or guardian of such a student, and

(v) provided to the insurer of a person or body referred to in subsection (2) in respect of the premises inspected;

(c) the records are made available, on request, to any person who is authorized to conduct an inspection pursuant to this *Act*; and

(d) unless otherwise prescribed by regulation, the records are kept for at least five years.

(4) The Fire Marshal shall implement a system of on-site inspections by fire officials of the premises referred to in subsection (2) to ensure that the records referred to in subsection (3) reflect the actual conditions at those premises. 2002, c. 6, s. 20.

Expenses of inspections

21 (1) Where a person or body that is responsible for implementing a system of inspections pursuant to this *Act* fails to do so, the Fire Marshal may perform the inspections and may recover the expenses reasonably incurred in the performance of the work.”

“Fire investigation by local assistant

32 (1) Subject to subsections (4) and (5), the local assistant shall immediately, and in no case later than twenty-four hours following a fire, investigate, or cause to be investigated, the cause, origin and circumstances of every fire by which property has been destroyed or damaged that occurs within the municipality or part thereof for which the person is a local assistant, unless otherwise directed by the Fire Marshal.

(2) Where

(a) there has been a loss of human life; or

(b) the local assistant investigating the fire believes that the fire is incendiary or of suspicious origin,

the local assistant shall notify the police immediately and the Fire Marshal within twenty-four hours following the fire.

(3) Within seven days of completing the investigation of a fire, the local assistant shall furnish to the Fire Marshal, in a form acceptable to the Fire Marshal, a documented statement of the facts relating to the cause, origin and circumstances of the fire and such further information as the Fire Marshal requires.

Working Relationship with Municipalities

(4) Where the local assistant

(a) requires the assistance of the Fire Marshal with an investigation of a fire; or

(b) determines that the Fire Marshal should carry out the investigation, the local assistant shall notify the Fire Marshal immediately or in no case later than twenty-four hours following the fire.

(5) Notwithstanding subsection (1), the local assistant is released from the duty to investigate or report pursuant to this Section

(a) when the Fire Marshal or a deputy fire marshal arrives at the scene; or

(b) where an appointment of an additional local assistant for the territorial jurisdiction has been made pursuant to subsection 14(5) and the local assistant referred to in subsection 14(1) or (3), or the Fire Marshal, has requested that person to assume the responsibility of the local assistant under this Section with respect to the fire,

unless otherwise directed by the Fire Marshal or deputy fire marshal. 2002, c. 6, s. 32."

Method of Risk Assessment or Risk Based Decision Making

British Columbia	<p>There is no specific method for risk assessment for inspection, because the municipalities are responsible for their own inspections.</p> <p>When there is a request of assistance from the municipality, it should follow the criteria posted on government website under information bulletin.</p>
Alberta	<p>A risk based inspection framework is under development by stakeholders. This frame work will be used to build consensus on how inspections should be done. Example: by occupancy, dangerous chemical storage => high risk; clothing store => low risk.</p> <p>For investigation, resources are allocated based on the impact of the fire (how big is the fire; how much damage). It is basically a case by case decision.</p>
Manitoba	<p>The fire incident data and investigation data collected are used for annual report or used to evaluated losses by the Court. The data are not used for risk assessment purpose yet.</p>
Ontario	<p>The research group studies on the emerging trends of the fire incidents and other risk factors to develop forward-looking and proactive programs and legislations.</p> <p>The research group also studies on existing investigation data from the database for fire risk assessment and develop reactive programs and legislations.</p> <p>Inspections and resources are prioritized according to the research results.</p>
New Brunswick	<p>Follow the National Fire Code of Canada. The list is sent to the office annually.</p>
Nova Scotia	<p>Under review</p>

System, Technology or Processes for Reporting

British Columbia	<p>There is a system for fire incidents reporting, but no inspection reporting.</p> <p>The inspections done by the province is not a large number each year. These inspections will be put in an annual report and kept in the organization.</p>
Alberta	<p>Statistical Analysis System (SAS) is used for research purpose.</p> <p>http://www.aema.alberta.ca/documents/ema/AEMA-2008-Stat-Report-30-F.pdf</p>
Manitoba	<p>http://www.firecomm.gov.mb.ca/docs/2009_mb_stats.pdf</p>
Ontario	<p>Database is used for investigation data not reports.</p> <p>Small amount of inspections do not require a system.</p>
New Brunswick	<p>There is no specific system for inspection reports for the Office of Fire Marshal. This information could be obtained from the Technical Inspection Service.</p> <p>(There is a computer system for fire incidents reporting. This is for emergency fire report.)</p> <p>OFM has some control over inspections: school districts send inspection reports annually; businesses such as special care need to pass fire inspection before they can renew their permits. Hospitals are under municipalities' mandate.</p>
Nova Scotia	<p>FDM system</p>

Reporting Structure of the OFM/OFC

British Columbia	<p>Under Minister's office, Emergency Management BC</p> <p>The Fire and Emergency Commissioner (Fire Marshal in NS), also an ADM of the Minister, report to the Deputy Minister who report to the Minister.</p> <p>This position was a standalone position, but not any more after the creation of the new department EMBC.</p>
Alberta	<p>The Office of Fire Commissioner is a part of Operational Programs Division, which is under the Alberta Emergency Management Agency</p> <p>The Fire Commissioner reports to the Managing Director of the Alberta Emergency Management Agency</p>
Manitoba	<p>The Office of Fire Commissioner is under Department of Labour and Immigration</p> <p>The Fire Commissioner reports to the Deputy Minister of the Department of Labour and Immigration</p>
Ontario	<p>The Fire Marshal is the head of the Office of the Fire Marshal. Fire Marshal is a statutory position, appointed by the Lieutenant Governor in Council. Fire Marshal reports to the Commissioner of Community Safety.</p> <p>Deputy Fire Marshal is also a statutory position, appointed by the Lieutenant Governor in Council. Should the Fire Marshal be absent or unable to act, the Deputy Fire Marshal shall act in his or her stead, and have all the power and authority of the Fire Marshal.</p>
New Brunswick	<p>The Office of Fire Marshal is under the Police, Fire and Emergency Services Division in Department of Public Safety. The Fire Marshal is a position at equivalent level of directors.</p> <p>The Fire Marshal reports to the Associate Deputy Minister that is in charge of the Police, Fire and Emergency Services Division.</p>
Nova Scotia	<p>The Office of Fire Marshal is under the Safety branch in Department of Labour and Advanced Education.</p> <p>The Fire Marshal position is at equivalent level of directors.</p> <p>The Fire Marshal reports to the executive director of the Safety branch or to the ADM of the department.</p>

Duty of DFM/DFC

British Columbia	DFM is equivalent to Fire Service Advisor in BC. These Fire Service Advisors are assigned by region. They all have similar responsibilities.
Alberta	
Manitoba	<p>DFC in MB is different from DFM in NS. The DFC takes care of the operational management of the organization.</p> <p>The Assistant Deputy Fire Commissioner is equivalent as the DFM in NS.</p>
Ontario	<p>Fire Marshal manages half of the OFM group and DFM manages the other half.</p> <p>DFM also act as Fire Marshal when Fire Marshal is not available.</p> <p>DFM of NS is similar to the Fire Protection Advisor of ON. They work with the Fire Services, and they can inspect and assist investigation.</p>
New Brunswick	DFM - provincial Hazardous Materials (Hazmat) Emergency Response Program
Nova Scotia	DFM does inspections for Crown owned buildings and investigation when requested by local assistants. The DFM's are assigned to different regions and have similar responsibilities.

Challenges

British Columbia	<p>The role of the Office of Fire Commissioner becomes more operational than governance. The size of the organization was reduced due to this reason. There are challenges in certain areas such as public education, which is one of the fire commissioner's duties under the <i>Fire Service Act</i>. The current public education is not ideal. It is more reactive not proactive enough.</p> <p>The creation of the new department EMBC adds more responsibilities to the current positions. The department wants to bring in people with related skill sets.</p> <p>The department is looking for people that can do public education on emergency events and disaster management.</p>
Alberta	<p>Not enough resources. The organization is under staffed.</p> <ul style="list-style-type: none"> • Reporting Structure: field investigators are under provincial operations not under OFC, but the investigation data collected are needed for research and analysis in OFC • Sustaining volunteer fire services • Annual reporting, not enough staff to do this. Delayed and cannot provide much impact/feedback to the <i>Safety Codes Act</i>

Challenges	
	<ul style="list-style-type: none"> • Very little public education done due to lack of resources. (only when serious incidents happened, resources will be allocated to the specific area for public education)
Manitoba	<p>The OFC is using a business model.</p> <p>There are times the OFC needs more staffs than other time. The OFC needs the ability to hire terms when big things happen.</p> <p>Challenge: mechanical inspections due to the constructions of large number of new buildings</p> <p>Recruitment and retention is a big challenge for the MB fire services. The demographic of the workforce in the fire services is not representative, nor is the proportion of women fire fighter.</p>
Ontario	<p>There is always a challenge for resources. A big part is due to constantly adding responsibilities. For example: Propane safety is added to OFM's responsibilities after a major explosion in downtown Toronto.</p> <ul style="list-style-type: none"> • Limited resource • Determining which are the areas with most impact • Need to improve performance with same or even fewer resources • Transitioning volunteer section from "putting out fire" to "fire prevention and protection education" • Managing smaller fire departments with no resources. • Reducing workforce • Aggressive environment (requires more time for investigation)
New Brunswick	Need another Regional Fire Marshal because of the Emergency Measure Operation (EMO) activities while the District Operation Center is open.
Nova Scotia	<p>Limited resources</p> <p>Need to develop a risk assessment framework for inspections</p> <p>Need to improve the documentation system</p>

Things work well	
British Columbia	<p>The Structure Protection Program</p> <p>This program provides opportunities to work with many other agencies and creates good will in the province.</p>
Alberta	Coordination, partnership and relationship development with many other organizations
Manitoba	<p>Emergency response areas, works with RCMP and provide canine support</p> <p>The inspectors and investigator with a wide range of expertise make responding to all kinds of emergencies more efficient and effective.</p>
Ontario	<ul style="list-style-type: none"> • Best investigation group • Public education • Mandatory smoke alarm completed 14 years ago • Fire Marshal Safety Council (brings stakeholders together)
New Brunswick	<ul style="list-style-type: none"> • Reorganization of the Office of Fire Marshal increase efficiency through specialization. • Collaboration with other departments and municipalities, positive discussions with stakeholders. • Fire Incident reporting system
Nova Scotia	Team work and dedication doing the job