

Department of Labour and Advanced Education
Office of the Fire Marshal (OFM)
June 2, 2011

Introduction:

On May 18, 2011 the Auditor General released his annual report to the Nova Scotia House of Assembly. Chapter Six of the report concerns the Office of the Fire Marshal (OFM), a division of the Department of Labour and Advanced Education. The report lists twenty five (25) recommendations related to the areas of management information; monitoring of fire inspection activities in municipalities; inspection, compliance and enforcement; and fire safety education. The Department has committed to acting on all of the recommendations and releasing monthly progress reports.

The following information is provided as an update on OFM activities.

Action Plan

The Office of the Fire Marshal takes the recommendations of the Auditor General seriously, and is committed to protecting the public by implementing the recommendations made in the report. As part of the recommendations of the AG Report, the OFM has developed an action plan to ensure that all the recommendations are implemented within the specified time frames. A summary action plan of activities over the next 18-24 months is attached as **Appendix "A"**.

Inventory of Buildings and Inspection Activities

In section 6.31 of his report, the Auditor General identified 9 categories of buildings where the OFM has some form of inspection responsibility, but was found not to have documentation to support that inspections had been performed. The OFM has reviewed these 9 categories of buildings, as well as a review of public school buildings which were not part of the published list, but are a concern to Nova Scotians. 1388 buildings were identified that fall under direct responsibility of the OFM, or are part of the public School System.

The staff of the OFM have reviewed the list of buildings and have identified which buildings have been inspected and which have not within timelines established by the *Fire Safety Act*, Regulations, and OFM Policy. In addition the OFM has worked with other departments such as Community Services to access their records related to fire inspections. This has helped to validate the OFM inspection information.

Labour and Advanced Education accepts the observations of the AG report that insufficient documentation exists on inspection activity to be able to conclusively demonstrate what inspections have been undertaken and the complete outcomes of

those inspections. That said, staff are confident that inspections have been undertaken, and any major or severe issues addressed, in more than 1170 of the identified buildings. We are confident that inspectors have recently visited the facilities which serve those Nova Scotian who may be most vulnerable in the case of a fire. The 1170 inspections completed include all provincially licensed nursing homes, day cares, residential care facilities, and correctional institutions. The majority of hospitals also have up-to-date inspections.

The list of the 218 uninspected buildings is attached as **Appendix B**, and includes 17 hospitals and 201 schools. It should be noted that while formal inspections by the OFM are deficient, these are not the only measures that these institutions have in place to address fire safety concerns. These organizations have full-time on site staff, alarm and sprinkler systems, paid maintenance staff, fire safety plans, and practice life and fire safety processes such as evacuation drills and simulations. While inspections by the OFM are an important component of protecting Nova Scotians, they are not the only mechanism. School boards, district health authorities, universities, and colleges are committed to the safety of the people in their facilities and actively participate in protecting that safety.

The department is realigning resources, and in the process of engaging additional staff, to allow for a focused approach to these buildings. We will focus first on completing inspections in the 17 hospitals, and expect that within 6 months those facilities will be covered. At the same time, we will begin a campaign to ensure that as a minimum all schools that house elementary students are inspected over the course of the next 12 months, with the remaining schools to follow.

In addition, the OFM is in the process of assembling a list of University and Community college buildings. That list is partially completed and is expected to exceed 350 buildings in total. In the case of these buildings the property owners are responsible for inspection activities, with oversight and verification of inspection activities being provided by the OFM. The OFM will work with Universities and the Nova Scotia Community College to ensure that they have in place and are conducting the system of inspections required under the *Fire Safety Act*.

As per our action plan, we will continue to develop processes related to inspection frequency, tracking results, following up on deficiencies, and other issues raised by the AG to ensure that the necessary inspections are completed and documented as they should be and as noted in the AG Report.

Monthly Progress Reports

As part of our commitment to ensure all recommendations are addressed and implemented, we are issuing monthly Progress Reports. These ongoing reports will

chart what has been done and will be available each month on our website at <http://www.gov.ns.ca/lae/publicsafety/OFMProgress.asp>. Attached as **Appendix "C"** is the first of these progress reports.

Summary

Labour and Advanced Education is taking the recommendations of the Auditor General seriously, and is moving quickly to address the identified issues. We have dedicated staff who are committed to the safety of Nova Scotians, and who have been and will continue to work on a daily basis to provide that safety. We recognize that Nova Scotians expect a higher standard in terms of the department's ability to demonstrate the work our staff undertake, and believe that by addressing the recommendations of the AG report we will meet those expectations.