

ACTION PLAN -YEAR 3 PROGRESS UPDATE

**NS TECHNICAL SAFETY DIVISION: Gas Technician/Operator & Oil Burner Technician
DEPARTMENT OF LABOUR SKILLS AND IMMIGRATION**

Summary:

This Year 3 Progress Report shows that 11 areas of non-compliance, as originally identified in the [February 2021 FRPA review report](#), remain outstanding / non-compliant. The next full FRPA Review report is due on January 15, 2025. Full compliance is expected to be demonstrated at that time.

ACTION PLAN TIMELINES:

TIMELINES FOR ACTION PLAN PROGRESS UPDATES					
	Action Plan Deadline	Action Plan Progress Update 1	Action Plan Progress Update 2	Action Plan Progress Update 3	Next Full FRPA Review:
Due Date	2021-01-29	2022-02-28	2023-02-28	2024-02-28	2025-01-15
Actual Completed Date	2021-01-29	2021-03-16	2023-04-25	2024-03-28	

ACTION PLAN:

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
Sections 6, 7(a), (c), 9(a), 16(3)(a), (b) and (g)				
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion
Action required	1 & 2	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - provide clear instructions on what documentation must accompany applications - ensure that information regarding registration requirements and how requirements are to be met is clear and easily accessible in the public domain through print and electronic media. 	<p>The Technical Safety Division (the ‘Division’), under the <i>Technical Safety Act</i> and Fuel Safety Regulations (Regulations), issues a license required for a qualified individual to perform the regulated work of a gas technician/gas fitter, oil burner technician, or gas operator defined by the Regulations. Certifications required for gas operators to obtain a license are issued by the Division. Individuals seeking to apply for a technician license must first complete the Nova Scotia Apprenticeship Agency (NSAA) program to obtain the required certification for that trade.</p> <p>The Division will review and update the current application form(s) and process(es) to provide clear, plain language instruction to applicants regarding the necessary education, training, training, qualifications, documentation, and fee(s) required for each type and class of technician license or operator certification and/or license under the Act and Regulations.</p> <p>An explanation with clear instructions for obtaining a certificate and/or license and a complete list of all requirements and documents an applicant must submit for each certificate and/or license type (Gas Technician 1,2, all classes of Gas Operator, and Oil Burner Technician) will be provided digitally and in print in the public domain for an applicant or other interested party on the Labour and Advanced Education (LAE) Technical Safety website, downloadable PDF, and printed hard copy, and in any other manner that ensures transparency, objectivity, impartiality, and procedural fairness as required by the Fair Registration and Practices Act (FRPA).</p> <p>The current Technical Safety Fuel Safety section contact information will also be made available digitally and hard copy so that applicants and other interested parties can contact the office for</p>	<p>June 1,2021 Information available on the Technical Safety website</p>

		<p>assistance. An informational update will be sent to Technical Safety Fuel Safety stakeholders to inform them of the updates.</p> <p>Informational and other updates by the Technical Safety Division will be shared and coordinated with government partners including Service NS and NSAA to ensure that all information in the public domain is clear, accurate, and consistent.</p>	
--	--	---	--

	Regulator Action Plan updates for above noted Areas of non-compliance ("Questions 1 & 2")	FRPA Review Officer Comments
Update 1 (Due: Feb 28, 2022)	<p>The Fuel Safety Licensing Guide (Guide) for applicants seeking a Gas Technician License or an Oil Burner Technician License (license) has been drafted by the Technical Safety Division and is undergoing a plain language review and edit before being posted online in March 2022. The requirements for an applicant to receive a license under the Technical Safety Act and Fuel Safety Regulations will appear on the Nova Scotia Fuel Safety webpage and in the downloadable PDF Guide*, which provides clear instructions to an applicant on the documentation that must accompany a complete application, registration requirements including proof of education, training and documented experience, an outline of the application process, fees (including where this is no fee), and timelines. The Guide clearly identifies Divisional contacts and resources including education, training and experience requirements, decisions timelines including those for an internal review and/or appeal of a decision. The Division is working with Communications Nova Scotia to finalize and post all required public information, the Guide, and forms on the existing Department of Labour, Skills and Immigration/Safety Branch/Fuel Safety webpage. It is expected this information will be in the public domain in March 2022. The application requirements, equivalencies, processes, and timelines will be available on the website for Nova Scotia applicants, Canadian applicants residing outside NS, and international applicants.</p> <p>*Due to COVID-19 restrictions, focus is currently on digital information being made available in the public domain on the Province of Nova Scotia website, social media, and direct client communications. Print materials will be generated for distribution in the future when appropriate.</p>	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Update 2 (Due: Feb 28, 2023)	Update to the Technical Safety Fuel Safety Licensing landing webpage is 85% complete and will be available in the public domain in the spring-summer 2023. The Guide described in Update 1 will be posted and available in the public digital domain in 2023. The application requirements, equivalencies, processes, and timelines will be available on the website for Nova Scotia applicants, Canadian applicants residing outside NS, and international applicants.	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Update 3 (Due: Feb 28, 2024)	Guide is undergoing final edits and will be available and accessible online in 2024.	

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
Sections 6, 7(a), (c), 9(a), 16(a), (b) and (g)				
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion
Action required	3	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - ensure that information regarding registration requirements and how requirements are to be met by international applicants is clear and easily accessible in the public domain through print and electronic media. - provide clear instructions on what documentation must accompany applications 	<p>Where the Act and Regulations stipulate that the certification and/orlicensing process may be different for international applicants, the Division will clearly explain the difference for the applicant in the public domain. Where equivalencies for stated provincial or Canadian requirements may be accepted by the Chief Fuel Inspector, examples of international equivalencies will be provided as well as the contact information for the Division where the applicant can seek further clarification on the accepted internationalequivalencies.</p> <p>In situations where a prior learning assessment of an international applicant may be required by the Regulations, the process, timing,and requirements for obtaining an assessment as part of the application process will be clearly explained in the public domain.</p> <p>The explanation for international applicants will include, but not necessarily be limited to, the documents the applicant would need tosubmit for consideration of equivalency and assessment of prior learning.</p> <p>Should verbal, written, or reading translation services be requiredby an applicant, the Division will provide information on how to access to the services to facilitate the international application process for applicants who individuals who received their qualifications outside of Canada.</p> <p>The Technical Safety Fuel Safety website and printed materials willbe updated so that the requirements, processes, and supports are available to the applicant in the public domain, and coordinated with other government departments or agencies such as NSAA thatmay be involved in the certification and licensing processes.</p>	June 1,2021 Information available on the Technical Safety website

	Regulator Action Plan updates for above noted Areas of non-compliance (“Question 3”)	FRPA Review Officer Comments
Update 1 (Due: Feb 28, 2022)	Technical Safety has identified a recognized third party to assess and verify an applicant’s international credentials, including educational and professional training equivalencies. By engaging the third-party service provider, Technical Safety will ensure that information regarding registration requirements, including complete documentation, for international applicants is clear and easily accessible in the public domain through electronic media and assessed/verified in a timely manner. The Technical Safety Guide and webpage are being updated to make application information publicly available to international applicants. An application form and guide for international applicants has been developed and is undergoing a plain language review. The webpage update is expected to be completed in March 2022.	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Update 2 (Due: Feb 28, 2023)	When released in the spring-summer 2023, the updated Technical Safety Fuel Safety Licensing webpage will include all required information, including notice that applicants from outside Canada may need to complete a prior learning assessment if they do not meet the education requirements. International applicants may also need to have their credentials verified by an evaluation agency	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Update 3 (Due: Feb 28, 2024)	Webpage update delayed to 2024.	

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
<i>Sections 3, 6, 7(a), (c), 9(a), 16(a), (b) and (g)</i>				
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion
Action required	4	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - ensure that information about registration requirements and how requirements are to be met by applicants who received their qualification outside NS but within Canada is clear and easily accessible in the public domain through print and electronic media. - ensure that information about registration requirements and how requirements are to be met by 	<p>The application requirements in the Act and Regulations for individuals who are certified/licensed in another Canadian province/territory will be reviewed against the Canadian Free Trade Agreement (CFTA) to ensure they are aligned and compliant. The division will develop a process for out-of- province applicants and any necessary regulatory amendments will be made.</p> <p>Any differences in the requirements for out-of-province (OOP) applicants will be clearly explained by province or territory for the affected applicant in the public domain. Where there are no differences, this will also be clearly stated.</p>	<p>June 1, 2021 Information available on the Technical Safety website</p>

	<p>applicants registered in another Canadian jurisdiction are based on certificate-to-certificate recognition and are clear and easily accessible on the public domain through print and electronic media.</p> <ul style="list-style-type: none"> - provide clear instructions on what documentation must accompany applications 	<p>For OOP applicants where differences may exist, the application process and forms, qualification requirements, documents, and other necessary information will be clearly explained in the public domain.</p> <p>Compliance with the CFTA is required by NS Technical Safety for the OOP applicant and their educational, qualification and/or practical experience equivalencies. Under the CFTA, a license and/or certification should be granted on the basis of the applicant's current certification or license, without requirement for additional material assessment, training, or experience. This will be clearly explained in plain language in the public domain. The Division will provide the CFTA information in a clear and understandable form to applicants who have received their qualifications in another jurisdiction in Canada, including those who are already registered in another jurisdiction.</p> <p>The Technical Safety Fuel Safety website and printed materials will be updated so that the requirements, processes, and supports are available to the OOP applicant in the public domain, and coordinated with other government departments or agencies that may be involved in the certification and licensing processes for OOP applicants.</p>	
--	--	---	--

	Regulator Action Plan updates for above noted Areas of non-compliance (“Question 4”)	FRPA Review Officer Comments
Update 1 (Due: Feb 28, 2022)	<p>The Technical Safety webpage will be updated to fully and clearly inform applicants who received their qualifications from another Canadian province or territory. The Guide provides clear instructions to an out-of-province applicant on all documentation that must accompany a complete application, registration requirements including proof of education, training and documented experience, an outline of the application process, and timelines. The Guide clearly identifies Divisional contacts and resources, education, training, and licensing/certification/qualification equivalencies for out-of-province applicants in accordance with the Canadian Free Trade Agreement and decisions timelines including those for an internal review and/or appeal of a decision.</p> <p>The Division is working with Communications Nova Scotia to finalize and post all required public information, Guide, and forms on the existing Fuel Safety webpage. It is expected this information will be in the public digital domain in March 2022.</p>	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Update 2 (Due: Feb 28, 2023)	<p>The Technical Safety Fuel Safety Licensing webpage is being updated with information for out of province applicants who wish to transfer their credentials from another Canadian jurisdiction, provided they have the necessary certification and/or licence that is equivalent to the classification level the applicant is seeking in Nova Scotia. The web page will explain that the applicant may need to have their credentials recognized and provide documentation issued by the originating Canadian jurisdiction. Downloadable applications will be available on the webpage.</p>	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.

	The Guide containing additional information, including timelines for processing an application from another Canadian province or territory, has been drafted by Technical Safety and is undergoing a plain language review prior to being posted in the public digital domain in spring 2023.	
Update 3 (Due: Feb 28, 2024)	Guide is undergoing final edits and scheduled to be available and accessible online in 2024. Webpage updates delayed to 2024.	

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
<i>Sections 7(f), 16(3)(d)</i>				
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion
Action required	5	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - ensure that information setting out any fees for registration is clear and easily accessible in the public domain through print and electronic media. 	<p>Changes to the updated application form and digital/print information in the public domain will include fees for each type of license and/or certification as per the Regulations and Technical Safety Fee Regulations.</p> <p>The explanation for applicants will include the applicable fees, a breakdown of how the fees apply, and payment options. This explanation will be available in the public domain (i.e. website).</p>	June 1, 2021

	Regulator Action Plan updates for above noted Areas of non-compliance (“Question 5”)	FRPA Review Officer Comments
Update 1 (Due: Feb 28, 2022)	The Division is working with Communications Nova Scotia to update all gas/oil technician licensing fee(s) and related information in the Guide, application forms and on the existing Fuel Safety webpage(s). This includes service(s) for which there is no fee. It is expected this information will be in the public digital domain in March 2022.	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Update 2 (Due: Feb 28, 2023)	The Guide will be posted and available in the public digital domain in 2023 and will include the current information regarding application and registration fees.	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Update 3 (Due: Feb 28, 2024)	Guide is undergoing final edits and scheduled to be available and accessible online in 2024.	

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
Sections 9(b), 16(3)(c)				
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion
Action required	6	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - document guidelines that describe alternatives that would be acceptable when documentation that must accompany an application cannot be obtained for reasons beyond the applicant's control 	<p>The Division will develop a process to accept alternative information when the required documents cannot be obtained and submitted with the application for reasons beyond the applicant's control. i.e. a sworn or notarized statement in lieu of original required document from a school that has closed.</p> <p>A detailed list of required original or authenticated documents will be available to applicants digitally or in print in the public domain along with acceptable forms of alternative information when the required documents cannot be provided (high school diploma, technical training certificate, etc.). Contact information for the Division will be in the public domain should the applicant wish to discuss other suitable forms of alternative qualifiers.</p> <p>Informational and other updates by the Technical Safety Division will be shared and coordinated with government partners including Service NS and NSAA to ensure that all information regarding document requirements and acceptable alternatives is in the public domain and is clear, accurate, and consistent.</p>	August 1, 2021

	Regulator Action Plan updates for above noted Areas of non-compliance ("Question 6")	FRPA Review Officer Comments
Update 1 (Due: Feb 28, 2022)	<p>The Guide clearly identifies acceptable alternative document(s) when the original(s) cannot be produced. Successful licensing application is supported by a checklist based on the regulatory requirements outlined in the Guide. Webpage and Guide will also instruct applicant to contact the Division by phone or email with any questions regarding acceptable alternatives. As inquiries are received, the Division will create and update an FAQ section to assist applicants. The Division is working with Communications Nova Scotia to finalize and post all required public information, the Guide, and forms on the existing Technical Safety Fuel Safety webpage. It is expected this information will be in the public digital domain in March 2022.</p> <p>*Due to COVID-19 restrictions, focus is currently on digital information being made available in the public domain on the Province of Nova Scotia website, social media, and direct client communications. Print materials will be generated for distribution in the future when appropriate.</p>	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.

Update 2 (Due: Feb 28, 2023)	<p>The Fuel Safety webpage is being updated with current application requirements, instructions, and processes for: certificate and license classification levels; application processes; endorsements; training providers; recognition of international credentials; transfer of qualification; application review process; expired license appeal; fees; license renewal, and address change with contact information for the LSI Safety Branch. PDF forms and documentation requirements will be able to be downloaded from the webpage where application process(es) require(s). The Guide described in Update 1 has been drafted by Technical Safety and is undergoing a plain language review prior to being posted in the public digital domain in spring 2023. The Guide will include a section detailing alternatives that would be acceptable when documentation that must accompany an application cannot be obtained for reasons beyond the applicant's control.</p>	<p>As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.</p>
Update 3 (Due: Feb 28, 2024)	<p>Guide is undergoing final edits and will be available and accessible online in 2024.</p>	

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
<i>Sections 16(3)(h)</i>				
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion
Action required	8 & 9	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - document a description of the accommodation practices for applicants which includes: - how to request an accommodation - guidelines regarding types of accommodations - ensure that practices are adaptable if a new situation arises 	<p>The Division will develop a policy on how to work with an applicant during the application process that may have a physical or mental disability and requires an accommodation when applying for a Fuel Safety certification or license. The accommodation policy will also be adaptable should a new situation arise, such as translation services.</p> <p>Based on existing government policies, the Division's adaptable policy will ensure clearly explained, fair, and impartial application processes for all applicants, which will be made available to all applicants and available in the public domain.</p> <p>Applicants who may require an accommodation will be provided access to contact information and instructions for requesting an accommodation in digital, print, and any other form (audio), that the applicant may require.</p>	February 1, 2022

	Regulator Action Plan updates for above noted Areas of non-compliance ("Questions 8 & 9")	FRPA Review Officer Comments
--	--	-------------------------------------

<p>Update 1 (Due: Feb 28, 2022)</p>	<p>The Technical Safety Division is identifying existing government policy on accessibility support for an applicant who may have a physical or mental disability and requires an accommodation when applying for a gas technician or oil burner technician license.</p> <p>The Technical Safety Division is committed to ensuring that its public registration information including accommodation requests and guidelines, application requirements, and public services are developed, maintained, and adapted as required by the Provincial Accessibility Act, and the Accessibility Directorate’s Access by Design 2030: Achieving an Accessible Nova Scotia.</p>	<p>As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.</p>
<p>Update 2 (Due: Feb 28, 2023)</p>	<p>Delayed to 2024-02-01. Policy will be finalized and guidelines to be posted with a description of the accommodation practices for applicants, including how to request an accommodation and type. Guide described in Update 1 has been drafted by Technical Safety and is undergoing a plain language review prior to being posted in the public digital domain in spring 2023. Guide will be drafted, posted and maintained to ensure accessibility and inclusivity for applicants by providing information on accommodation practices and access to resources and supports for applicants.</p>	<p>As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.</p>
<p>Update 3 (Due: Feb 28, 2024)</p>	<p>Guide is undergoing final edits and will be available and accessible online in 2024.</p>	

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
Sections 7(a), (d), 16(3)(b) and (i)				
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion
Action required	10 & 11	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - document all criteria that are used to assess whether requirements for certification have been met - ensure that information is clear and easily accessible in the public domain through print and electronic media. 	<p>A complete list of the criteria for meeting the requirements of registration/application defined by the Act and Regulations will be transparently provided by the Division for individuals applying for Fuel Safety certification and licensing including, but not limited to exam marks, work experience requirements.</p> <p>Made available in the public domain in digital and print form, how the regulatory requirements must be met will be clearly explained to the applicant. This will include but will not be limited to; educational requirements; practical experience requirements; professional training program providers, locations, syllabuses, and exam schedules; passing grades required for certification exams stated in the Regulations.</p> <p>Elements of the applicant process such as prior learning assessments and other criteria will be objective and clearly explained for applicants. All eligibility assessment criteria will be transparently available to applicants in the public domain, both digitally on the website and by e-mail upon request, and in print.</p> <p>In situations where a third-party, or contractor, is used for exam marking or other applicant assessments, applicants will be informed of their role in the process. The Division will also ensure that formal agreements are in place with all third-party assessors to ensure that fair assessment practices are being upheld.</p> <p>Informational and other updates by the Technical Safety Division will be shared and coordinated with government partners including NSAA to ensure that all information regarding process requirements is in the public domain and is transparent, accurate, and consistent.</p>	August 1, 2021

	Regulator Action Plan updates for above noted Areas of non-compliance (“Questions 10 & 11”)	FRPA Review Officer Comments
Update 1 (Due: Feb 28, 2022)	The Guide for applicants seeking a gas technician or oil burner technician license has been drafted by the Technical Safety Division and is undergoing a plain language review and edit before being posted online in March 2022. The requirements for an applicant to receive a license under the Technical Safety Act and Fuel Safety Regulations will appear on the Fuel Safety webpage and in the downloadable PDF Guide*, which provides clear instructions to an applicant on	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.

	<p>the documentation that must accompany a complete licensing application, registration requirements including proof of education, training and documented experience, an outline of the application process, fees (including where this is no fee), and timelines. The Guide clearly identifies Divisional contacts and resources including education, training, certification, and experience requirements, decisions timelines including those for an internal review and/or appeal of a decision. The Division is working with Communications Nova Scotia to finalize and post all required public information, the Guide, and forms on the existing Department of Labour, Skills and Immigration/Safety Branch/Fuel Safety webpage. It is expected this information will be in the public domain in March 2022. The application requirements, equivalencies, processes, and timelines will be available on the website for Nova Scotia applicants, Canadian applicants residing outside NS, and international applicants.</p> <p>*Due to COVID-19 restrictions, focus is currently on digital information being made available in the public domain on the Province of Nova Scotia website, social media, and direct client communications. Print materials will be generated for distribution in the future when appropriate.</p>	
Update 2 (Due: Feb 28, 2023)	<p>The Fuel Safety webpage is being updated with current application requirements, instructions, and processes for: certificate and license classification levels; application processes; endorsements; training providers; recognition of international credentials; transfer of qualification; application review process; expired license appeal; fees; license renewal, and address change with contact information for the LSI Safety Branch. PDF forms and documentation requirements will be downloadable from the webpage where application process(es) require(s). The Guide described in Update 1 has been drafted by Technical Safety and is undergoing a plain language review prior to being posted in the public digital domain in spring 2023.</p>	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Update 3 (Due: Feb 28, 2024)	<p>Guide is undergoing final edits and will be available and accessible online in 2024.</p>	

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
<i>Sections 7(a), 10(1)(2)(4) and 16(3)(m)</i>				
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion
Action required	14 & 15	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - document a clearly defined process for an internal review of the registration decision which includes: <ul style="list-style-type: none"> - procedures - timeframes - opportunities the applicant has to provide new information and 	<p>The Division will update its existing published processes for internal review of a decision by the Administrator as defined and outlined in the Act.</p> <p>The criteria for requesting a review, the definition of an “aggrieved person” pursuant to the Act and eligible to request an internal review by the Administrator, the internal review process; forms of reviews available to the Administrator, and outcomes will be clearly explained and made available in the public domain on the Division website and in print.</p>	August 1, 2021

	<p>to make submissions in support of their position (e.g. documented evidence, hearing, etc.)</p> <ul style="list-style-type: none"> - ensure that information on the internal review process is clear and easily accessible in the public domain through print and electronic media - document the timeline and process by which an applicant who has been denied registration is informed about the procedures and time frames for the internal review. 	<p>All aspects and rules that apply to an internal review defined in the Regulation will be clearly stated in plain language in the public domain. Information will be provided in the public domain that clarifies the Utility and Review Board (UARB) is the external appeal board established under the Act and the reasons for which a review or appeal may proceed to the UARB.</p> <p>The documented process will include the means by which an individual may seek a review of a decision related to their application for a certificate or license, and the steps they must follow. This information will be transparently available on the Divisional website and included in any decision letter issued by the Chief Inspector. The communicated process will include the deadline for the applicant to seek a review, time allotted for the review to be undertaken, opportunities to present new information and make submissions, and how and when the review decision will be communicated to the applicant.</p>	
--	---	--	--

	Regulator Action Plan updates for above noted Areas of non-compliance ("Questions 14 & 15")	FRPA Review Officer Comments
Update 1 (Due: Feb 28, 2022)	<p>Delayed to spring 2022. The Technical Safety Division will adopt and/or develop policy and procedures for internal review of registration decision. Third party training providers are being sought for the Technical Safety Act Administrator, who will conduct internal reviews.</p> <p>Once finalized, the policy and procedures will be clearly outlined in the public domain, including forms on the existing Technical Safety Fuel Safety webpage and in the Guide.</p>	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Update 2 (Due: Feb 28, 2023)	<p>Delayed to 2023. Interim guidelines in place to ensure that the internal review process includes a requirement for decision makers to provide applicants with a written decision within a specified timeframe that includes reasons. Internal policy and guidelines for applicants being developed in 2023 that are consistent with regulatory standards and best practices. Administrator of the Technical Safety Act obtained Certificate in Adjudication for Administrative Agencies, Boards & Tribunals in 2022.</p>	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Update 3 (Due: Feb 28, 2024)	Internal review policy and guidelines to be developed in 2024.	

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
Sections 12 and 16(3)(j)				
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion
Action required	16	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - develop and document a clearly defined process under which requests for access to records will be considered, including: - the process by which an applicant may make a request - any limitations with regards to access - any fees associated with the request 	The Division will develop a clear process for which a request by an applicant for access to their records will be considered. The options available, the request process, timelines, limitations to access, associated fees, and possible outcomes will be made transparently available in the public domain, digitally and in print.	September 1, 2021

	Regulator Action Plan updates for above noted Areas of non-compliance (“Question 16”)	FRPA Review Officer Comments
Update 1 (Due: Feb 28, 2022)	Delayed to spring 2022. The Technical Safety Division will adopt and/or develop policy and procedures for access to applicant records consistent with existing Provincial policy. Once finalized, the policy, procedures, timelines, and fees will be clearly outlined in the public domain, including forms on the existing Technical Safety Fuel Safety webpage and in the Guide.	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Update 2 (Due: Feb 28, 2023)	Delayed to 2023. Update to be provided prior to March 2024.	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Update 3 (Due: Feb 28, 2024)	The Technical Safety Division is developing plain language instructions for the Fuel Safety webpage, which will define the record(s) available upon request to an applicant, the process for requesting the records, and any associated fee in accordance with FRPA sections 12(4), 16(3)(j) and 16(3)(n) and the <i>Freedom of Information and Protection of Privacy Act</i> . Webpage to be updated in 2024.	

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
Sections 10(5) and 16(3)(n)				
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion
Action required	17 & 18	<p>Areas of non-compliance to be addressed in an action plan are as follows:</p> <ul style="list-style-type: none"> - document the process that is used to ensure that no one who acted as a decision-maker in a registration decision may act as a decision-maker in an internal review of the same decision - include in the description of the internal review process a statement to the effect that no one who acted as a decision maker in a registration decision may act as a decision maker in an internal review of the same decision 	<p>The Act currently does not automatically disqualify the Administrator from conducting the review if they were previously involved in the matter that is the subject of the internal review, provided their involvement is disclosed to the applicant as soon as the Administrator is aware and before the Administrator proceeds with the review.</p> <p>The Review Officer has advised that, to be compliant with the FRPA, regulating bodies (need to) ensure that no one who acted as a decision-maker in respect of (an application) decision may act as a decision-maker in an internal review of the same decision.</p> <p>To preserve the Administrator's ability to conduct an internal review, an internal policy will be created to ensure the Director, Compliance and Inspections is the most senior person in the Division involved in an application or other matter that could potentially be the subject of a later review and decision by the Administrator.</p>	September 1, 2021

	Regulator Action Plan updates for above noted Areas of non-compliance ("Questions 17 & 18")	FRPA Review Officer Comments
Update 1 (Due: Feb 28, 2022)	<p>Delayed to spring 2022. The Technical Safety Division will adopt and/or develop policy and procedures for internal review of registration decision. Third party training providers are being sought for the Technical Safety Act Administrator, who will conduct internal reviews.</p> <p>Once finalized, the policy and procedures will be clearly outlined in the public domain, including forms on the existing Technical Safety Fuel Safety webpage and in the Guide.</p>	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Update 2 (Due: Feb 28, 2023)	<p>Delayed to 2023. Interim guidelines in place to ensure that the internal review process includes a requirement for decision makers to provide applicants with a written decision within a specified timeframe that includes reasons. Internal policy and guidelines for applicants being developed in 2023 that are consistent with regulatory standards and best practices. Administrator of the Technical Safety Act obtained Certificate in Adjudication for Administrative Agencies, Boards & Tribunals in 2022.</p>	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.

Update 3 (Due: Feb 28, 2024)	The Technical Safety Division is developing plain language information and instructions for the public domain which will explain the authorities and processes for the Chief Inspector, Fuel Safety and/or the Administrator of the <i>Technical Safety Act</i> to conduct and internal review of a registration decision. The information will clearly state the processes for ensuring the reviewer was not involved in the initial decision under appeal. Webpage to be updated in 2024.	
---	---	--

ALIGNMENT WITH THE FRPA		OBSERVATIONS, RECOMMENDATIONS AND REGULATOR RESPONSES		
<i>Sections 11, 16(3)(p)</i>				
	Question	Areas of non-compliance to be addressed	Regulator Action Plan	Dates for Completion
Action required	20	Areas of non-compliance to be addressed in an action plan are as follows: <ul style="list-style-type: none"> - ensure that individuals acting as decision-makers in internal reviews receive training on conducting an internal review. - develop a plan and document training provided to individuals who make internal review decisions 	The Division will outline the process and develop/deliver approved internal review/appeal training to the decision-maker(s)/ Administrator.	December 1, 2021

	Regulator Action Plan updates for above noted Areas of non-compliance (“Question 20”)	FRPA Review Officer Comments
Update 1 (Due: Feb 28, 2022)	Delayed to spring 2022. The Technical Safety Division will adopt and/or develop policy and procedures for internal review of registration decision. Third party training providers are being sought for the Technical Safety Act Administrator, who will conduct internal reviews. Once finalized, the policy and procedures will be clearly outlined in the public domain, including forms on the existing Technical Safety Fuel Safety webpage and in the Guide.	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Update 2 (Due: Feb 28, 2023)	Delayed to 2023. Interim guidelines in place to ensure that the internal review process includes a requirement for decision makers to provide applicants with a written decision within a specified timeframe that includes reasons. Internal policy and guidelines for applicants being developed in 2023 that are consistent with regulatory standards and best practices. Administrator of the Technical Safety Act obtained Certificate in Adjudication for Administrative Agencies, Boards & Tribunals in 2022.	As noted by the regulator, this area is a work in progress. Therefore, another update will be required until complete.
Update 3 (Due: Feb 28, 2024)	Internal training plan is being developed for Technical Safety employees who make internal review decisions	



SIGNATURE OF THE AUTHORIZED MEMBER OF THE REGULATING BODY:

Name (print): Jeff Dolan, Executive Director, Technical Safety
DATE: 2024-04-12