

2. Summary of Recommendations

The following section extracts the recommendations contained within the report. The more expansive discussion in the report contains details regarding each of these recommendations. For convenience, the relevant headings are included as a guide to the section from which the particular recommendation is extracted.

4. Current State – Capital Regional District

Recommendation #1:	The CRD should work with its Commission-led Departments to comprehensively review and update OH&S processes – including programs in use and implementing operational guidelines – in the Departments for which it is directly responsible. A common OH&S program designed for the Departments, should be developed in consultation with them, and implemented through common operational guidelines. The program should, among other things, lay out clearly the requirements for operation of a joint committee or worker representative system, respiratory program, and WHMIS
Recommendation #2	The CRD's Human Resources Department is well staffed with individuals who are expert in OH&S requirements. The role and responsibility of such staff in overseeing and guiding the Departments in the fulfilment of their OH&S obligations should be clarified.
Recommendation # 3	The CRD should review with its Commission-led Departments whether the operation of a single joint committee across multiple Departments (or perhaps two such committees), would provide an effective way of helping the Departments manage the administrative burden of OH&S processes, while ensuring proper centralized oversight.
Recommendation #4	The responsibilities of the Society-owned Departments for operation and implementation of a comprehensive set of OH&S processes should be clarified in the relevant service agreements. If those Departments wish to remain responsible for emergency service delivery, any potential residual liability of the CRD for their OH&S matters should be addressed contractually, to the extent possible.
Recommendation #5	When the service agreements with the CVRD and Saanich are updated, the responsibility of the service providers to properly manage the OH&S processes for their respective fire departments should be specifically addressed.
Recommendation #6	The CRD should develop and implement an operational powers bylaw covering both the Commission-led and Society-owned Departments. Such bylaw can also be used to address administrative and reporting issues for the Commission-

5. Change Drivers

Recommendation #7	If a fire safety inspection obligation is imposed on the CRD when the <i>Fire Safety Act</i> is proclaimed in force, it likely will require both a service establishment bylaw (to authorize the new service) and either a new powers bylaw or an update to the Departments' existing powers and authority. The form of these bylaws will depend on how the obligation ultimately is framed, and the decision of the CRD, in consultation with its Departments, as to how this new obligation will be met.
Recommendation #8	When the <i>Fire Safety Act</i> comes into force, the CRD, in consultation with its Departments, will need to determine how it can best meet its new obligation to undertake border-to-border fire investigations within the Electoral Areas. The CRD may need to implement a new service establishment bylaw to fund this work, and to authorize the undertaking of such investigations. The form of bylaw will depend on how the obligation ultimately is framed, and the decision of the CRD, in consultation with its departments, as to how this new obligation will be met.
Recommendation #9	When the <i>Fire Safety Act</i> comes into force, it will be necessary to update the Departments' powers to reflect the new powers and authority granted by that statute. When such powers are updated, it will be important to specify the extent to which the powers and authority can be exercised outside an existing fire service area, and by whom. The form of these bylaws will depend on how the obligation ultimately is framed, and the decision of the CRD, in consultation with its Departments, as to how this new obligation will be met.
Recommendation #10	When the revisions to the current <i>Emergency Program Act</i> are brought into effect, it will be necessary to update the emergency program bylaws and corresponding agreements with its various service participants.
Recommendation #11	The CRD, in consultations with the Departments, should review the existing individual OHS programs related to decontamination procedures and mental wellness challenges, and develop a regional district approach to address the identified needs.

6. Neighboring Jurisdiction Contracted Areas

- Recommendation #12** When the Saanich Agreement is updated with respect to Durrance Road, consideration should be given to address the following issues:
- extending the termination notice – given the challenges in replacing Saanich as a service provider, any termination provision should require an extended notice period to the CRD;
 - expressly granting operational powers and authority to Saanich in relation to its emergency (and any non-emergency) response activities in the Durrance Rd. service area;
 - dropping reference to the Saanich smoke alarm bylaw, as that bylaw has been incorporated into Saanich's Fire Prevention Bylaw No. 9712; and
 - the CRD needs to ensure that it has met the obligations under section 7 and 8 to authorize fire inspections in the service area by the Saanich Fire Department and has implemented a regulatory bylaw equivalent to Saanich's Bylaw No. 9712 covering the service area.
- Recommendation #13** The CVRD Service Agreement has expired and needs to be renewed. When it is updated, a number of issues have been flagged for consideration in any new service agreement including: expressly recognizing that the service is being provided by volunteers or paid-on-call firefighters; granting operational powers and authority to the MVFD; building out a robust dispute resolution; and addressing any relevant service limitations (e.g., private bridges, other property access

7. Commission-led Departments

- Recommendation #14** Bylaw No. 3654 will need to be updated to address any changes made to the Commission model.
- Recommendation #15** Any updated Commission Handbook (and/or updated bylaw) should expressly address responsibility for OH&S matters, as well as the role to be played by the CRD's professional staff in relation to Department oversight.
- Recommendation #16** When Bylaw 3654 is updated, consider making it an operational powers bylaw as well, granting operational powers and authority to the various Departments (including any service areas receiving emergency response services under contract from a Society or other local government). Alternatively, create an operational powers bylaw covering all of the CRD's fire service areas.
- Recommendation #17** CRD Fire Commissions should be moved from having delegated Board authority, to operating on an advisory basis. Their responsibilities should be recast and clarified, principally covering:
- Budget review and input;
 - Quarterly or semi-annual financial reviews;
 - Engagement in any strategic planning for the Department; and
 - Community outreach and engagement for both financial matters and recruitment purposes.
- Recommendation #18** CRD fire chiefs should report directly to a newly created CRD staff position – Manager of Electoral Area Fire Services.
- Recommendation #19** The CRD should explore the matter of CRD fire chief employment status. CRD fire chiefs (and deputies) should be engaged as exempt employees of the CRD. Alternatively, if the CRD prefers to engage one or more fire chiefs as independent contractors, matters of liability protection, WorkSafe BC coverage and compliance with Canada Revenue Services requirements should be considered and addressed.

8.0 Society-owned Departments

- Recommendation #20** Society-owned and operated fire departments present a series of unique risk management and liability issues. If the Societies wish to continue to be responsible for the provision of emergency response services, they must be prepared to accept the potential liability and risk that accompanies such service provision. The service agreements with the Societies should be updated to clearly reflect that allocation of risk and responsibility. Certain other issues should also be addressed in the service agreements, including: enhanced reporting obligations; an improved, graduated dispute resolution process; clarifying OH&S obligations (and accompanying risk allocations); and clearly specifying what support is being provided by the CRD to the Society-owned Departments.

- Recommendation #21** The CRD, in consultation with the Pender Island Society, should review whether the provision in the Pender Island Agreement which suggests that members of the Society are entitled to avail themselves of the protections under section 738 of the Local Government Act and are covered by the CRD's indemnity bylaw, is correct and accurately reflects the legal position of the Society and its members.
- Recommendation #22** The CRD should engage with the South Galiano Volunteer Fire Department Society to explore conversion of the South Galiano Volunteer Fire Department to a CRD-operated department. The role of the Society should be redefined, and consideration given to the Society fulfilling the advisory role provided by commissions in other service areas until such time as a Southern Gulf Islands Fire Advisory Commission is established.
- Recommendation #23** The CRD should facilitate discussions involving the South and North Galiano Fire Chiefs, the Society Chairs from both South and North Galiano, and the Commission Chair from North Galiano for the purposes of exploring the potential for the two departments to deepen their partnership, up to and including the potential to consolidate the two departments

9. CRD Organizational Structure

- Recommendation #24** The CRD should consider the consolidation of Fire Commissions (Advisory) into two Advisory Fire Commissions, one representing the Southern Gulf Islands and the other representing the Juan de Fuca area.
- Recommendation #25** The CRD should create and fill a Manager of Electoral Area Fire Services position. This position would be responsible for supervising CRD fire chiefs, supporting and liaising with Fire Commissions, as well as managing fire service agreements with other local governments and societies.
- Recommendation #26** The CRD should expand from 0.5 FTE to full time the Assistant position assigned to Electoral Area Fire and Emergency Services. As soon as is possible staff resources should be increased in order that the full-time Assistant position is assigned only to Electoral Area Fire Services.
- Recommendation #27** The CRD should create and fill a new Fire Training Officer position. The incumbent would report to the Manager of Electoral Area Fire Services

Appendix 2: Commission-led Departments

- Recommendation #28** The CRD should investigate the ownership of North Galiano #2 fire hall and land upon which it is situated.
- Recommendation #29** The CRD should begin engaging with Pacheedaht First Nation as soon as possible on the matter of a shared services agreement for the next twenty year period, given that the current agreement expires in 2028.
- Recommendation #30** The CRD should consider a joint application to the *Community to Community* grant fund program, managed by UBCM, with Pacheedaht First Nation for the purpose of facilitating discussions on the next iteration of their shared fire services
- Recommendation #31** The CRD and Pacheedaht should discuss a Pacheedaht presence on the Commission that is better reflective of the Pacheedaht involvement in the community and their funding commitment to the provision of fire protection services.
- Recommendation #32** The CRD should clarify the employment status of Paid on Call Firefighters, and whether that status changes at times when those personnel perform work other than regular training, maintenance and emergency response.
- Recommendation #33** The CRD should clarify the ownership and responsibilities in terms of operations, liability, maintenance and replacement of the fire training facility located at the Otter Point fire hall.

Appendix 3: Society-owned Departments

- Recommendation #34** The CRD should clarify the ownership and responsibilities in terms of operations, liability, maintenance and replacement of the fire training facility located at the Pender Island fire hall.
- Recommendation #35** Bylaw No. 2165 *Saturna Island Fire Protection and Emergency Response Local Service Contribution Establishment Bylaw*, should be revised consistent with other recommendations in this report, and to authorize the CRD to provide fire protection services, rather than limiting the CRD to funding fire protection services provided by the Society.

Recommendation #36

When the Saturna Island service agreement is renewed, it should stipulate:

- That facilities, equipment and apparatus are owned by the CRD or that upon dissolution of the service agreement that such ownership transfers to the CRD;
- Society reporting obligations including on matters of finance, operational service delivery, training and OH&S.