

**REPORT TO ELECTORAL AREAS COMMITTEE
MEETING OF WEDNESDAY, FEBRUARY 10, 2021**

SUBJECT Electoral Area Volunteer Fire Service Regulatory Review

ISSUE SUMMARY

The Office of the Fire Commissioner (OFC) has requested confirmation that the Capital Regional District (CRD) verify fire services compliance with the OFC Structure Firefighters Competency and Training Playbook. An independent review of volunteer fire departments in CRD Electoral Areas (EAs) found that many struggle to meet minimum OFC and WorkSafeBC requirements. Non-compliance with regulations puts firefighters at risk and is a significant liability to fire departments and the CRD. The report recommends operational improvement and administrative capacity increases to protect firefighters and ensure service sustainability.

BACKGROUND

Volunteer-based fire departments provide vital public safety services through the CRD Electoral Areas. The CRD is the “authority having jurisdiction” (AHJ) for nine fire departments in the Juan de Fuca and the Southern Gulf Islands EAs: North Galiano, Saturna, Pender, Willis Point, Port Renfrew, Otter Point, East Sooke, Shirley, and South Galiano. The Province sets out minimum safety standards for fire services through the *Fire Services Act*, *Workers Compensation Act*, and the Office of the Fire Commissioner’s Structure Firefighters Competency and Training Playbook, all of which have been updated in past years.

The CRD Board formally declared fire service levels in June 2016 based on an independent assessment completed the previous year. A July 2018 staff report to the EA Committee reported fire services had achieved, or were close to achieving, training program compliance. That assessment did not evaluate equipment maintenance or workplace safety programs.

In December 2019, the OFC contacted the CRD and other AHJs in BC to verify fire service compliance. In response, Protective Services commissioned an independent review of electoral area fire service training, safety, equipment maintenance, and record-keeping programs. Protective Services contracted a former EA Fire Chief to visit each department, meet with departmental leadership, and evaluate training, safety, equipment maintenance, and record-keeping programs.

The Fire Services Review found that volunteer-based fire departments require increased support to meet regulatory and administrative demands. At the time of the report, six departments were not fully compliant with the OFC Playbook training program regulations and eight were not compliant with Occupational Health and Safety Regulations of the *Workers Compensation Act*. All departments required improvements in one or more areas. The report recommends Fire Chiefs and staff form a working group to share best practices and develop record-keeping, maintenance, governance, and operational improvements to bring departments into compliance.

The report was presented to Commissions, Societies, and Fire Chiefs in December 2020. All participants expressed a will to work collaboratively on achieving compliance and there was a clear desire for increased support from Protective Services staff. Several departments have

begun corrective actions. Staff have also launched initiatives to streamline existing fire department support, such as overhauling the legacy record-keeping system and developing a single-window access to fire departments.

Following the report's presentation, Fire Chiefs and Commissions requested increased staff support for the following areas:

- data entry
- record management
- financial procedures
- equipment testing and maintenance
- shared asset procurement
- operational guideline creation
- orientating fire chiefs and commissioners
- human resource management
- safety program support
- reducing fire insurance payments for residents
- bylaw and fire protection area amendments
- streamlining fire permit and open burning enforcement processes
- mutual aid agreements with First Nations

The CRD is actively working with the departments to remedy this situation and has already initiated steps to bring the fire services into compliance. A follow-up review of departmental regulatory compliance will be conducted to verify the success of these initiatives.

ALTERNATIVES

Alternative 1

The Electoral Areas Committee recommends to the Capital Regional District Board:

- a) That staff be directed to report back with operational, administrative, and governance strategies to meet and sustain regulatory compliance; and
- b) That \$65,000 be reallocated from operational reserves for 2021 to be available for a temporary increase in staff resources to support fire services to attain compliance.

Alternative 2

That the Fire Services Regulatory Review report be received for information.

IMPLICATIONS

Social Implications

EA residents expect first responders to respond safely and effectively to emergencies, which requires appropriate training and equipment. The provision of fire rescue services is not a legislated requirement and some smaller communities in the electoral areas are not covered by Fire Services. However, once established, decreases in service levels face significant community resistance.

Service Delivery Implications

CRD fire departments provide critical life safety services to rural communities in the Southern Gulf Islands and Juan de Fuca EAs. Provincial and federal regulations require that firefighters be properly trained and equipped to undertake the tasks that they are requested to perform. Non-compliance is a significant liability to volunteers, departmental leadership, and the CRD itself. Penalties can range from workplace shutdowns to monetary fines or imprisonment and could

apply at all levels of leadership, including fire department supervisors and individual commissioners and society directors. The CRD is actively engaged with the departments to bring them into compliance.

Financial Implications

It is recommended that \$65,000 be allocated from operating reserve to temporarily increase staff resources through the retaining of a consultant or a term position to facilitate the increased administrative support to fire departments and achieve regulatory compliance. This funding can be supported through a transfer to operating from EA Fire Services operational reserve budget as a contingency without negatively impacting the budget or operations.

CONCLUSION

The CRD supports nine volunteer-based fire departments in the Southern Gulf Islands and Juan de Fuca EAs. The recent Fire Services Review report identified administrative and operational improvements required to bring departments into compliance with provincial legislation. Staff are collaborating with fire department leadership to bring all departments into full compliance.

RECOMMENDATION

The Electoral Areas Committee recommends to the Capital Regional District Board:

- a) That staff be directed to report back with operational, administrative, and governance strategies to meet and sustain regulatory compliance; and
- b) That \$65,000 be reallocated from operational reserves for 2021 to be available for a temporary increase in staff resources to support fire services to attain compliance.

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ATTACHMENT

Appendix A: Fire Service Review Report