2.35 Fire Commissioner’s Office

Introduction

The Fire Commissioner operates under the authority of the *Fire Prevention Act, 1991*. The Provincial Fire Commissioner is appointed by the Lieutenant-Governor in Council. In addition to the Fire Commissioner, there are three staff at the head office of the Fire Commissioner located in Deer Lake, two staff at a second office located in St. John's, and a fire protection officer stationed in Grand Falls-Windsor. The Fire Commissioner is stationed in St. John's and also serves as head of the Emergency Measures Organization. The Fire Commissioner reports to the Department of Municipal and Provincial Affairs.



Fire Commissioner's Office in Deer Lake

The Fire Commissioner is responsible for keeping a record of every fire reported; investigating all fires in the Province; conducting fire related property inspections; reviewing construction plans to determine whether fire prevention and protection issues have been addressed; giving advice to the Minister and to municipal authorities on fire related matters; disseminating information as to fire prevention and protection, and reporting to the Minister on fire prevention and protection activities.

At 1 November 2004, there were approximately 297 municipal fire departments and 6,100 volunteer firefighters. The Fire Commissioner's Office is responsible for ensuring that firefighters receive necessary training and is also responsible for the certification of firefighters (i.e. Firefighter I and II).

Figure 1 shows the expenditure for the Fire Commissioner's Office for the last five years.

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Figure 1

Department of Municipal and Provincial Affairs
Expenditure of the Fire Commissioner's Office
Years Ended 31 March

	2000	2001	2002	2003	2004
Salaries	$324,665	$321,966	$338,080	$363,156	$394,611
Employee Benefits	6,639	3,607	4,596	4,474	4,367
Transportation and Communications	105,833	95,760	80,323	81,232	94,849
Supplies	53,904	36,580	47,366	35,367	44,834
Professional Services	69,287	-	261	131	2,000
Purchased Services	52,155	63,353	118,245	132,216	183,113
Property, Furnishings & Equipment	650	37,685	4,710	1,720	64,712
Allowance and Assistance	175,016	175,016	198,344	196,871	187,516
Grants and Subsidies	23,500	23,500	31,500	23,500	23,500
Total	$811,649	$757,467	$823,425	$838,667	$999,502

Source: Public Accounts

The latest information that the Fire Commissioner's Office had on the number of fires in the Province related to 1999 and indicated that there were a total of 489 fires (i.e. all fires except forest fires) in the Province that year. The latest information on fire deaths related to 2003 and indicated that there were 4 deaths in the Province that year.

Scope and Objectives

We completed our review in November 2004 of the Fire Commissioner's Office. Our review was designed to determine whether:

- the Fire Commissioner is adequately carrying out the provisions of the *Fire Prevention Act*, 1991;
- the Fire Commissioner has adequate systems and practices in place to deliver Provincial fire prevention and protection programs; and
- expenditures are approved, monitored and in compliance with Government policies.

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Conclusions

The Fire Commissioner's Office needs to do more in inspecting and evaluating the firefighting capabilities of the 297 fire departments throughout the Province and in providing training to the approximately 6,100 firefighters. In particular:

- Over the last five years, only 5 of the 297 fire departments had been formally inspected. The Office does not have a schedule to ensure all fire departments are inspected over any particular period of time. Officials at the Fire Commissioner's Office indicated that inspections performed at 5 fire departments were considered to be representative of many fire departments in the Province and had serious deficiencies relating to breathing apparatuses, vehicles, number of firefighters responding, and training.

- Since 1991, only 700 firefighters have received training to the level of Firefighter I. The Office does not keep information as to how many of the current 6,100 firefighters are trained and how many of the 700 trained firefighters are still in the system.

The Office's database was not Y2K compliant and therefore, data and information could not be captured. As a result, no annual report has been prepared since 1999 and the Commissioner does not have all of the information necessary to monitor fires in the Province including an assessment of the firefighting capabilities of fire departments.

Findings and Recommendations

Compliance with Legislation

The *Fire Prevention Act, 1991 (*the *Act)* establishes the position of Fire Commissioner and outlines the duties and responsibilities of the position. The proper administration and enforcement of the *Act* is important since non-compliance with the *Act* can negatively affect public safety. As a result we would expect the Fire Commissioner to monitor and report on compliance with the *Act* so that corrective action may be taken where necessary. However, there are no systems and procedures in place to monitor the degree to which the Fire Commissioner and other parties are in compliance with the *Act*. We identified the following:

- The Fire Commissioner contravened the *Act* by not submitting an annual report to the Minister since 1999. Officials indicated that the data needed to prepare the annual report has not been available since 1999 because of issues with the computerized database starting in 2000 (Y2K issues). Annual reports are also used to report information to the Council of Canadian Fire Marshals and Fire Commissioners for reporting on fire losses in Canada. A review of the most recent annual report of the Council, for 2000,

indicated that Newfoundland and Labrador and one other jurisdiction, Nunavut, were the only 2 of the 15 jurisdictions that did not provide data on fire losses and fire deaths and injuries.

- The Fire Commissioner is required to keep a record of every fire reported to the Office with the facts, statistics and circumstances that may be required by the Minister. To facilitate this reporting, the Fire Commissioner's Office issues various forms on which fires are to be reported by municipal fire departments, police and insurance adjusters. However, there is no system in place to record the receipt of these reports and ensure that all are received. We note that 92 of the 297 fire departments have not submitted a report since 2001. As a result, the Commissioner does not have all of the information necessary to monitor all fires in the Province including an assessment of the firefighting capabilities of fire departments.

- Fire departments do not always submit incident reports on a timely basis. Our review of a sample of reports for 205 of the 297 fire departments which submitted these reports showed that fire departments prepared reports up to 190 days after an incident and sent reports to the Fire Commissioner 150 days after being prepared. Without timely reports, the Fire Commissioner cannot assess fire departments to identify and respond on a timely basis to matters such as the adequacy of firefighting capabilities of fire departments.

- Insurance adjusters' reports are not always complete. For example, a review of a sample of 20 reports indicated that 11 of the reports were not dated and of these, 1 did not indicate the date of the loss while 1 did not indicate either the name of the insurance company or the adjuster.

Fire Departments

A major area of responsibility for the Fire Commissioner is advising the Minister and municipal authorities on the establishment, organization and the evaluation of the firefighting capabilities of fire departments.

Our review indicated that the Fire Commissioner's Office needs to do more in inspecting and evaluating the firefighting capabilities of the 297 fire departments throughout the Province. For example:

- The Fire Commissioner does not inspect fire departments on a regular basis. We were informed that formal inspections (complete assessment of fire fighting capabilities) are performed when requested by the fire department, the municipality or the Department of Municipal and Provincial Affairs. Informal inspections (visual inspection and walkabout), on the other hand, were performed as time permitted. There is no schedule to ensure all fire departments are inspected over any particular period of time.

- Formal inspections are documented and over the last five years, the Fire Commissioner's Office has only performed 5 of these inspections. However, there is no record of informal fire department inspections performed and, as a result, the Fire Commissioner's Office could not provide details as to how many of the 297 fire departments had been informally inspected or when they were last inspected.

- The Fire Commissioner has not set standards (e.g. response times and firefighting capabilities) for fire departments. There are National Fire Protection Association (NFPA) standards for both career and volunteer fire departments. As a result, the Fire Commissioner's Office cannot ensure that the fire departments have adequate firefighting capabilities.

- A review of insurance adjusters' reports and discussions with officials indicated that not all calls to a fire department were answered. According to one insurance adjuster's report, a householder called a fire department (Lower Cove) but got an answering machine and the fire department never showed up.

  Furthermore, in May 2004 the Royal Newfoundland Constabulary reported to the Fire Commissioner's Office that pager checks performed by 911 operators have gone unanswered at 2 fire departments (Gillams and McIvers).

- A formal inspection completed in September 2004 by the Fire Commissioner of 5 of the 297 fire departments indicated that equipment and training were not adequate. The Fire Commissioner indicated that the issues with the 5 fire departments (Holyrood, Harbour Main, Avondale, Conception Harbour and Colliers) are typical of other fire departments in the Province. For example:

- 13 of the 25 self contained breathing apparatuses used by the fire departments did not meet current standards and were no longer safe for firefighting (Holyrood 3 of 8, Harbour Main 1 of 4, Avondale 4 of 4, Conception Harbour 3 of 5 and Colliers 2 of 4).

- 4 of the 5 departments indicated that they held monthly training sessions (Colliers did not); however, none could produce a schedule or log of what subjects were covered. Only 3 of the 117 combined complement of firefighters were certified by the Commissioner's Office as firefighters (Holyrood 2 and Harbour Main 1).

- 5 of the 15 vehicles being used by the fire departments were either past their 20 year useful life or unsafe (Holyrood 1 of 3, Harbour Main 1 of 3, Avondale 1 of 3, and Colliers 2 of 3). A 1984 cube van being operated by the Holyrood fire department as a rescue vehicle was found to be in need of extensive repair. Officials indicated that the rear end of this vehicle has since fallen off during operations. Another fire truck operated by the Colliers fire department was found to have an axle mass in excess of that which the vehicle was designed. Excessive weight increases the likelihood of structural damage and failure as well as affecting the handling of the vehicle relating to acceleration, steering and braking.

- Daytime responses by fire departments were often not adequate for safe and effective firefighting in that there were several cases where only one firefighter responded to a fire call. Officials at the Fire Commissioner's Office indicated that it takes a minimum of four firefighters to safely begin an external attack of a fire. Two more firefighters are needed to do an internal attack and rescues. Our review of other fire department files also indicated there was an incident involving another fire department (Gillams) where only one firefighter responded to an electrical fire at a school with 290 students.

- The Fire Commissioner indicated that there was no formal communication system (written plan and two-way radios) in place whereby neighbouring communities with fire departments would be informed of assistance that may be required at a fire in another community.

Firefighter Training

The Fire Commissioner is directly responsible for providing training to the approximately 6,100 firefighters in the Province. The Fire Commissioner is also responsible for the certification of firefighters. For 2003, the Fire Commissioner's Office delivered 626 contact hours of training in 36 course offerings to 634 firefighters. Our review indicated that the Fire Commissioner's Office needs to do more in providing training to the approximately 6,100 firefighters in the Province. For example:

- The Fire Commissioner's Office has not established a training schedule to identify a period over which firefighters would receive training and certification. Instead, a six month training schedule is prepared without consideration of an overall training strategy. A National Fire Protection Association standard indicates that all firefighters should have a minimum of Firefighter I training.

- Although the Fire Commissioner has given training a high priority for the Office, the amount of training being provided is not adequate to ensure that the Province has trained its firefighters to the level of Firefighter I. For example, the Fire Commissioner's Office only certified 66 firefighters as Firefighter I in 2003. Although between 1991 and 2004 approximately 700 firefighters have received the Firefighter I training, the Fire Commissioner did not know how many of these firefighters were still in the system. Therefore, it is not known how many of the 6,100 firefighters in the Province have the Firefighter I training.

- The Fire Commissioner has commenced training firefighters at the fire departments to be trainers of less advanced courses. As a result, the Fire Commissioner has discontinued some basic courses in favor of more advanced ones. However, staff at the Fire Commissioner's Office do not have the proper training to be able to deliver these more advanced courses. Furthermore, staff of the Fire Commissioner's Office are not being formally evaluated which would also identify their training needs.

Other

The Fire Commissioner has not established a work plan for the Office. A Joint Planning Report - Fire and Emergency Services was prepared in 2003 in anticipation of combining the Fire Commissioner's Office and the Emergency Measures Organization. Although this report was intended to be the strategic plan for the new division, the work plans were not developed even though the merger has occurred. As a result, the Fire

Commissioner's Office does not use a proactive approach to its work and could not demonstrate whether work conducted contributed to the Office's long-term goals.

Expenditures

Expenditures for the Fire Commissioner's Office for the year ended 31 March 2004 totalled $999,502. Our review of these expenditures identified the following:

- In order to protect volunteer firefighters from economic losses due to injury or death, the Fire Commissioner's Office pays the premiums for Workers Compensation and accidental death insurance. For 2003-04 the Office paid insurance premiums totalling $185,627 for 6,100 firefighters. Of the 297 fire departments, 261 have reported 5,442 firefighters while 36 fire departments have not provided information on their firefighters since 1999. Therefore, in order to ensure that all firefighters are protected, the Commissioner has estimated approximately 658 additional firefighters relating to these 36 fire departments. As a result, approximately $20,000 is being spent annually to insure firefighters without information detailing the number of firefighters in each of the 36 fire departments.

- The Fire Commissioner's Office has five vehicles that range in age from five years to seventeen years. Officials indicated that three of the five vehicles are currently not in service because of their poor condition and the cost of necessary repairs would exceed the vehicles' value. As a result, the Office leases vehicles as they are required. The Office has not performed an analysis of the cost of acquiring new vehicles versus the cost of repairs and the cost of leasing vehicles. Details of the five vehicles are outlined in the following chart.

Vehicle	Mileage (Kms.)	In Service
2000 Ford Excursion	153,000	Yes
1998 Dodge 3/4 Ton Pick-up	259,468	Yes
1995 Ford 1/2 Ton E150 Van	276,727	No
1992 Ford 1 Ton Pick-up	229,481	No
1988 GMC 5 Ton Truck	160,130	No

In 2003-04, the Office spent $11,823 on vehicle repairs, in 2002-03 $19,942, while in 2001-02 it spent $15,337. An example of a significant repair cost was incurred in August 2002 when the Office paid $3,628 to rebuild the transmission on its 1995 Ford Van, the odometer of which, at that time, indicated 240,000 kilometres.

Furthermore, the Office paid vehicle leasing costs of $9,975 in 2002-03 and $12,240 in 2001-02. Information on leasing costs was not readily available for 2003-04.

- In 2001 the Fire Commissioner's Office was moved from St. John's to Deer Lake and 6,600 square feet of space was leased to accommodate the six staff which were expected to move to Deer Lake. The lease was for five years at an annual cost of $69,000. However, only three of the six staff moved to Deer Lake and, although most of the building is now used for storing equipment, there is still vacant office space.

Recommendations

The Department should ensure that the Fire Commissioner:

- *develops and implements a system for the tracking of fire reports to ensure that all reports are complete and received;*
- *establishes a training schedule to identify a period over which firefighters would receive training and certification;*
- *develops standards (e.g. response times and firefighting capabilities) for fire departments;*
- *prepares and submits an annual report;*
- *prepares annual work plans and establishes an evaluation system for employees;*
- *inspects all fire departments on a periodic basis; and*
- *performs an analysis of the cost of acquiring new vehicles versus the cost of repairs and the cost of leasing vehicles.*

Department's Response

"Develops and implements a system for the tracking of fire reports to ensure all reports are complete and received."

Our Departments IT Division is currently in the process of developing a data base to capture report information and provide appropriate tracking of reports. As the database is developed, it shall be implemented.

"Establishes a training schedule to identify a period over which firefighters would receive training and certification."

The Fire Commissioner's Office shall review the current process with a view to broadening the current scheduling, projected over a longer time period to enable firefighters to delineate a pre-scheduled training regimen to achieve certification.

Develop standards (eg: response times and firefighting capabilities) for all fire departments."

The Fire Commissioner shall strike a working group with the Newfoundland and Labrador Association of Fire Chiefs and Firefighters and the Newfoundland Federation of Municipalities to review current available standards and seek to determine minimum standards for fire departments in the province.

"Prepares and submits an annual report."

The completion of the database, currently ongoing by the departments IT division will enable the Fire Commissioner's Office to prepare and submit an annual report.

"Prepares annual work plans and establishes an evaluation system for employees."

Work plan development will be implemented. Staff evaluations are ongoing and shall continue, with a view to identifying development and training needs.

"Inspects all fire departments on a periodic basis."

Fire department inspections and evaluations shall be conducted from time to time as part of the normal work assigned.

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"Performs an analysis of the cost of acquiring new vehicles versus the cost of repairs and the cost of leasing vehicles."

Vehicle evaluations shall be conducted as required. Cost analysis will be implemented to evaluate the merits of continued maintenance or replacement.

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