

**2023**  
**Report of the Auditor General  
to the Nova Scotia  
House of Assembly**



**Provincial Fire Safety Management:  
Office of the Fire Marshal**



**Performance Audit**  
**Independence • Integrity • Impact**

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May 9, 2023

Honourable Keith Bain  
Speaker  
House of Assembly  
Province of Nova Scotia

Dear Sir:

I have the honour to submit herewith my Report to the House of Assembly under Section 18(2) of the Auditor General Act, to be laid before the House in accordance with Section 18(4) of the Auditor General Act.

Respectfully,

**Kim Adair, FCPA, FCA, ICD.D**  
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# Provincial Fire Safety Management

## Office of the Fire Marshal

### Key Messages

- Office of the Fire Marshal is failing to effectively manage fire and building safety, despite similar 2011 audit report
- Forty per cent of fire inspections tested, relating to vulnerable people, completed past mandated due date
- Office of the Fire Marshal not meeting legislated requirement to ensure municipal inspections are completed
- Office of the Fire Marshal not following inspection policy
- Office has incomplete listing of buildings requiring inspections
- Risks remain in building plan review process for new construction and renovation projects
- Conflict of interest issue identified with Fire Marshal

### Why We Did This Audit

- Fire safety and prevention is important for the health and safety of all Nova Scotians
- Our 2011 audit found the Office of the Fire Marshal was not doing an adequate job protecting the public from fire safety risks in buildings, and management was not providing appropriate oversight of operations
- The Office of the Fire Marshal is responsible for fire inspections of provincially owned and licensed facilities, building plan reviews, and investigations with fatalities

### Management is Failing to Adequately Protect the Public from Fire Safety Risks

- Forty per cent of inspections tested, relating to vulnerable people, completed past mandated due date
- No employee performance standards or annual performance reviews
- No management reviews of inspections, follow-up inspections, or complaints
- No quality assurance program to ensure staff are consistently and appropriately completing inspections
- Inconsistent fire safety complaint and resolution process
- Office of the Fire Marshal not completing core management functions of planning, organizing, leading and controlling
- Department of Municipal Affairs and Housing failing to complete statutory obligation to oversee and monitor compliance to the *Fire Safety Act*

### The Office of the Fire Marshal is Failing to meet Legislated Requirement to Ensure Municipal Inspections are Completed, Not Following Inspection Policy

- The Office of the Fire Marshal does not complete audits, conduct oversight, or monitor municipal inspections
- The Memorandum of Understanding between the Office of the Fire Marshal and Halifax Regional Fire and Emergency Services is out of date and needs to be reviewed
- Deputy Fire Marshals and Municipal Inspectors appear to understand legislated roles
- 100% of inspection files tested did not have appropriate supporting evidence
- Inspection policy not reviewed or updated since 2016
- Two private schools not inspected by Office of the Fire Marshal as required by Legislation and Regulations
- Multiple public housing buildings missing from the Office of the Fire Marshal's listing

### **Fire Investigation Missing from Information System, Investigations Completed Late**

- Important investigation detail missing from the Information System
- Fire investigation reports completed past required filing date

### **Risks in the Building Plan Review Process**

- Office of the Fire Marshal is not following up regularly with owners when building plan information is incomplete
- Office of the Fire Marshal is not following up to ensure issues identified during the building plan review are addressed
- Completed building plan reviews conducted in the required timeframe
- No building plan review policy in place
- Inspections not completed during construction or prior to occupancy

### **Conflict of Interest with Fire Marshal and Fire Inspectors Association of Nova Scotia**

- Fire Marshal sits on board of Fire Inspectors Association of Nova Scotia while partner is Executive Director of the organization
- This conflict of interest was not disclosed as required by the *Provincial Conflict of Interest Policy*

## Reference Guide – Key Findings and Observations

Paragraph	Key Findings and Observations
<b><i>Management is Failing to Adequately Protect the Public from Fire Safety Risks</i></b>	
10	Forty per cent of fire inspections tested, relating to vulnerable people, completed past mandated due date
14	No employee performance standards or annual performance reviews
18	No management reviews of inspections, follow-up inspections, or complaints
20	No quality assurance program to ensure staff are consistently and appropriately completing inspections
25	Inconsistent fire safety complaint and resolution process
27	Office of the Fire Marshal not completing core management functions of planning, organizing, leading and controlling
28	Department of Municipal Affairs and Housing failing to complete statutory obligation to oversee and monitor compliance to the <i>Fire Safety Act</i>
<b><i>The Office of the Fire Marshal is Failing to meet Legislated Requirement to Ensure Municipal Inspections are Completed, Not Following Inspection Policy</i></b>	
33	The Office of the Fire Marshal does not complete audits, conduct oversight, or monitor municipal inspections
37	The Memorandum of Understanding between the Office of the Fire Marshal and Halifax Regional Fire and Emergency Services is out of date and needs to be reviewed
41	Deputy Fire Marshals and Municipal Inspectors appear to understand legislated roles
44	100% of Inspection files tested did not have appropriate supporting evidence
48	Inspection policy not reviewed or updated since 2016
49	Two private schools not inspected by Office of the Fire Marshal as required by Legislation and Regulations
51	Multiple Public Housing Buildings Missing from the Office of the Fire Marshal's Listing
<b><i>Fire Investigation Missing from Information System, Investigations Completed Late</i></b>	
57	Important investigation detail missing from the information system
60	Fire investigation reports completed past required filing date
<b><i>Risks in the Building Plan Review Process</i></b>	
63	Office of the Fire Marshal is not following up regularly with owners when building plan information is incomplete
67	Office of the Fire Marshal is not following up to ensure issues identified during the building plan review are addressed
69	Completed building plan reviews conducted within required timeframe
70	No building plan review policy in place
71	Inspections not completed during construction or prior to occupancy
<b><i>Conflict of Interest with Fire Marshal and Fire Inspectors Association of Nova Scotia</i></b>	
77	Fire Marshal sits on board of Fire Inspectors Association of Nova Scotia while partner is Executive Director of the organization
81	This conflict of interest was not disclosed as required by <i>Provincial Conflict of Interest Policy</i>

## Recommendations and Responses

Recommendation	Department Response	
<p><b>Recommendation 1.1</b> We recommend the Department of Municipal Affairs and Housing in collaboration with the Office of the Fire Marshal properly fulfill statutory obligations to protect the public by implementing a comprehensive review of the Office of the Fire Marshal's organizational structure, competencies, and training expectations of management.</p> <p style="text-align: right;">See paragraph 1.32</p>	<p>DMAH is in agreement that a review of the statutory obligations of the OFM would be beneficial to examine areas that could be identified for improvement of services.</p>	<p> Department Agrees</p> <p> <b>Target Date for Implementation:</b> By end of 2023.</p>
<p><b>Recommendation 1.2</b> We recommend the Office of the Fire Marshal implement:</p> <ul style="list-style-type: none"> <li>- A quality assurance process which includes key operational activities that provide management the ability to assess Office performance in relation to their mandate</li> <li>- Performance standards and well-defined expectations for Deputy Fire Marshals</li> <li>- The provincial performance management policy to regularly monitor and assess staff performance</li> <li>- A fire safety complaint tracking and resolution process.</li> </ul> <p style="text-align: right;">See paragraph 1.32</p>	<p>Management has already started a process to determine a next generation software system to replace our current system that will meet the increased oversight and accountability that was identified by the AG in this Audit.</p> <p>Management will ensure that performance standards and well-defined expectations for Deputy Fire Marshals are formally documented. Management will formally document the monitoring and assessment of staff performance as per the provincial management policy.</p> <p>As part of our next software system, management will investigate the capability to implement a fire safety complaint tracking and resolution process, which includes proper documentation.</p>	<p> Department Agrees</p> <p> <b>Target Date for Implementation:</b> HR related part of recommendation April 2024.</p> <p>New Software system implemented by end of 2026-27 fiscal.</p>
<p><b>Recommendation 1.3</b> We recommend the Office of the Fire Marshal ensure municipalities are meeting legislative requirements under the <i>Fire Safety Act</i> by:</p> <ul style="list-style-type: none"> <li>- Reviewing and updating the Memorandum of Understanding between the Office of the Fire Marshal and Halifax Regional Fire and Emergency Service</li> <li>- Instituting a process to regularly update and compile a complete municipal fire inspectors listing</li> <li>- Implementing an audit function to make sure municipalities are meeting legislative requirements.</li> </ul> <p style="text-align: right;">See paragraph 1.43</p>	<p>DMAH will explore the legislative requirements and methods available to ensure that municipalities are fulfilling their duties under the <i>Fire Safety Act</i>.</p> <p>Management has already had initial discussions with Halifax Regional Fire and Emergency Service (HRFES) regarding the need to update the MOU.</p> <p>A process has been put in place to contact municipalities on an annual basis to ensure the Office has an up-to-date listing of fire inspectors within the province, as part of this process we will be reminding municipalities of their legislated responsibility to inform the Office of any changes during the year.</p>	<p> Department Agrees</p> <p> <b>Target Date for Implementation:</b> Review/ Update of Legislation by 2024/25.</p> <p>MOU Update by end of 2023/24 Fiscal.</p> <p>Internal Process Implemented by April 2023 for the list of municipal inspectors.</p>

## Recommendations and Responses

Recommendation	Department Response	
<p><b>Recommendation 1.4</b> We recommend the Office of the Fire Marshal update the inspection policy to ensure all appropriate documentation is captured in the inspection files and require management to assess the appropriateness of inspection activity.</p> <p>See paragraph 1.48</p>	<p>The OFM will update the inspection policy to ensure all appropriate documentation is captured in the inspection files. Management has started a process to assess the appropriateness of inspection activity.</p>	<p> Department Agrees</p> <p> <b>Target Date for Implementation:</b> By May 2023.</p>
<p><b>Recommendation 1.5</b> We recommend the Office of the Fire Marshal establish a process requiring building listings be updated regularly for completeness and accuracy.</p> <p>See paragraph 1.56</p>	<p>The OFM has started to follow-up with stakeholders to request building listings on an annual basis.</p> <p>As part of this, a process will be put in place for Deputy Fire Marshals to follow; to review any new buildings in their areas to determine the initial classification/inspection schedule and the final classification/inspection schedule of the building after the initial inspection has been completed.</p> <p>As part of the next software system, management will ensure the capability exists to properly document updated listings from stakeholders in the system.</p>	<p> Department Agrees</p> <p> <b>Target Date for Implementation:</b> By May 2023.</p> <p>System implementation end of 2026-27 fiscal.</p>
<p><b>Recommendation 1.6</b> We recommend the Office of the Fire Marshal develop a new construction and renovation building plan review policy detailing actions, completion timeframes, and construction and renovation inspection requirements.</p> <p>See paragraph 1.73</p>	<p>The OFM will develop a policy for plans review based off the current plans review guideline to increase clarity. Under current legislation, the OFM does not have the authority to dictate actions to all stakeholders or the authority to inspect all buildings that plans reviews are required to be completed.</p>	<p> Department Agrees</p> <p> <b>Target Date for Implementation:</b> By May 2023 to develop plans review policy.</p>
<p><b>Recommendation 1.7</b> We recommend, in consultation with the Conflict of Interest Commissioner, the Department of Municipal Affairs and Housing complete a review of conflict-of-interest practices and related training at the Office of the Fire Marshal. The review should include the appropriateness of current boards the Office of the Fire Marshal is on and support provided to external associations by the Office of the Fire Marshal to ensure that potential conflicts of interests are addressed appropriately.</p> <p>See paragraph 1.84</p>	<p>The OFM has met with the Conflict of Interest Commissioner to discuss the recommendation of the AG.</p> <p>The OFM will undertake a review of the boards and committees in conjunction with the legislative requirements of the <i>Fire Safety Act</i>.</p> <p>The OFM has remained consistent with its historical support to stakeholder groups. OFM participation on these boards is legislated or supports the training mandate. The participation also supports the municipalities by ensuring proper training and enforcement by municipal staff and volunteers.</p>	<p> Department Agrees</p> <p> <b>Target Date for Implementation:</b> By September 2023.</p>

## Questions Nova Scotians May Want to Ask

1. What structures can the Department of Municipal Affairs and Housing put in place to ensure it can appropriately evaluate the operational effectiveness at the Office of the Fire Marshal?
2. How is the Office of the Fire Marshal going to assure Nova Scotians it is completing legislatively mandated Fire Inspections?
3. How is the Office of the Fire Marshal going to address the incomplete building inspection list?
4. How will the Office of the Fire Marshal follow up and complete building plan reviews to address identified fire safety issues?
5. How does the Department of Municipal Affairs and Housing intend to address conflict of interest concerns?

# 1 Provincial Fire Safety Management

## Background

### Definitions



**Building Safety:** A broad term used to describe a wide range of structural issues and assets, from electrical equipment to escape routes.



**Fire Inspection:** An inspection conducted by the Office of the Fire Marshal to assess the potential fire safety hazards in a building. The frequency of fire inspections is dependent on the type of building occupancy and assessed risk.



**Fire Investigation:** Examination of fire-related incidents as requested by fire departments and deemed by Office of the Fire Marshal to meet requirements to investigate. The investigation will include closely surveying the damaged scene to establish the origin of the fire and determining the cause.



**Fire Safety:** The precautions that are taken to prevent or reduce the likelihood of a fire that may result in death, injury, or property damage; alert those in a structure to the presence of an uncontrolled fire; better enable those threatened by a fire to survive in and evacuate; or to reduce the damage caused by a fire.



**Plan Review:** The review of construction plans and documents for new construction, alterations, and renovations for certain occupancies as defined by the Nova Scotia Building Code Regulations for compliance with the *Fire Safety Act*.

Source: Office of the Auditor General, Nova Scotia

- 1.1 Building and fire safety are important and necessary in workplaces, residences, and commercial buildings to prevent and protect against injury and damage caused by fire. Effective building and fire safety services are crucial to public safety during a fire emergency. The Office of the Fire Marshal has a mission to promote, coordinate, and facilitate fire and building safety in Nova Scotia.
- 1.2 The Office of the Fire Marshal is a division of the Department of Municipal Affairs and Housing. The Office of the Fire Marshal is responsible for fire and building safety as legislated by the *Fire Safety Act*. The office develops policies, regulations, and programs to promote and enforce the principles and practices of fire safety. The Office also provides advice on all initiatives and issues concerning building and fire safety.

1.3 Responsibilities of the Office of the Fire Marshal are:

- Promoting and enforcing building and fire safety, including fire inspections and building plan reviews
- Advising various levels of government on building and fire-related matters, including fire protection
- Working with fire services partners throughout the province, and conducting fire investigations when deemed necessary
- Leading, coordinating, and providing government departments, municipalities, and the public with effective approaches for building and fire safety

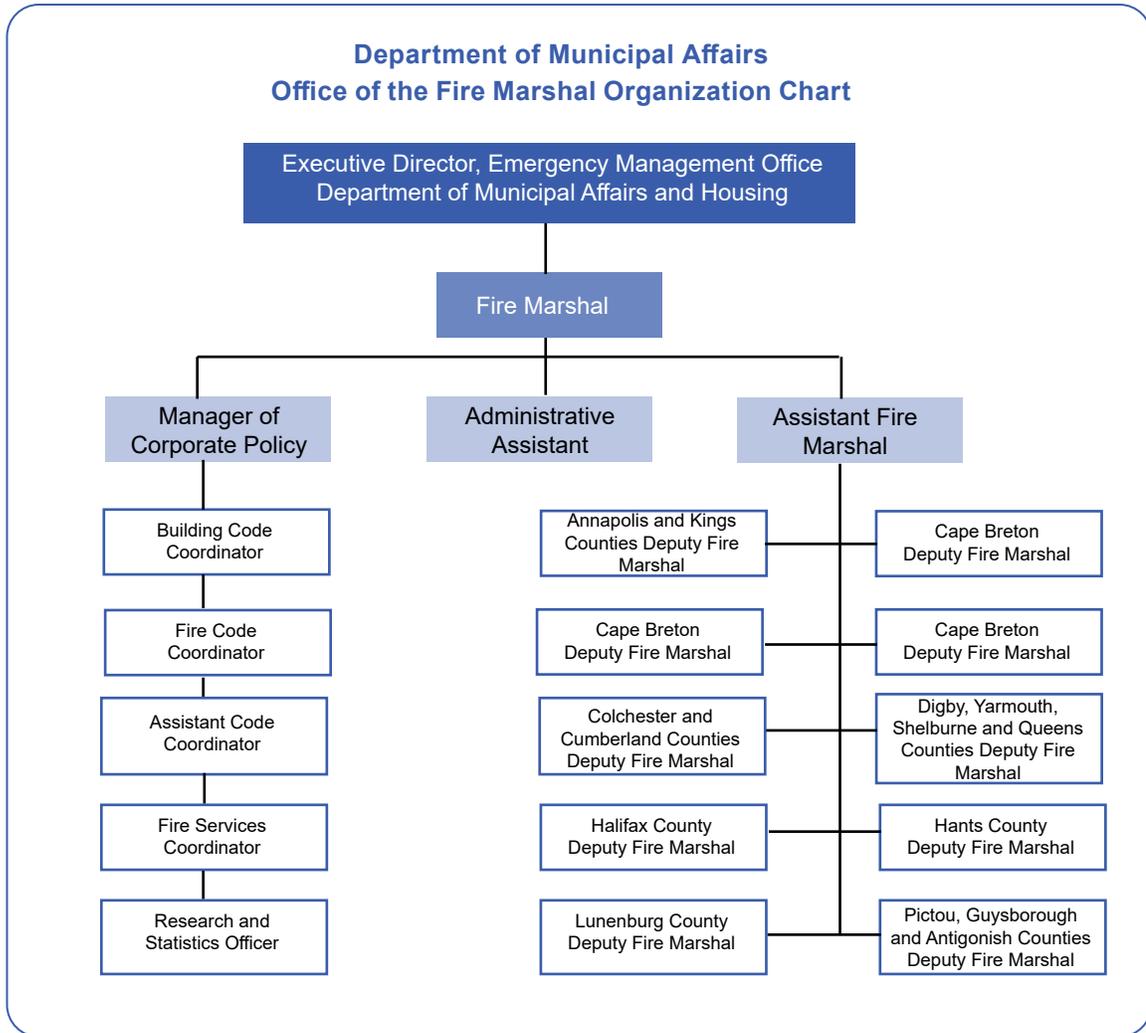
**Office of the Fire Marshal Inspection Responsibilities**

Building Type		Example	Responsibility
Institutional		Nursing homes, hospitals	OFM
Residential		Public housing, rest, group homes	OFM
Educational		Schools, universities	OFM (Outside HRM)
Assembly		Daycares, theatres	OFM/Municipality
Commercial		Office, stores, retail outlets	Municipality/OFM*
Industrial		Gas bars, Manufacturing	Municipality/OFM*
Provincially Owned		Public Works buildings	OFM

\*OFM has reported completing inspections, however these are generally completed by the Municipality

Source: Office of the Fire Marshal

1.4 The Office of the Fire Marshal has 19 staff, including the Fire Marshal, working across the province on building and fire safety issues and providing government departments, municipalities, and the public with effective approaches for building and fire safety in Nova Scotia.



Source: Office of the Fire Marshal

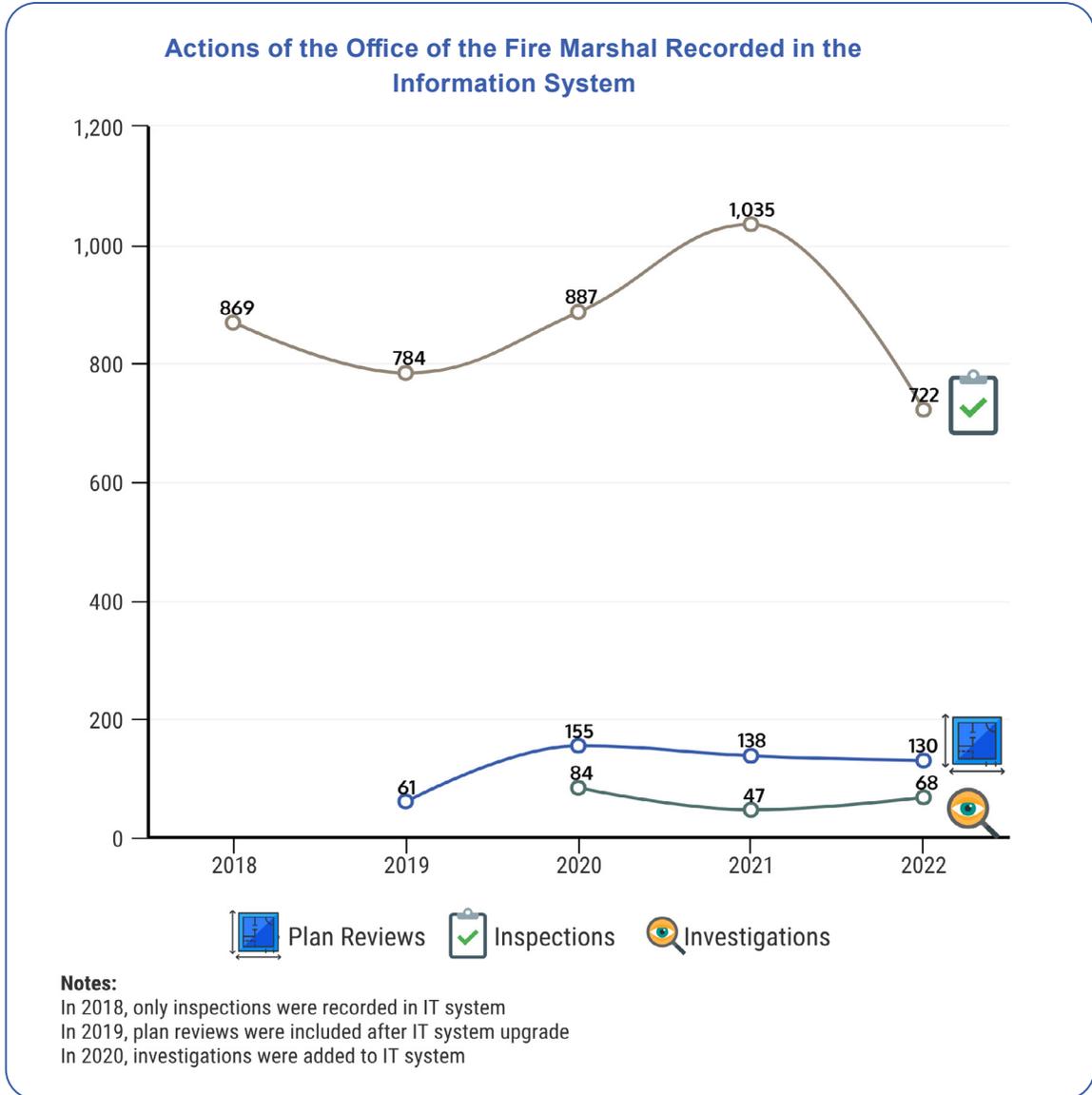
- 1.5 The budget for the Office of the Fire Marshal, along with actual spending for the last five years, is documented in the table below. In 2021-22, actual spending exceeded the budgeted amount by \$3.3 million due to a one-time grant to various volunteer fire departments. The one-time grant was approved in March 2022. Grants were provided as a recovery method for fundraising losses during COVID-19. The grants of \$10,000 per organization were intended to cover new equipment or operations, undertake smoke alarm campaigns, or provide an honorarium for volunteer firefighters to assist with increased costs. Approximately 70 per cent of the Office of the Fire Marshal budget covers staff salaries and benefits.

Year	2017-18	2018-19	2019-20	2020-21	2021-22
Budget (\$ millions)	\$2.4	\$2.5	\$2.5	\$2.5	\$2.5
Actual (\$ millions)	\$2.3	\$2.2	\$2.3	\$2.5	\$5.8

Source: Office of the Fire Marshal; unaudited

- 1.6 The Office of the Fire Marshal conducts fire safety building inspections, fire investigations, building plan reviews, and maintains a database of activities, including fire incident statistics and trends. The office records the total number of each activity in the information system; the numbers for

the last five years are documented in the table below. According to the Fire Marshal, the 2022 decrease in inspections is the result of Deputy Fire Marshal vacancies.



Source: Office of the Fire Marshal; unaudited

1.7 Municipal fire departments operate independently of the Office of the Fire Marshal with distinct roles and responsibilities. Generally, municipal councils establish and fund fire departments to deliver local fire protection and prevention services, including:

- Operating local public fire safety and fire prevention programs
- Providing fire suppression services
- Conducting inspections to enforce the Fire Code, which may result in tickets, fines, and prosecution

1.8 Our audit at the Office of the Fire Marshal included reviewing file documentation for fire safety building inspections, fire investigations, and building plan reviews. Our audit focus did not include municipal fire departments, municipal inspectors' activities, or volunteer fire departments. Our audit period was from January 1, 2020, to December 31, 2021. When selecting samples, we focused on buildings with vulnerable populations such as:



Source: Office of the Auditor General

- Schools
- Hospitals
- Nursing Homes
- Public Housing

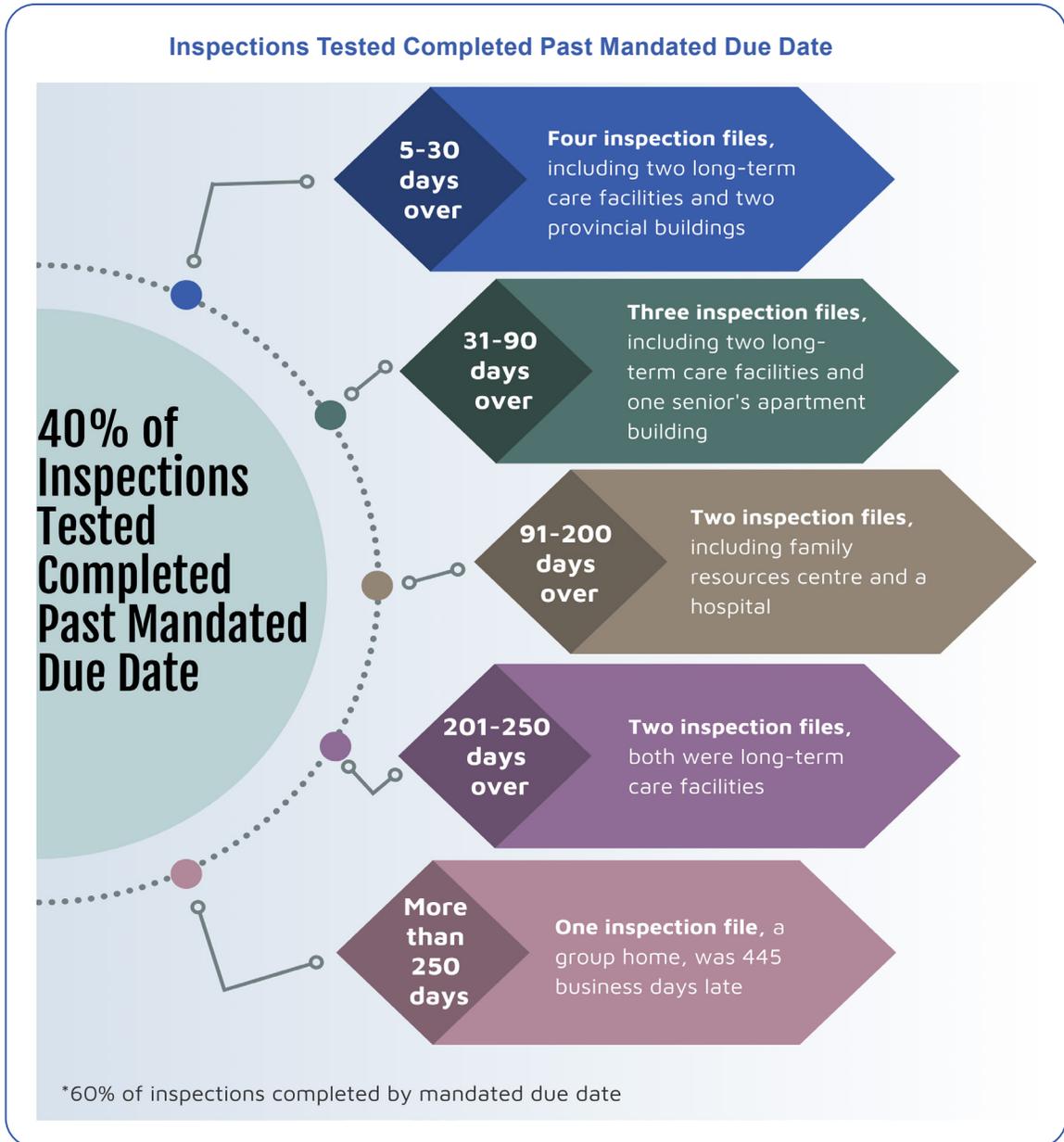
## Management is Failing to Adequately Protect the Public from Fire Safety Risks

1.9 In 2001, and again in 2011, we conducted performance audits at the Office of the Fire Marshal. During each of those previous audits, we noted issues around management oversight. Oversight issues included staff performance, office operations, and municipal functions related to fire safety inspections. In our current audit, the same issues arose and we determined the root cause to be a failure of management to perform performance management and operational review to adequately protect the public from fire safety risks.



### **Forty per cent of fire inspections tested, relating to vulnerable people, completed past mandated due date**

- 1.10 The Office of the Fire Marshal has policy governing inspection frequencies which is determined based on risk assessments. For example, correctional facilities are to be inspected annually while long-term care homes are required to be inspected every three years.
- 1.11 Twelve of 30 properties sampled were between five and 445 business days past their required inspection date. The Office of the Fire Marshal inspects buildings that house vulnerable populations, and failing to complete required inspections increases the risk of serious fire safety issues or costly repairs going unaddressed. We completed testing of samples that fell within our audit period of January 1, 2020, and December 31, 2021. The graphic below shows the range of delays in the twelve overdue inspections. Delays ranged from five to 445 days and included long-term care facilities and a hospital.



Source: Office of the Auditor General

- 1.12 The Office of the Fire Marshal indicated late inspections may be due to staff vacancies in certain regions of the province, and delays related to the COVID-19 pandemic. During the COVID-19 lockdowns, Deputy Fire Marshals were not allowed to complete inspections in some buildings. Management provided anecdotal comments during our general discussions about vacancies during the audit period but were unable to link specific reasons to individual files.
- 1.13 Management does not have an adequate reporting process to ensure inspections are completed within the policy-required timeframes. We would expect management to have regular reporting that allows them to identify properties overdue for inspections. This would allow management to prioritize staff resources.



## **No employee performance standards or annual performance reviews**

- 1.14 Management indicated that they do not have employee performance standards, which are essential to ensuring staff know expected outcomes. In our 2011 audit, we noted the same issue. Performance standards can provide expectations in the following areas:
- time required to complete inspections
  - length of time to ensure deficiencies are addressed
  - the number of inspections which should be completed monthly or annually
- 1.15 We also noted performance standards could assist with scheduling inspection activities and determining resources required to address the Office of the Fire Marshal's responsibilities.
- 1.16 Management indicated they have informal conversations with staff regarding daily work activities, however annual performance planning and development reviews as required by the provincial Performance Management Policy have not been occurring. Performance management is an important process to align employee goals and development with government priorities and to ensure employees are reaching their full potential.
- 1.17 During this audit, management stated limited staff resources were a barrier to completing work and properly documenting information. However, without data and documentation on which to provide analysis, it is impossible to know the required resources for the Office of the Fire Marshal, now or into the future. This is especially important as new, large-scale provincial infrastructure, such as the QEII Hospital, require the Office of the Fire Marshal to complete building plan reviews and inspections.



## **No management reviews of inspections, follow-up inspections, or complaints**

- 1.18 Management is not tracking or reviewing inspections, follow-up inspections, or complaints at the Office of the Fire Marshal to measure efficiencies, staff performance or overall Office operations.
- 1.19 By not setting basic staff performance expectations and analyzing office outcomes, the Office of the Fire Marshal management is failing to properly manage operational requirements to ensure they adequately protect the public from fire safety risks within buildings.



## **No quality assurance program to ensure staff are consistently and appropriately completing inspections**

- 1.20 Management indicated inspections are reviewed from "time to time." Review includes all official orders, and a signature from the Fire Marshal, or Assistant Fire Marshal in their absence. However, there is no documented quality assurance program that provides either guidance or instruction around the frequency, or the items to be reviewed during quality checks.
- 1.21 Management indicated there may be limited review, however, it is done through email or conversations, and there is no formal review document.
- 1.22 The information system used by the Office of the Fire Marshal does not chart user or timeline information to confirm document review processes. Management is unable to see who has completed work on each file, or when they completed work. Without this evidence, it is impossible to confirm when or if management reviewed files to ensure adequacy of inspections or work performed.

- 1.23 Management also noted there is no tracking of trends related to the cause of fires, inspection contraventions, or other items that may provide insight into quality assurance processes.
- 1.24 A quality assurance process would allow management to review a sample of inspections to ensure policies and processes are being followed as required. Management would be able to determine if inspection activities were carried out consistently across all Deputy Fire Marshals, and if activities were appropriately documented in the information system. This issue was highlighted in our 2011 audit with a specific recommendation to implement a quality assurance process.



### **Inconsistent fire safety complaint and resolution process**

- 1.25 The Office of the Fire Marshal does not have policies or procedures to address fire safety complaints. A complaint policy should provide guidance and steps on required documentation, tracking, escalation steps, investigation, and resolution.
- 1.26 Although management indicated staff understand their own jurisdiction and know at what point to hand over a complaint to the municipality to address, there is no follow-up process to determine if the complaint was appropriately addressed. Management stated there is no tracking of complaints.



### **Office of the Fire Marshal not completing core management functions of planning, organizing, leading and controlling**

- 1.27 Management at the Office of the Fire Marshal is failing to complete core management functions of planning, organizing, leading and controlling necessary to provide public confidence in provincial fire safety risks. Management provided no evidence of a process to assess how the Office of the Fire Marshal is meeting its legislated requirement to effectively manage fire and building safety risks to the public.



### **Department of Municipal Affairs and Housing failing to complete statutory obligation to oversee and monitor compliance to the Fire Safety Act**

- 1.28 Section 8 of the *Fire Safety Act* states: “*The Minister is responsible for the supervision and management of this Act and the regulations.*” We conducted work to determine the extent of performance monitoring completed by the Department of Municipal Affairs and Housing as statutorily required under Section 8 in relation to the operations of the Office of the Fire Marshal.
- 1.29 During meetings and through correspondence, senior management at the department stated the contact between the Fire Marshal and Executive Director is through bi-weekly meetings, and regular day-to-day discussions around operational issues relevant to the Office of the Fire Marshal’s operations. Additionally, the Office of the Fire Marshal is included in the regular Department of Municipal Affairs and Housing business plan and also compiles annual reports that are submitted to Department of Municipal Affairs and Housing Senior Management for review.
- 1.30 We requested evidence of meetings between the Fire Marshal and the Executive Director supporting these bi-weekly meetings. The department provided the outlook meeting requests. There was no other evidence provided, such as meeting notes, agendas, or supporting documents to indicate discussions around operational issues.
- 1.31 Section 13(3) of the *Fire Safety Act* states: “*The Fire Marshal shall submit, annually to the Minister in each year, a detailed report for the twelve months ending on March 31st, in such form as the*

*Minister may prescribe.*” We reviewed the Office of the Fire Marshal Annual Statistics Reports from 2018, 2019, 2020, and 2021. We noted final reports for all four years were submitted to the Minister of Municipal Affairs and Housing all at once, on August 16, 2022.

- 1.32 For example, in the 2018 report submission made in August 2022, the Fire Marshal notes the report was submitted on behalf of the previous Fire Marshal as required under the *Fire Safety Act*. This indicates the reports were not completed annually as required in the act: The 2018 report was submitted four years late. The delayed submission is evidence department management was not monitoring submission deadlines. Considering the above findings and the numerous issues identified throughout this report, we conclude the department has failed to properly fulfill their statutory duty to oversee and monitor compliance with the Act.

### Recommendation 1.1

We recommend the Department of Municipal Affairs and Housing in collaboration with the Office of the Fire Marshal properly fulfill statutory obligations to protect the public by implementing a comprehensive review of the Office of the Fire Marshal’s organizational structure, competencies, and training expectations of management.

**Department of Municipal Affairs and Housing Response:** DMAH is in agreement that a review of the statutory obligations of the OFM would be beneficial to examine areas that could be identified for improvement of services. Target Date: By end of 2023.

### Recommendation 1.2

We recommend the Office of the Fire Marshal implement:

- A quality assurance process which includes key operational activities that provide management the ability to assess Office performance in relation to their mandate
- Performance standards and well-defined expectations for Deputy Fire Marshals
- The provincial performance management policy to regularly monitor and assess staff performance
- A fire safety complaint tracking and resolution process.

**Office of the Fire Marshal Response:** Management has already started a process to determine a next generation software system to replace our current system that will meet the increased oversight and accountability that was identified by the AG in this Audit.

Management will ensure that performance standards and well-defined expectations for Deputy Fire Marshals are formally documented. Management will formally document the monitoring and assessment of staff performance as per the provincial management policy.

As part of our next software system, management will investigate the capability to implement a fire safety complaint tracking and resolution process, which includes proper documentation. Target Date: HR related part of recommendation April 2024. New Software system implemented by end of 2026-27 fiscal.

## The Office of the Fire Marshal is Failing to meet Legislated Requirement to Ensure Municipal Inspections are Completed, Not Following Inspection Policy



### The Office of the Fire Marshal does not complete audits, conduct oversight, or monitor municipal inspections

- 1.33 Through the *Fire Safety Act*, the Office of the Fire Marshal has the power and authority to enforce compliance with the Act. The Office is responsible to complete inspections if municipalities fail

to do their own required inspections. The Fire Safety Regulations allow the Office of the Fire Marshal to charge a nominal fee for this service; however, we were informed this is not done. The Office of the Fire Marshal is able to receive reports and view inspections completed by Municipal Inspectors. There is no system to ensure municipal inspections are carried out or completed.

- 1.34 Based on our 2011 audit, the Office of the Fire Marshal used to undertake audits of a selected sample of municipalities to ensure inspections were taking place at the municipal level. Management stated that currently, the Office of the Fire Marshal does not complete audits, oversight, or monitoring of municipal inspections systems or inspectors.



Source: Office of the Auditor General

- 1.35 The Office of the Fire Marshal has consistently failed to implement legislative authority to monitor municipalities for over 20 years. We highlighted this issue in 2011, noting the Office failed to complete oversight but were at one point completing some audits. The Office has discontinued its previous process that contributed to oversight of municipal inspections.
- 1.36 Management stated they were unable to complete oversight responsibilities due to resource constraints. We raised these concerns over multiple audits and the Office of the Fire Marshal continues to fail to meet its legislated requirement to enforce the *Fire Safety Act*.



### **The Memorandum of Understanding between the Office of the Fire Marshal and Halifax Regional Fire and Emergency Services is out of date and needs to be reviewed**

- 1.37 The September 2021 report of the Halifax Regional Municipality Auditor General found Halifax Fire and Emergency Services was not meeting its legislative obligations under the *Fire Safety Act* and Regulations. The report conclusion highlights the importance of the requirement for the Office of the Fire Marshal to complete municipal oversight, as the Halifax Regional Municipality is just one of 49 municipal units in Nova Scotia.
- 1.38 Unique to the Halifax Regional Municipality are the fire inspections it completes on behalf of the Office of the Fire Marshal. The Memorandum of Understanding between the Halifax Fire Service and Emergency Services and the Office of the Fire Marshal consists of a one-page document signed in 2006 outlining specific areas of responsibilities, including inspections.
- 1.39 The Memorandum of Understanding was formally updated in 2010, however, no signed copy could be found by the Office of the Fire Marshal. In 2018, updates were made transferring the inspection of group homes housing fewer than 10 people back to the jurisdiction of the Office of the Fire Marshal. We were able to confirm that Halifax-area group home inspections were present in the province-wide population from which we selected our inspection samples. In addition, based on the current wording of the Memorandum of Understanding, we identified concerns related to jurisdictional responsibilities between the Office of the Fire Marshal and Halifax Fire Service and Emergency Services. The memorandum is outdated and needs to be reviewed, updated, and implemented.
- 1.40 Based on an independent search of Municipal Fire Inspectors and the current listing of Municipal Fire Inspectors provided by the Office of the Fire Marshal, we noted omissions on the Office of the Fire Marshal registry. For example, none of the Halifax Regional Fire and Emergency Services inspectors were listed on the Office of the Fire Marshal registry. The *Fire Safety Act* requires that municipalities notify the Office when changes are made at the municipal level. While management indicated it continues to reach out to municipalities to get a complete Municipal Fire Inspectors list, there is no formal process to regularly update the municipal fire inspectors listing. Without a complete Municipal Fire Inspectors list, the office does not have assurance that each person

completing inspections is appropriately appointed to serve as a fire inspector by their respective council as required by the *Fire Safety Act*.



### Deputy Fire Marshals and Municipal Inspectors appear to understand legislated roles

- 1.41 During our audit, we completed a series of interviews with staff and noted that while there was limited documentation of certain processes and outdated policies, management and staff had a consistent understanding of legislated roles.
- 1.42 We also interviewed municipal inspectors from three of the four regions across the province (Central, Eastern and Western). The majority of inspectors highlighted a good working relationship with the Office of the Fire Marshal and the majority indicated their primary interaction with the office is as a resource for knowledge.
- 1.43 Based on our interviews, it would appear municipal inspectors understand their roles and responsibilities under the *Fire Safety Act*.

#### Recommendation 1.3

We recommend the Office of the Fire Marshal ensure municipalities are meeting legislative requirements under the *Fire Safety Act* by:

- Reviewing and updating the Memorandum of Understanding between the Office of the Fire Marshal and Halifax Regional Fire and Emergency Service
- Instituting a process to regularly update and compile a complete municipal fire inspectors listing
- Implementing an audit function to make sure municipalities are meeting legislative requirements.

**Office of the Fire Marshal Response:** DMAH will explore the legislative requirements and methods available to ensure that municipalities are fulfilling their duties under the *Fire Safety Act*.

Management has already had initial discussions with Halifax Regional Fire and Emergency Service (HRFES) regarding the need to update the MOU.

A process has been put in place to contact municipalities on an annual basis to ensure the Office has an up-to-date listing of fire inspectors within the province, as part of this process we will be reminding municipalities of their legislated responsibility to inform the Office of any changes during the year. Target Date: Review/Update of Legislation by 2024/25. MOU Update by end of 2023/24 Fiscal. Internal Process Implemented by April 2023 for the list of municipal inspectors.



### 100% of Inspection files tested did not have appropriate supporting evidence

- 1.44 Our office tested 30 inspections to assess the level of documentation available in both the inspection files and information system. The building types sampled included long-term care facilities, daycares, public housing, hospitals, courthouses, and provincially owned buildings.
- 1.45 Examples of what we found during our testing is noted below:
  - No *Record of Inspection* form completed during inspections:

The Fire Inspection Policy states that deputies are required to complete a Record of Inspection form to document their inspections. The form includes minimum requirements

such as date, time, and owner or representative information. The Record of Inspection provides required evidence of the inspection. However, management indicated the requirement for the Record of Inspection was eliminated when the office went to a digital inspection process.

- No building owner sign-off of inspection:

Deputy Fire Marshals are required to have the building owner or a representative sign and date the Record of Inspection form. In all 30 samples, we found none had this record or signature. Evidence of signatures from an external stakeholder is an important control to ensure the inspection was completed. In cases where a surprise inspection was completed, it would be reasonable to include photographs or field notes as evidence if an owner was not present.

- No proof of documentation reviewed before inspectors left the property as required by the Fire Inspection Policy.

1.46 As well, our testing revealed the Information System used when conducting inspections is unable to store important supporting evidence reviewed by Deputy Fire Marshals. Consequently, we were unable to review any photographic evidence or inspection documentation (i.e. related to sprinkler inspections, fire alarms and life support systems) that would have been reviewed during fire inspections.

1.47 Relevant evidence is required to be reviewed per policy. However, because the Information System is not able to store this documentation, the Office of the Fire Marshal is unable to assess the adequacy or appropriateness of the documentation reviewed during an inspection. Also, without supporting evidence stored in the Information System, senior management is unable to determine if an inspection took place.

### Inspection policy not reviewed or updated since 2016

1.48 The Fire Inspection Policy has not been reviewed or updated since 2016, prior to a major information system upgrade. Management indicated there was a need to complete an update and some sections of the policy may no longer be applicable.

#### **Recommendation 1.4**

We recommend the Office of the Fire Marshal update the inspection policy to ensure all appropriate documentation is captured in the inspection files and require management to assess the appropriateness of inspection activity.

**Office of the Fire Marshal Response:** The OFM will update the inspection policy to ensure all appropriate documentation is captured in the inspection files. Management has started a process to assess the appropriateness of inspection activity. Target Date: By May 2023.

### Two private schools not inspected by Office of the Fire Marshal as required by Legislation and Regulations

1.49 We selected a sample of public, private, and secondary schools, and reviewed inspections. We noted that two private schools, one serving Grades 7 to 12 and another serving Grades 4 to 12, were not inspected by the Office of the Fire Marshal as required under legislation and regulations.

The Fire Marshal was able to provide evidence that one private school was being inspected by its respective municipality; however, the other private school was not being inspected by the municipality. After we notified the Office of the Fire Marshall of the uninspected school, an inspection was completed.

- 1.50 Management indicated municipalities would be responsible for the inspections given the schools had assembly and residence buildings. We reviewed the *Fire Safety Act*, *Education Act*, and the Fire Safety Regulations and determined inspection responsibility of classrooms and academic buildings is the responsibility of the Office of the Fire Marshal. This situation emphasizes the need to have clearly documented roles and responsibilities to ensure there is no confusion.

### **Multiple Public Housing Buildings Missing from the Office of the Fire Marshal's Listing**

- 1.51 To assess the completeness of the Office of the Fire Marshal's inspection listing, we selected a sample of public housing units in the Halifax region and verified whether they were on the list. Our testing identified four large public housing apartment buildings were missing from the inspection listing.
- 1.52 When we informed management of the omitted buildings, the Office of the Fire Marshal obtained an updated listing from their department colleagues in public housing. Subsequently, the Office of the Fire Marshal confirmed that Halifax Regional Fire and Emergency Services have been inspecting all but one of the properties. The remaining property was assigned to the regional Deputy Fire Marshal, and an inspection was completed. To effectively ensure all buildings requiring inspection are inspected, it is critical management has in place controls to ensure its inspection listing is, at all times, complete and accurate.
- 1.53 The Office of the Fire Marshal relies on the building listing in the information system to determine which inspections need to be completed. Buildings are added as new building plan reviews are completed, or when updated listings are requested from other departments. We found there is no requirement for the Office of the Fire Marshal to request updated listings from other departments. We would expect this to be standard practice. Management indicated listings are requested periodically, however, there is no set timeframe.
- 1.54 We completed interviews with 42 per cent of staff members and 38 per cent of interviewed staff indicated concerns over the completeness of the list of buildings the office is responsible for inspecting.
- 1.55 In our 2011 audit, we noted the information system did not have an inventory of all buildings that required inspections. We determined the majority of files tested in 2011 were not recorded in the information system. In response to our 2011 audit, there was a major upgrade to the information system, however, the office failed to ensure the listing is complete. The Office of the Fire Marshal has stated it uses the listing within the information system to determine buildings to inspect. Therefore, buildings not listed are not being inspected.
- 1.56 Management needs to implement a process to ensure that the listing is reviewed, and new buildings are added in a timely manner. This could include educating other departments on the importance of notifying the Office of the Fire Marshal when buildings are built or purchased, as well as having a defined timeframe to request building listings from departments.

#### **Recommendation 1.5**

We recommend the Office of the Fire Marshal establish a process requiring building listings be updated regularly for completeness and accuracy.

**Office of the Fire Marshal Response:** The OFM has started to follow-up with stakeholders to request building listings on an annual basis.

As part of this, a process will be put in place for Deputy Fire Marshals to follow; to review any new buildings in their areas to determine the initial classification/inspection schedule and the final classification/inspection schedule of the building after the initial inspection has been completed.

As part of the next software system, management will ensure the capability exists to properly document updated listings from stakeholders in the system. Target Date: By May 2023. System implementation end of 2026-27 fiscal.

## Fire Investigation Missing from Information System, Investigations Completed Late

### Important investigation detail missing from the information system

- 1.57 Our Office reviewed 20 fire investigation files. We requested a listing of all fire investigations during our two-year audit period (January 1, 2020, to December 31, 2021) from the information system. Upon reviewing the fire investigations listing, we alerted management to a fire we knew had been investigated but was not on the listing.
- 1.58 Management stated it was missing because the date of the fire fell within a timeline when investigations were still being entered into the information system and was delayed due to staffing resources. We note that our request for the listing was a full year after the fire occurred and was investigated.
- 1.59 The Office of the Fire Marshal was able to subsequently provide a digital copy of the missing investigation file. Nevertheless, the file was not yet entered into the Information System. This means management does not yet have an accurate or complete electronic record of investigation activities.

### Fire investigation reports completed past required filing date

1.60 The Fire Investigation Policy splits reports into briefings and full reports. For briefing reports, investigations are less complex and are required to be provided five business days after the Deputy Fire Marshal leaves the scene of the fire. Full reports are due 30 business days after the Deputy Fire Marshal leaves the scene of the fire. During our testing of 20 fire investigations, we noted the following issues:

- Five of seven investigations requiring a briefing report were between 13 and 95 days late
- Two of 13 investigations requiring a full report were 27 and 42 days past the 30-day deadline

1.61 Management indicated there may be reasons for a delay, for example, to await the return of evidence sent to labs for testing or to conduct additional interviews if needed. However, management was unable to provide



Source: Office of the Auditor General

evidence to support the reasons for the delays and no extensions to timelines were documented.

- 1.62 If management was conducting appropriate management functions and undertaking a quality assurance process, overdue investigation reports would be noticed and could be addressed with the Deputy Fire Marshal. Delays may be reasonable; however, management is unable to determine if Deputy Fire Marshals are completing work appropriately without approved, documented extensions.

## Risks in the Building Plan Review Process



### Office of the Fire Marshal is not following up regularly with owners when building plan information is incomplete

- 1.63 The Office of the Fire Marshal is required to complete building plan reviews on certain types of buildings:

- Assembly buildings more than three stories, an area greater than 600m<sup>2</sup>, or a non-residential building that is used for a school, college, or university and an occupancy of more than 40 people
- Care or detention buildings such as hospitals or correctional facilities
- Residential buildings licensed or regulated under the *Homes for Special Care Act* such as nursing homes
- High hazard industrial buildings more than two stories high or an area greater than 600m<sup>2</sup> such as an oil refinery



Source: Office of the Auditor General

- 1.64 Owners must submit construction-ready plans to the Office along with a completed submission form for review. If construction-ready plans are not submitted, a request is sent to the owner. There is currently no process in place to follow up when updated plans are not submitted as requested. This results in the building plan review not being completed.

- 1.65 Our testing showed:

- One file did not contain construction-ready plans, resulting in the Office of the Fire Marshal not being able to complete the required plan review. These plans were for a significant build already underway at a university.
- The first set of plans were submitted to the Office and when reviewed, it was determined the plans were not complete. The Office sent a letter requesting that more information be provided. The Deputy Fire Marshal was aware of the ongoing construction, and our testing showed that the Deputy Fire Marshal inspected the site throughout the construction project.

Issues identified during on-site inspections were documented. The builder ultimately agreed to make the needed changes.

- 1.66 Fire safety risks may not be identified if building plan reviews are not completed prior to construction. This could result in finished buildings that are unsafe, or costly repairs to remedy issues after construction is complete.

 **Office of the Fire Marshal is not following up to ensure issues identified during the building plan review are addressed**

- 1.67 The building plans examiner determines if submitted building plans are compliant with the fire safety and building codes. Any issues noted during the review are communicated to the owner via letter and they are asked to provide updated plans addressing the issues. Deputy Fire Marshals are copied on these letters to ensure they are aware of the issues noted during the building plan review. There is no process in place to follow up with owners if they do not submit updated plans addressing the issues noted by the examiner.
- 1.68 Three of the nine files tested that required construction inspections did not contain updated plans addressing the noted issues. We were unable to determine if fire safety risks were appropriately addressed.

 **Completed building plan reviews conducted within required timeframe**

- 1.69 The building plan review process establishes that a review be completed within a 45-day timeline. We tested 13 completed building plan reviews and noted that all were completed within the 45-day threshold.

 **No building plan review policy in place**

- 1.70 The Office provided a building plan review process document. However, it was not a formalized policy detailing specific steps to be followed, information to be collected or timeframes.

 **Inspections not completed during construction or prior to occupancy**

- 1.71 Once building plans are approved, an approval letter is sent to the owner outlining the list of fire inspections required to be completed during the construction process. During the period of our testing, nine construction projects requiring fire inspections received approval letters. However, we noted the Office of the Fire Marshal inspected only one of these projects during construction. Furthermore, we noted the eight other projects not inspected during construction also did not receive an inspection prior to the buildings becoming occupied.
- 1.72 This lack of inspection activity is concerning, as timely construction inspections can identify issues affecting public safety early on, enabling the owner to address the issue prior to completing the building. Construction inspections allow the Office of the Fire Marshal to inspect specific aspects of the building plans during the different stages of construction, for example, the inside of a fire barrier before it's covered up by drywall.
- 1.73 Management indicated there is no enforcement mechanism that requires owners to notify the Office of the Fire Marshal when construction inspections are ready to take place. There is a risk owners could deviate from the approved plans, resulting in noncompliance with fire safety and building codes. Furthermore, not appropriately conducting building plan reviews and construction inspections on provincial builds increases the risk of future costs that would ultimately be paid by Nova Scotians.

### Recommendation 1.6

We recommend the Office of the Fire Marshal develop a new construction and renovation building plan review policy detailing actions, completion timeframes, and construction and renovation inspection requirements.

**Office of the Fire Marshal Response:** The OFM will develop a policy for plans review based off the current plans review guideline to increase clarity. Under current legislation, the OFM does not have the authority to dictate actions to all stakeholders or the authority to inspect all buildings that plans reviews are required to be completed. Target Date: By May 2023 to develop plans review policy.

## Conflict of Interest with Fire Marshal and Fire Inspectors Association of Nova Scotia

- 1.74 The Office of the Fire Marshal and any staff within the office are subject to the Government of Nova Scotia's Conflict of Interest Policy.
- 1.75 Per the policy, a conflict of interest exists when the duties and responsibilities of an employee are, or potentially could be, compromised by their personal and private interests. A conflict may be real, apparent or perceived. It is important to note a conflict does not necessarily indicate wrongful conduct. However, the policy requires employees avoid, and disclose, all conflicts of interest to ensure public confidence in the public service.
- 1.76 During our audit work, we were informed of a potential conflict of interest involving the Fire Marshal and an external association board, the Fire Inspectors Association of Nova Scotia.



### Fire Marshal sits on board of Fire Inspectors Association of Nova Scotia while their partner is Executive Director of the organization

- 1.77 We confirmed the Fire Marshal sits on the board of directors of the Fire Inspectors Association of Nova Scotia and his partner is the Executive Director for the association. The Association provides training and certification for both municipal and provincial fire inspectors.
- 1.78 The Fire Marshal has been on the board since 2005 when first employed by Cape Breton Regional Municipality as a Fire Inspector and served as the Secretary from 2005-2014. After being promoted to Assistant Fire Marshal in 2014, the Fire Marshal became an ex-officio member of the Association's board. According to the Fire Marshal, all board members are aware of the personal relationship and are mindful of it when conducting Association business.
- 1.79 The Fire Marshal confirmed sitting on the board when the Executive Director was hired in 2010. During interviews with our office, the Fire Marshal stated their personal relationship with the Executive Director commenced in 2018, eight years after the Executive Director was hired by the Association. The Fire Marshal also stated that he did not sit on the 2010 hiring panel.
- 1.80 Subject to Ministerial approval, legislation permits the Office of the Fire Marshal or another staff member to sit on a board that furthers education of fire safety; however, the Fire Marshal was unable to provide evidence that Ministerial approval was ever requested or provided.



### This conflict of interest was not disclosed as required by the Provincial Conflict of Interest Policy

- 1.81 The Nova Scotia Provincial Conflict of Interest policy requires employees in conflict to submit a confidential report to their supervisor outlining the nature of the conflict. According to the Fire

Marshal, in 2018 when the conflict started, he only verbally notified his direct supervisor at the time of the personal relationship. Furthermore, we interviewed the Fire Marshal's current supervisor and discovered they were unaware of the personal relationship between the Fire Marshal and Executive Director of the Association.

- 1.82 We consulted with the Conflict of Interest Commissioner on this matter. According to the Commissioner, based on the information provided, the Fire Marshal is in conflict with the *Conflict of Interest Act* and should immediately address this issue.
- 1.83 We note that after our office started working on this matter, the Fire Marshal subsequently reached out to the Conflict of Interest Commissioner for guidance.
- 1.84 Although our limited work in this area did not identify any wrongful conduct, this conflict of interest is concerning. The Fire Marshal has wide ranging authority per the *Fire Safety Act* and is the fire safety authority in the province. Any real or perceived conflicts of interest could diminish the trust and credibility of the Office of the Fire Marshal.

#### **Recommendation 1.7**

We recommend, in consultation with the Conflict of Interest Commissioner, the Department of Municipal Affairs and Housing complete a review of conflict of interest practices and related training at the Office of the Fire Marshal. The review should include the appropriateness of current boards the Office of the Fire Marshal is on, and support provided to external associations by the Office of the Fire Marshal to ensure that potential conflicts of interests are addressed appropriately.

**Office of the Fire Marshal and Department of Municipal Affairs and Housing Response:** The OFM has met with the Conflict of Interest Commissioner to discuss the recommendation of the AG.

The OFM will undertake a review of the boards and committees in conjunction with the legislative requirements of the *Fire Safety Act*.

The OFM has remained consistent with its historical support to stakeholder groups. OFM participation on these boards is legislated or supports the training mandate. The participation also supports the municipalities by ensuring proper training and enforcement by municipal staff and volunteers. Target Date: By September 2023.

## Reasonable Assurance Engagement Description and Conclusions

In spring 2023, we completed an independent assurance report of the Office of the Fire Marshal at the Department of Municipal Affairs and Housing. The purpose of this performance audit was to determine if the Department of Municipal Affairs and Housing through the Office of the Fire Marshal was adequately protecting public health and safety through the management of fire and building safety.

It is our role to independently express a conclusion about whether the Office of the Fire Marshal complies in all significant respects with the applicable criteria. Management at the Department of Municipal Affairs and Housing has acknowledged its responsibility for the Office of the Fire Marshal.

This audit was performed to a reasonable level of assurance in accordance with the Canadian Standard on Assurance Engagements (CSAE) 3001 – Direct Engagements set out by the Chartered Professional Accountants of Canada; and sections 18 and 21 of the Auditor General Act.

We apply the Canadian Standard on Quality Management 1, which requires the Office to design, implement and operate a system of quality management, including policies or procedures regarding compliance with ethical requirements, professional standards and applicable legal and regulatory requirements.

In conducting the audit work, we have complied with the independence and other ethical requirements of the Code of Professional Conduct of Chartered Professional Accountants of Nova Scotia as well as those outlined in Nova Scotia's Code of Conduct for public servants.

The objectives and criteria used in the audit are below:

**Objective:**

To determine whether the Office of the Fire Marshal is effectively managing fire safety and building safety risks to the public.

**Criteria:**

1. The Office of the Fire Marshal fire and building safety programs should reflect legislative fire safety requirements and be applied consistently across the province.
2. The Office of the Fire Marshal should have established fire and building safety policies. They should be reflected in inspection, audit, enforcement, and education programs and address identified risks.
3. The Office of the Fire Marshal should have clearly defined roles and responsibilities.
4. The Office of the Fire Marshal should be monitoring municipalities to ensure they are meeting their legislative requirements.
5. The Office of the Fire Marshal should have information systems that provide management with relevant, timely and accurate information to assist in managing, monitoring and decision making.

**Objective:**

To determine if the Office of the Fire Marshal is effectively managing fire and life safety risks by completing legislatively required building construction plan reviews.

**Criteria:**

1. The Office of the Fire Marshal should have adequate systems and processes for management to know whether building review programs are operating as designed and are effective in managing identified risks.

Generally accepted criteria consistent with the objectives of the audit did not exist. Audit criteria were developed specifically for this engagement. Criteria were accepted as appropriate by senior management at the Department of Municipal Affairs and Housing.

Our audit approach consisted of interviews with management and staff of the Office of the Fire Marshal, reviewing policy, examining processes for the Office of the Fire Marshal and detailed file review. We examined relevant processes, plans, reports and other supporting documentation. Our audit period covered January 1, 2020, to December 31, 2021. We examined documentation outside of that period as necessary.

We obtained sufficient and appropriate audit evidence on which to base our conclusions on March 30, 2023, in Halifax, Nova Scotia.

Based on the reasonable assurance procedures performed and evidence obtained we have formed the following conclusions:

- The Department of Municipal Affairs and Housing through the Office of the Fire Marshal is failing to effectively manage fire safety and building safety, resulting in risks to public safety.
- The Department of Municipal Affairs and Housing through the Office of the Fire Marshal is not effectively managing fire and life safety risks through new building construction and renovation plan reviews.

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