



Strathcona

REGIONAL DISTRICT



Strathcona Regional District

Cortes Island Fire Fighters Association Contract Compliance Assessment

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1.0 Key Findings

1.1 Services Provided:

The Strathcona Regional District (SRD) requested FireWise Consulting to analyze the ability of the Cortes Island Fire Fighting Association to fulfill its contractual obligations to the SRD, with a specific focus on the allegations and concerns raised by former Fire Chief David Ives.

2.2 Observations:

The records provided to FireWise do not indicate that the Cortes Island Fire Fighting Association (CIFFA) meets its obligations to the SRD, as detailed in the firefighting contract. The only records provided relate to actions taken since October 2022.

The current governance model is obsolete and does not provide adequate management support to Cortes Island Fire Rescue. This ineffective governance exposes Association Board Members and the SRD to significant liability concerns regarding worker safety and operational effectiveness.

Provincial and national trends in fire service governance structures reflect the elimination of society and volunteer governance systems in favour of more focused municipal management of their fire departments. This trend is occurring in jurisdictions across British Columbia, including the District of Chetwynd and SRD neighbours like the Comox Valley Regional District.

2.3 Recommendations:

- Strathcona Regional District should undertake a governance review of Cortes Island Fire Rescue to transition away from the current model to better serve the needs of the fire department, SRD and Cortes Island residents.
- Strathcona Regional District should complete a fire services review of Cortes Island Fire Rescue to guide future decisions regarding fire protection on the Island.
- The firefighting contract renewal with the Cortes Island Fire Fighting Association should be deferred until the governance and fire protection reviews are completed.



2.0 Disclaimer

FireWise Consulting is pleased to submit this report for your review and consideration. FireWise Consulting (FWC) makes no representation or warranty to the recipient or readers and shall not be liable for any errors or omissions in the information or the use thereof.

We have relied on the information from the Strathcona Regional District and Cortes Island Fire Rescue to prepare this report. FWC obtained additional information through research, site visit, and data submissions. The report combines these information resources to provide the Strathcona Regional District with an assessment of the current state of fire protection on Cortes Island.

FireWise's use of language and names follows standard use and definitions. In order of precedence, definitions follow the legislation of the jurisdiction, referenced standards or accepted Canadian definitions.

FWC has made every effort to ensure that this report reflects gender neutrality.

3.0 Acknowledgement

FireWise would like to thank the Strathcona Regional District and Acting Fire Chief Elijah McKenty and members of his Board and fire department for their support and cooperation throughout this project. We appreciate the openness and transparency of these people and their contribution to the final report.

4.0 Use of Standards

The National Fire Protection Association (NFPA) publishes a broad range of standards to define minimum practical performance objectives for fire protection systems. These standards are accepted industry best practices for most aspects of fire protection systems. Sometimes, legislation adopts specific standards or portions thereof as a requirement. FireWise will use these standards and others to anchor our recommendations to facts and accepted industry practice and science.

Fire service training programs lean heavily on NFPA standards, and few jurisdictions can create their own. Most adopt these recognized standards as the baseline for their training. Our current state assessment related to training is directly linked to the British Columbia Office of the Fire Commissioner Structure Firefighter Minimum Training Standards as the baseline for our analysis of the department's training adequacy.

The reference to any standard illustrates the industry's best practices. Unless expressly indicated otherwise, it should not be considered a recommendation to adopt the referenced standard in whole or part.



5.0 Executive Summary

The Strathcona Regional District (SRD) selected FireWise Consulting to assess the contract compliance of Cortes Island Fire Firefighters Association following allegations of substandard vehicle maintenance and firefighter training practices made by Fire Chief Ives. SRD provides fire protection services to a portion of Cortes Island through a contract with the Cortes Island Fire Fighting Association.

The project has included a cursory governance review of SRDs and the Cortes Island Fire Fighting Association's roles in ensuring the compliance of CIFR with legislated and regulatory requirements. FireWise applied information obtained through our previous projects in the area, including the Fire Services Administrative Support Feasibility Study completed earlier in 2022, which included conversations with Chief Ives.

In November 2022, Chief Ives sent two letters to government and local officials expressing concerns about the department's training, operations, and personnel. The first letter was to the Office of the Fire Commissioner, detailing problems ranging from lack of compliance with the British Columbia Structure Firefighters Minimum Training Standard to a lack of staffing available to respond to an emergency effectively.

The second letter was sent to the British Columbia Commercial Vehicle Safety and Enforcement regional office in Nanaimo. This letter alleged a failure to comply with required inspections and vehicle maintenance programs for large trucks, including fire trucks. The letter detailed concerns about a lack of programs that included a failure to maintain vehicles in a safe and operable state, failure to perform basic pre and post-trip inspections, and non-compliance with third-party Commercial Vehicle Inspections.

Due to the serious nature of the concerns, FireWise was asked to fast-track a site visit to evaluate the actual situation on Cortes Island, evaluate the allegations, and provide an expert opinion on the nature of identified risks to Cortes Island Fire Rescue, the Cortes Island Fire Fighting Association and the Strathcona Regional District. FireWise was able to coordinate a visit to Cortes Island on December 8, 2022. The site visit included a conversation with the Acting Fire Chief, an assessment of existing vehicles and facilities and informal discussions with one Association executive member and former Fire Chief, Mac Diver.

While inflammatory, the allegations made by Chief Ives appear to be based, at least in part, on actual gaps in governance, training and administrative practices. The Cortes Island Fire Fighting Association does not appear to have met its employer's duty to ensure that the department complies with its contract with the SRD and WorkSafeBC legislation related to the safe operations of a British Columbia volunteer fire department. Training records or reports that were provided appear to have been created from records that were "found" following the disclosure of the complaints. The records do not give a clear picture of the training levels of the department nor how individual



firefighters' skills are being maintained and affirmed. Similarly, commercial vehicle inspections on all of the fire department vehicles were available on the site visit, as were pre and post-trip records. These processes appear to have been implemented in response to the complaints.

The lack of effective governance structures and the serious nature of the situation related to the administration and operations of the department practices contributes to the issues faced by CIFR. SRD has taken responsibility for stipulating service levels, performance metrics, and response areas but does not appear to have an effective reporting system to ensure that contract agencies remain compliant with those standards. An effective reporting system would have identified or disproved the allegations of poor administration and operational practices. The Association has not demonstrated any ability to effectively manage a modern fire department reflecting current legislative and regulatory requirements. A review of the governance system, roles of the parties and how the SRD can better support the delivery of fire protection services to Island residents should be considered a high priority. The 2022 Fire Service Administrative Support Feasibility Study recommendations should be foundational to this effort.

Cortes Island represents a vulnerable jurisdiction due to geography and the lack of effective application of Fire and Building Codes and Standards. The island is regularly isolated from neighbours due to weather and ferry schedules. A cursory tour of the island reveals limited to no compliance with Provincial Fire and Building Codes, increasing the risk of potentially catastrophic fires with the accompanying threat to the lives of residents. The island is heavily forested, and little effort has been made to manage fuels or improve construction resilience. This increases the risks for residents and firefighters, with little likelihood of timely interventions from larger or more capable mutual aid partners. Any responders must be well-led, skilled, trained, and adequately equipped to address these risks.



6.0 What We Learned

The following information reflects the observations developed through document reviews, provincial legislation and regulations analysis, and a site visit to Cortes Island. It reflects the specific areas identified in the complaints made by Chief Ives and the basic governance review, reflecting the SRD's role in providing fire services to Cortes Island residents.

6.1 Governance

The relationship between the SRD and CIFR is described within a fire protection agreement set to expire in 2023. The agreement provides direction on financial requirements, service areas, service levels, training compliance, and performance requirements for the fire department. The agreement does contain annual financial reporting requirements for the Association.

Despite the SRD including standards of service requirements in the agreement, it does not appear that there has been regular reporting related to the described standards.

STANDARDS OF SERVICE	
4.	In operating the fire protection service the Association agrees that:
(a)	it will comply with all laws, statutes, regulations, bylaws and orders of any authority having jurisdiction;
(b)	all personnel involved in operating the fire protection service will be properly trained and licensed to perform the work that they are expected to do; and
(c)	the fire protection service will be operated to the standards recognized by the Exterior Firefighting British Columbia Fire Service Minimum Standards: Structure Firefighters Competency and Training Playbook.
(d)	the Regional District is limited in its ability to authorize entrance of the Association's personnel onto private property.

Figure 1: Standards of service detailing compliance requirements, including training and competency expectations and applicable provincial standards.

There is no evidence that CIFR has consistently followed these performance standards. It is unclear which SRD officials referred to in Article 11(b) are designated to meet with CIFR or if these meetings occur. It appears that most discussions between CIFR and SRD are related to expenditures and financial matters and are relatively silent on operations, training or administration.



EXECUTIVE COMMITTEE

11. The Executive Committee of the Association shall:
 - a) be responsible for reviewing and reporting to the Regional District on the Association's five year financial plan and otherwise represent the Association in its dealings with the Regional District;
 - b) meet with officials of the Regional District as required, and at least semi-annually, to discuss the provision of the fire protection service;
 - c) submit to the Regional District not later than May 1 each year of the term, a written report containing information on the prior year's operations, an update on the training status of personnel involved in operating the fire protection service, the status of any capital development and any proposed major operational changes for the next year, and
 - d) provide within 30 days after the annual general meeting of the Association a list of the Executive Committee members, including the Association's signing authorities, contact names, phone numbers and email addresses.

Figure 2: Reporting requirements set out in the agreement appear to have focussed more on financial matters than the administration and operation of the department.

The Cortes Island Fire Fighting Association indemnifies the SRD from responsibility for anything to do with fire department liability concerns. This places the sole responsibility for worker safety and departmental liability on the volunteer board members.

INDEMNITY

13. The Association hereby indemnifies, saves harmless, releases and forever discharges the Regional District, its elected and appointed officers and employees from and against any and all manner of actions, causes of actions, claims, debts, suits, losses, liabilities, costs, demands and expenses whatsoever, whether known or unknown, in any way arising from, in connection with or attributable to the actions of the Association, its servants, agents, officers, employees, contractors or subcontractors in connection with this Agreement.

Figure 3: Indemnity clause from Cortes Island-Strathcona Regional District fire protection agreement.

6.2 Vehicle Compliance

The Acting Fire Chief provided current commercial vehicle inspection reports for all applicable fire department vehicles. He suggested this was the practice before the former administration but offered no files or records to support this. Future reviews will require full disclosure of fire department records to assess CIFR's administrative program and reporting compliance accurately.

Emergency vehicles are not required to perform a pre-trip inspection, and the need to respond quickly to an emergency makes these types of inspections impractical.



However, the department must have policies and procedures to ensure that the vehicle is safe to deploy to an emergency through administrative practices, including post-trip inspections and a regular preventive maintenance program and checks that are recorded and reported. There is no evidence that a formal program has been documented or used in the past or is currently in place. Everything the department has implemented appears to respond to Chief Ives's complaints.

Commercial Vehicle Safety and Enforcement
Frequently Asked Questions

When do I need to fill out a trip inspection report?

A driver must complete a trip inspection report before driving the commercial motor vehicle for the first time in a day.

This does not apply to:

- (a) a commercial motor vehicle rented for a single trip
- (b) an emergency vehicle
- (c) a two axle commercial motor vehicle with a licensed gross vehicle weight not exceeding 14,600 kg, excluding a bus, school bus, special activity bus or special vehicle
- (d) a taxi where the driver is required to notify the carrier immediately of any defects found during inspections

Figure 4: Excerpt from BC CVSE Frequently Asked Questions

6.3 Training Compliance

The Acting Fire Chief prepared a spreadsheet illustrating the training level of the existing and some retired fire department members. The spreadsheet only tracks training that has occurred since October 2022. It does not cover all of the competencies identified by the Office of the Fire Commissioner for Exterior Fire Fighters. It does not address leadership or the additional services that the department delivers. It appears that the spreadsheet reflects the opinion of the signatories on the competence of the department members, irrespective of courses and training taken, as opposed to a demonstration of the individual candidate's actual knowledge and skills uptake.

Services provided by the department are not explicitly described, so training for wildland, slope rescue, marine, and other high-hazard operations does not appear to be supported by a training and competency management program as required by WorkSafeBC. Each service option has specific job performance requirements that direct training and competency management, and no evidence was provided to indicate these competencies are being maintained.



STATUS	Safety & Communications		PPE & SCBA		Ropes & Knots		Ladders	
	PRACTICAL	WRITTEN	PRACTICAL	WRITTEN	PRACTICAL	WRITTEN	PRACTICAL	WRITTEN
0%	2022-10-0		2022-11-15		2022-11-15		2022-11-15	
0%	2022-10-0		2022-11-15		2022-11-15		2022-11-15	
Training completed, Paid-On-Call W/ Campbell River								
0%	2022-10-0		2022-10-0		2022-10-25		2022-11-08	
0%								
	2022-10-0		2022-10-1		2022-10-11		2022-11-08	
0%	2022-10-0		2022-10-1		2022-10-25		2022-10-25	
leave								
0%	2022-10-0		2022-10-1		2022-11-15		2022-11-08	
	2022-07-1						2022-02-22	
	2022-10-0		2022-11-15		2022-11-15		2022-11-15	
	2022-10-0		2022-10-1		2022-10-25		2022-10-25	
0%	2022-10-0		2022-10-0		2022-10-04		2022-07-30	
0%	2022-10-0		2022-11-15		2022-11-15		2022-11-15	
			2022-11-15		2022-11-15		2022-11-15	
	2022-10-0		2022-11-15		2022-11-15		2022-11-15	

Figure 5: Excerpt from the training spreadsheet provided to FireWise by Cortes Island. Note that all training references are for October-November 2022.

6.4 Testing, Validation and Records Management of Training

The BC Office of the Fire Commissioner Structure Firefighter Minimum Training Standards includes minimum documentation and records that must be maintained for each firefighter in the department. CIFR has invested in software that may assist in tracking training and other fire department activities, but it has not been used to any great extent.

Departmental trainers must be qualified to deliver the training in accordance with the Minimum Training Standards. Evaluative practices must comply with individual competency and reflect the knowledge and the practical application of that knowledge. There is no indication that the department has trained and qualified personnel for this process. An operating guideline or policy should support and detail the department's training, certification and validation approach. None were provided.



Testing and validation of training:

- The competencies required to act as an in-house trainer and assessor of the training materials required by the training standards are detailed within the OFC Training Standards manual.
- Training and evaluation can occur using either a third-party training organization, or “in-house” by a department using its own trainers and assessors. The determination of the most appropriate method for each department rests with the AHJ.

Training Records:

- It is the responsibility of all AHJs and their fire departments to be able to accurately record, edit and report out a complete list of training records for each individual structure firefighter including specific training subjects covered at each training session.
- As a minimum the training records must contain the following:
 - Name of participant
 - Date of training – MMM, DD, YYYY
 - Topic of the course – ex. Use of fire extinguishers
 - Method of training – In house, academy and/or contractor
 - Retraining period requirement – ex. 12 months, 3 years etc.
- All training records must be kept in accordance with the requirements of the WorkSafeBC OHS regulations for Young and New Workers (Parts 3.22 to 3.25) and any other community regulatory requirements (FOIPPA, etc.).
- The Training Standards identifies the minimum competencies required of some structure firefighter roles at each service level. The continuous maintenance training for the competencies is the responsibility of the AHJ through their Fire Chief and it is expected that this will be accomplished through ongoing skills maintenance training and education. This ongoing training must be duly recorded for each structure firefighter and officer.

Figure 6: Excerpt from BC Minimum Training Standards Procedure

CIFR training records do not comply with OFC requirements and appear incomplete. Records only report on training taken since October 2022.

While it is likely other training has been taken, it is unclear whether it reflects the currently accepted practices of similar-sized volunteer fire departments in BC and who has taken it.



6.5 Vehicles

All CIFR vehicles have recently passed a commercial vehicle inspection performed by a third party, which means they are safe to operate on British Columbia roads.

The trucks apparently receive annual testing by a third-party agent who assesses the pump and firefighting equipment. No records were provided to support this.



7.0 Conclusion

The situation on Cortes Island reflects observations made by other studies and reports on fire protection in the SRD. Volunteer fire departments are universally challenged to provide the required administration functions for an increasingly dangerous and complex industry. Well-meaning citizens continue to come forward, volunteer their time and provide critical services to their communities in the best traditions of the industry. The governance and support for the fire service must change to meet these new realities. This is particularly critical where the department is in a remote location with little access to external mutual aid or other support.

The development of advanced requirements and standards, particularly those related to workplace health and safety, is intended to keep firefighters safe while discharging their duties. There is an opportunity on Cortes Island to redefine the governance and support for Cortes Island Fire Rescue to better reflect the area and department members. This will require redefining governance roles and increased engagement and reporting to ensure that system improvements are implemented and effective.

Concerns about the availability of volunteer firefighters to respond to emergencies are a real issue, not restricted to Cortes Island. Events in Zeballos and departments across Canada demonstrate that small and remote communities have unique challenges in attracting and maintaining sufficient numbers of trained volunteers to maintain viable fire and emergency services. As shown in Zeballos, success reflects the creative engagement of all stakeholders in support of the volunteers. While the last few months have been difficult for Cortes Island and CIFR, it should be considered an opportunity. Completing a fire services review and revising the governance practices to better reflect industry-accepted practices and the needs of the fire department and community should be the priority for all stakeholders.

Respectfully,



Ernie Polsom,
FireWise Consulting



8.0 References and Documents

1. British Columbia Office of the Fire Commissioner Structure Firefighter Training Standard <https://www2.gov.bc.ca/gov/content/safety/emergency-management/fire-safety/training/firefighter-training>
2. British Columbia Commercial Vehicle Safety and Enforcement https://www.cvse.ca/vehicle_inspections.htm
3. Board Report December 19, 2017, Cortes Island Fire Protection (2018-2023 Fire Services Agreement)
4. Cortes Island Fire Rescue training spreadsheet as provided by Acting Fire Chief
5. Copies of commercial fleet inspection forms from November 2022 CVIP on Cortes Island fleet vehicles.
6. Complaint letters to the Government of British Columbia
7. National Fire Protection Association Standards- various

