

Chapter 3

Section 3.08

COVID-19 Preparedness and Management Special Report

Chapter 1: Emergency Management in Ontario – Pandemic Response

Standing Committee on Public Accounts Follow-Up on 2020 Special Report

On April 14, 2021, the Standing Committee on Public Accounts (Committee) held a public hearing on our 2020 special audit of Emergency Management in Ontario – Pandemic Response. The Committee tabled a report on this hearing in the Legislature in February 2022. A link to the full report can be found at auditor.on.ca/en/content/standingcommittee/standingcommittee.html.

The Committee made six recommendations and asked the Ministry of the Solicitor General (Ministry) to report back by June 2022. The Ministry formally responded to the Committee on June 22, 2022. However, the Committee was unable to accept the response at that time due to the dissolution of the 42nd Parliament. As a result, the Ministry was asked to resubmit the response after the 43rd Parliament

officially begins. The Provincial Emergency Management Office (EMO), the office that is the focus of the special report, was moved from the Ministry to the Treasury Board Secretariat (Secretariat) on June 24, 2022. The Secretariat submitted its formal response to the Committee in August 2022.

A number of the issues raised by the Committee were similar to the audit observations in our 2020 audit, which we followed up on in 2022. The status of each of the Committee’s recommended actions is shown in **Figure 1**.

We conducted assurance work between June 2022 and August 2022, and obtained written representation from the Secretariat that effective November 4, 2022, it has provided us with a complete update of the status of the recommendations made by the Committee.

Figure 1: Summary Status of Actions Recommended in the February 2022 Committee Report

Prepared by the Office of the Auditor General of Ontario

RECOMMENDATION STATUS OVERVIEW						
	# of Actions Recommended	Status of Actions Recommended				
		Fully Implemented	In the Process of Being Implemented	Little or No Progress	Will Not Be Implemented	No Longer Applicable
Recommendation 1	1		1			
Recommendation 2	2		2			
Recommendation 3	1		1			
Recommendation 4	1		1			
Recommendation 5	1		1			
Recommendation 6	1		1			
Total	7	0	7	0	0	0
%	100	0	100	0	0	0

Overall Conclusion

As of November 4, 2022, none of the Standing Committee on Public Accounts (Committee) recommended actions had been fully implemented and they were all in the process of being implemented.

Although progress to fully implement the recommendations has been slow to date, a number of critical developments have recently occurred at the Provincial Emergency Management Office (EMO), as noted below. These developments are expected to have a significant impact on implementing the recommendations in the future, and on the emergency management program in Ontario:

- In January 2022, staffing at EMO was increased based on a staffing review that was conducted in 2021, adding 69 positions, which is an increase from 79 at the time of the special audit in 2020. During the 2022/23 fiscal year, additional funding of \$500,000 was provided for four new positions, along with an additional \$3 million which EMO stated was for 46 additional staff, prorated for the last six months of the fiscal year. As of September 30, 2022, a total of 136 positions were filled at EMO and recruiting efforts were continuing for the remaining positions.
- In April 2022, a new Deputy Minister/Commissioner of Emergency Management position

was created and filled. This new role provides dedicated leadership to Ontario's emergency management system.

- Also in April 2022, amendments were made to the *Emergency Management and Civil Protection Act* through the new *Pandemic and Emergency Preparedness Act, 2022*. The changes require that the Treasury Board Secretariat (Secretariat) establish an accountability and governance framework that sets out the roles and responsibilities of EMO's partners during an emergency. The changes also require the Secretariat to develop and publish a provincial emergency management plan.
- In June 2022, the new Deputy Minister/Commissioner and EMO were transferred from the Ministry of the Solicitor General to the Secretariat, which is a more centralized placement for the office in the government.
- In July 2022, a new organizational structure was rolled out for EMO, which includes the new Deputy Minister/Commissioner and three Assistant Deputy Ministers that each head up divisions (previously there was only one division).

Figure 2 shows the recommendations and status details that are based on responses from EMO, and our review of the information provided.

Figure 2: Committee Recommendations and Detailed Status of Actions Taken

Prepared by the Office of the Auditor General of Ontario

Committee Recommendation	Status Details
<p>Recommendation 1</p> <p>The Ministry of the Solicitor General make a concerted effort to expediently and fully implement the recommendations from the Auditor General's 2017 audit report on emergency management in Ontario within the next 12 months.</p> <p>Status: In the process of being implemented by December 2025.</p>	<p>EMO told us that it has balanced making progress on the recommendations in the 2017 value-for-money report on Emergency Management in Ontario, many of which are multi-year undertakings, while engaging in various emergency planning and response activities including the ongoing provincial response to COVID-19.</p>

Committee Recommendation	Status Details
	<p>As a result, we noted that more progress has been made in implementing these recommendations as EMO had fully implemented nine (25%, up from four or 11% in 2020) recommended actions of the 36 it was responsible for. In addition, 24 (67%, up from 18 or 50% in 2020) recommended actions were in the process of being implemented. There had been little or no progress on one (3%, down from 12 or 33% in 2020) recommended action. (EMO previously told us that it would not be implementing two of the 36 recommended actions.)</p> <p>However, EMO will not be able to meet the Committee’s recommendation of implementing all recommended actions within 12 months of its report’s tabling date (by February 2023). Under EMO’s new organizational structure, it plans to implement all outstanding recommended actions by December 2025.</p>
<p>Recommendation 2</p> <p>The Ministry of the Solicitor General:</p> <ul style="list-style-type: none"> adopt the best practices noted in other jurisdictions, such as ensuring all parties are engaged and working together in the Provincial Emergency Operations Centre, as appropriate, providing direct support to municipalities, and providing timely information; Status: In the process of being implemented by March 2024. determine the changes needed to make its provincial response structure as effective as possible, and implement them. Status: In the process of being implemented by December 2024. 	<p>EMO regularly participates in Federal/Provincial/Territorial forums related to emergency management. These forums provide an opportunity to learn from and work with other jurisdictions to share information on approaches and best practices. However, EMO has not yet reviewed the best practices noted in other provinces in the special report, with a goal of adopting those that could improve the emergency management program in Ontario.</p> <p>EMO previously committed to undertaking a full review of Ontario’s emergency management system post-COVID 19 in order to assess areas for improvement and to build upon successes and learnings from the COVID-19 emergency. In November 2021, it began examining Ontario’s emergency management program through an internal review of its legislation. As part of this review, it will look at best practices and lessons learned from the pandemic, with a goal of making improvements to Ontario’s emergency management program. It expects to complete the review of best practices noted in other provinces and the review of its legislation, and adopt any best practices, by March 2024.</p> <p>EMO indicated that the Province has regularly reviewed the response structure used for COVID-19 and believes it is effective for an integrated and cross-government response to the pandemic. It said that the response structure has been modified over the past year to ensure continued effectiveness.</p> <p>EMO also stated that as part of the broader emergency management governance and oversight structure being developed, changes to the provincial response structure will be determined by building on existing approaches, including the response structure used for the pandemic. The changes identified will then be approved by the government.</p> <p>However, the new structure is not in line with the one outlined in the Provincial Emergency Response Plan, since the structure in that plan does not include any of the tables and sub-tables that the new structure contains, and it is based on the Incident Management System, a best practice in emergency management.</p> <p>If this response structure is to be used going forward, then the Provincial Emergency Response Plan should be updated accordingly so that all stakeholders are aware of the intended new provincial approach.</p> <p>The related ministry response plans should also be updated to reflect this new structure. For example, the Ministry of Health’s Ministry Emergency Response Plan and Ontario Health Pandemic Influenza Plan had not been updated since 2013, and the Provincial Co-ordination Plan for Influenza Pandemic had not been updated since 2006, and they have still not been updated. Therefore, these plans are not in line with the response structure being used for the pandemic.</p>

Committee Recommendation	Status Details
	<p>In addition, EMO has still not undertaken a full review of Ontario's emergency management system, which it committed to doing post-COVID-19 to assess areas for improvement and to build upon successes and learnings from the pandemic. EMO began examining Ontario's emergency management program through an internal review of legislation that was initiated in November 2021. Any improvements noted in the response structure as a result of this review should be updated in the Provincial Emergency Response Plan. The Secretariat expects to implement this recommendation by December 2024, after the Provincial Emergency Response Plan is updated to reflect the Province's response structure.</p>
<p>Recommendation 3</p> <p>The Ministry of the Solicitor General determine the critical resources needed for all types of emergencies and then enter into agreements for those resources with pre-established rates and volume.</p> <p>Status: In the process of being implemented by December 2025.</p>	<p>Some amendments were made to the <i>Emergency Management and Civil Protection Act</i> through the new <i>Pandemic and Emergency Preparedness Act, 2022</i> in relation to this recommendation. The changes require ministries to identify the goods, services and resources needed to respond to the risks and hazards they are responsible for, and to provide this information to EMO annually and upon request.</p> <p>In addition, the Ministry of Public and Business Service Delivery (formerly the Ministry of Consumer and Government Services) introduced the <i>Personal Protective Equipment Supply and Production Act, 2022</i>. This Act requires the Province to maintain a stockpile of personal protective equipment and critical supplies and equipment. Further, the legislation requires the Minister to report on the status of the stockpile and the origin of the products in the stockpile annually.</p> <p>Also, a terms of reference document has been developed for a new working group involving EMO, the Ministry of Public and Business Service Delivery and Supply Ontario to develop a supply chain and logistics program that addresses preparedness of resources, goods and services needed during an emergency. Supply Ontario is a new Crown agency that was established to transform and modernize Ontario's supply chain.</p> <p>EMO plans to fully implement this recommendation by December 2025 after ministries have identified the resources needed to respond to the risks and hazards they are responsible for, as required by the new legislation, and then enter into agreements for those resources.</p>
<p>Recommendation 4</p> <p>The Ministry of the Solicitor General review best practices in other jurisdictions to inform and recommend to government a governance structure that promotes and supports effective oversight of emergency management in the province, and, if required and approved, that the Ministry implement this structure.</p> <p>Status: In the process of being implemented by March 2023.</p>	<p>EMO has initiated a review of the <i>Emergency Management and Civil Protection Act (Act)</i> and was developing an updated emergency management governance and oversight structure which will include the implementation of a new executive-level committee for emergency management by December 2022, and an assessment of the role of the Cabinet Committee on Emergency Management. As part of this process, EMO has begun reviewing jurisdictional approaches and best practices to help in the development of this new structure. EMO plans to implement this recommendation by March 2023, including obtaining government approval for an updated governance and oversight structure.</p> <p>As part of this review process, amendments were made to the Act through the new <i>Pandemic and Emergency Preparedness Act</i>, which was proclaimed in April 2022. These changes require the Secretariat to establish an accountability and governance framework that sets out the roles and responsibilities of EMO's partners during an emergency. These changes also require the development and publication of a provincial emergency management plan, which will be a separate document from the Provincial Emergency Response Plan.</p>

Committee Recommendation	Status Details
<p>Recommendation 5</p> <p>The Ministry of the Solicitor General implement the staffing needed at the Provincial Emergency Management Office and in the Provincial Emergency Operations Centre based on the results of the recent staffing review and the needs of municipalities, including plans for surge capacity and specialized teams to be used during an emergency.</p> <p>Status: In the process of being implemented by March 2024.</p>	<p>In January 2022, 69 additional staffing positions were approved for EMO based on the recent review conducted, which is an increase from 79 in 2020. During the 2022/23 fiscal year, additional funding of \$500,000 was provided for four new positions, along with an additional \$3 million which EMO stated was for 46 additional staff, prorated for the last six months of the fiscal year. As of September 30, 2022, a total of 136 positions were filled at EMO and recruitment was under way for the remaining positions.</p> <p>More specifically, for the staffing needed to assist municipalities, EMO has increased staffing in its field services area by approving 14 additional field officer positions, which is in line with the minimum noted in the staffing review. EMO's field services have grown from 12 positions at the time of the 2017 value-for-money audit to 31 positions, with the majority of these positions filled as of the follow-up.</p> <p>However, EMO had not developed a surge capacity plan as a way of increasing staffing in the Provincial Emergency Operations Centre during an emergency; instead, it planned on using its existing staff. It indicated that the approved additional staff gave it a far greater capability to meet the demands during an emergency. However, the review recommended staffing levels needed for EMO's day-to-day operations, but did not include additional surge staffing to respond to lengthy, large-scale emergencies. This approach could result in not enough surge staffing being available to assist in the Provincial Emergency Operations Centre. It could also limit EMO's other program operations, such as nuclear preparedness, training, compliance reviews and public education, for example, if staff are taken from these areas to assist in the Provincial Emergency Operations Centre.</p> <p>EMO also has not yet implemented the All Hazards Incident Management Team, which it stated that it planned to implement to assist in the Provincial Emergency Operations Centre and in other ministries' emergency operations centres during emergencies. EMO indicated that any further development of this specialized team will depend on future growth in EMO under the new organization structure. EMO plans to implement this recommended action by March 2024.</p>
<p>Recommendation 6</p> <p>The Ministry of the Solicitor General review the authority of the Chief of Emergency Management and confirm that the province is prepared for emergencies by enabling the Emergency Management Office to ensure compliance with all the legislative requirements, and determine whether changes to legislation are needed.</p> <p>Status: In the process of being implemented by December 2025.</p>	<p>Under the <i>Emergency Management and Civil Protection Act</i> (Act), the Chief of Emergency Management has the legislative authority to monitor, coordinate and assist ministries and municipalities in developing and implementing their emergency management programs. The Chief's legislated authority does not include the ability to enforce the legislative requirements in order to ensure the province is prepared for emergencies.</p> <p>EMO conducted an internal review regarding ways to increase ministry and municipal compliance with legislated requirements. As a result, it concluded that assisting ministries and municipalities in the annual compliance review process by providing more support and guidance could be more beneficial than increased legislative enforcement powers.</p> <p>However, the annual compliance review process does not focus on the quality and sufficiency of the emergency management programs in place.</p> <p>EMO is looking into improving its annual compliance review process to include a review of the quality of emergency management programs at ministries and municipalities. It has also initiated a review of the Act, including examining the requirements for ministry and municipal emergency management programs and plans. EMO plans to complete all of this work by December 2025.</p>