

TOPIC: Notification Requirements for Serious Fire Risks in Long-Term Care and Retirement Homes

This directive is issued under the provisions of the *Fire Protection and Prevention Act, 1997*, (FPPA) S.O. 1997, chapter 4, clause 9.(1)(b). It is the responsibility of every Assistant to the Fire Marshal to follow the Fire Marshal's directive as set out in subsection 11.(1) of the FPPA.

Background

This directive stems from Recommendation 4, of Section 3.09: Long-Term Care Home Quality Inspection Report, of Chapter 3: Reports on Value-for-money Audits, of the 2015 Annual Report of the Office of the Auditor General of Ontario, which reads as follows:

To mitigate the risk of fire at long-term-care homes, the Ministry of Health and Long-Term Care should work with the Office of the Fire Marshal and Emergency Management and municipal fire departments to establish a formal protocol to regularly share information with the Ministry on homes' non-compliance with fire regulation ...

Following discussions with representatives of the Ministry of Long-Term Care (MLTC), the Retirement Homes Regulatory Authority (RHRA) and the Ontario Association of Fire Chiefs, the following information sharing protocol was agreed to:

- The Office of the Fire Marshal (OFM) will notify the MLTC and the RHRA of *Orders to Close* [issued under clause 21.(2)(a) of the FPPA] and *Authorizations to Close* [issued under clause 21.(2)(b) of the FPPA] involving long-term care homes or retirement homes respectively.
- Fire services will similarly notify the MLTC and the RHRA of all other serious fire risks as directed by the Fire Marshal.

Directive

1. Assistants to the Fire Marshal shall notify the MLTC where the following conditions are encountered in a long-term care home:

- Immediate threat to life within the meaning of section 15 of the FPPA;
- Chronic non-compliance with the Fire Code; and/or
- Where significant resistance is experienced on achieving corrective action on major Fire Code deficiencies.

Procedures for contacting MLTC:

During regular office hours (Monday to Friday, 0830h to 1630h):

- Email to: ciattgeneral.moh@ontario.ca

After regular office hours:

- Telephone the Service Ontario After-Hours Line at 1-888-999-6973

2. Assistants to the Fire Marshal shall notify the RHRA where the following conditions are encountered in a retirement home:

- Immediate threat to life within the meaning of section 15 of the FPPA;
- Chronic non-compliance with the Fire Code; and/or
- Where significant resistance is experienced on achieving corrective action on major Fire Code deficiencies.

Procedures for contacting the RHRA:

- Email to: info@rhra.ca or
- Telephone: 1-855-275-7472

3. When notifying either the MLTC or the RHRA of serious fire risks outlined in items 1 and 2 noted above, Assistants to the Fire Marshal shall provide the name and address of the facility, details regarding the fire risk, and fire department contact information. Where notification is being provided on an immediate threat to life situation, a copy of the Notice posted per requirements in subsection 15.(3) of the FPPA shall also be provided.

Rationale

Information sharing between fire services, MLTC and RHRA will mitigate serious fire risk in long-term care and retirement homes.

John McBeth

A/Fire Marshal of Ontario

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