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STANDING COMMITTEE ON PUBLIC ACCOUNTS

EMERGENCY MANAGEMENT IN ONTARIO – PANDEMIC RESPONSE

(CHAPTER 1, SPECIAL REPORT ON COVID-19 PREPAREDNESS AND
MANAGEMENT OF THE OFFICE OF THE AUDITOR GENERAL OF ONTARIO)

2nd Session, 42nd Parliament
71 Elizabeth II

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The Honourable Ted Arnott, MPP
Speaker of the Legislative Assembly

Sir,

Your Standing Committee on Public Accounts has the honour to present its Report and commends it to the House.

A handwritten signature in blue ink, appearing to read "Taras Natyshak".

Taras Natyshak, MPP
Chair of the Committee

Queen's Park
February 2022

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2nd Session, 42nd Parliament

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(October 28, 2019 - October 25, 2021)

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(September 22, 2020 - October 20, 2021)

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INTRODUCTION

On April 14, 2021, the Standing Committee on Public Accounts held public hearings on the Auditor General's 2020 Special Report on COVID-19 Preparedness and Management: Emergency Management in Ontario – Pandemic Response,

The Committee endorses the Auditor's findings and recommendations, and presents its own findings, views, and recommendations in this report. The Committee requests that the Ministry of the Solicitor General provide the Clerk of the Committee with written responses to the recommendations within 120 calendar days of the tabling of this report with the Speaker of the Legislative Assembly, unless specified otherwise.

ACKNOWLEDGEMENTS

The Committee extends its appreciation to officials from the Ministry of the Solicitor General, Ministry of Government and Consumer Services, and Cabinet Office. The Committee also acknowledges the assistance provided during the hearings and report-writing deliberations by the Office of the Auditor General, the Clerk of the Committee, and Legislative Research.

BACKGROUND

The Auditor General's 2020 Special Report on COVID-19 Preparedness and Management: Emergency Management in Ontario – Pandemic Response is one of a series of audit reports dealing with Ontario's response to the COVID-19 pandemic. This report focuses on the Provincial Emergency Management Office's (EMO's) role and participation in the COVID-19 response for non-health-sector issues, with a focus on provincial co-ordination. This report relates closely to another report in this series on Outbreak Planning and Decision-Making, which focuses on the emergency response of Ontario's health sector.

The Auditor noted that the work conducted to prepare the series of COVID-19 reports has illustrated that "there are lessons to be learned and possible new approaches and actions to be taken to help the province better continue to respond to and recover from this pandemic, as well as to better prepare ourselves for future events of this kind."

EMO operates within the Ministry of the Solicitor General (Ministry), and is responsible for the provincial emergency response plan for Ontario (unlike the Ministry of Health, which is responsible for health-related response plans). EMO has two critical emergency response plans related to COVID-19: the Provincial Emergency Response Plan (used to co-ordinate the provincial response to any emergency), and the supporting Provincial Co-ordination Plan for Influenza Pandemic. The Provincial Emergency Operations Centre (EMO Centre, or PEOC), opened in 2015 in Toronto, is a large, state-of-the-art facility that includes an 82-seat operations room with a 21-metre-wide wall display and serves to provide a real-time view of developing emergencies in the province and to facilitate a centrally coordinated provincial response to emergencies and collaboration with various partners.

AUDIT OBJECTIVE AND SCOPE

The Auditor's office conducted an audit of emergency management in Ontario in 2017, examining the emergency management programs of five ministries. The COVID-19 pandemic hit Ontario as the Auditor was conducting a follow-up to the 2017 audit, and the work was expanded to assess EMO's involvement in the province's response to COVID-19. Specifically, the Auditor examined the efficacy of the emergency management governance structure in providing effective co-ordination and oversight of emergency management in the province, as well as the adequacy of planning and staffing leading up to the pandemic.

The audit team's work included reviewing relevant past reports with a focus on the status of recommendations, surveying selected municipalities on their experience during the pandemic, and interviewing staff from EMO, Cabinet Office, the Cabinet Committee on Emergency Management and other ministries on emergency management and other issues. A jurisdictional review of the actions taken during COVID-19 by provincial emergency management offices in five provinces was undertaken by an independent consultant with expertise in the field of emergency management, at the Auditor's request.

MAIN POINTS OF AUDIT

The Auditor concluded that

Ontario's capability and capacity to rapidly and effectively respond to the COVID-19 emergency would have been significantly more supported by EMO had proactive and preparatory improvements been made to the province's emergency management plans, policies and procedures in recent years, including implementing our 2017 audit recommendations.

Specifically, the Auditor cited EMO's continuing lack of progress in addressing recommendations from the Auditor's 2017 audit report; insufficient preparedness for the current pandemic and future emergencies; as well as EMO's inadequate capacity to respond to future waves of the pandemic and future emergencies.

Notable findings include:

- only four of the 36 recommendations made by the Auditor in 2017 that EMO was responsible for had been fully implemented at the time of audit;
- governance structures for emergency management need to be strengthened, such as implementing an operational Deputy Minister level emergency management committee and having an active Cabinet Committee on Emergency Management;
- the province hired an external consultant to create a new crisis response structure to deal with the pandemic after the pandemic was declared;
- EMO was understaffed leading up to the pandemic, which created challenges in providing effective provincial coordination such as providing

support and assistance and timely information to ministries and municipalities; and

- the Province's state of readiness for an emergency still needs significant improvement, mostly in terms of surge staffing strategies (dealing with an unexpected increased demand on the workforce), agreements (for example, personal protective equipment (PPE)), and emergency plan testing.

ISSUES RAISED IN THE AUDIT AND BEFORE THE COMMITTEE

A number of significant issues were raised in the audit and during the Committee's hearings. The Committee considers the following issues to be of particular importance.

Implementation of 2017 Audit Recommendations

Multiple questions were raised regarding the Emergency Management Office's continuing lack of progress on implementing the Auditor General's recommendations from the 2017 audit report on emergency management in Ontario. The Ministry asserted that there has been recent progress on implementation, with 10 recommendations fully implemented at the time of the hearing. The Ministry assured the Committee that it is working on implementing the rest of the recommendations, while facing challenges such as the COVID-19 pandemic and a number of evacuations of First Nations communities due to wildfires and floods. When pressed for a timeline of implementing the rest of the Auditor's recommendations, the Ministry explained that timelines for the different recommendations vary. While some recommendations could be implemented earlier, the Ministry committed to implementing all recommendations by 2023 (as per the written submission to the Committee).

The Office of the Auditor General of Ontario (OAGO) assessed the implementation status of the 2017 audit recommendations as part of its continuous follow-up work. As part of this work, the OAGO noted that in May 2021, subsequent to the April 2021 hearing, the Ministry amended the date it planned to have the remaining recommendations implemented from December 2023 to December 2025.

OAGO's work subsequent to the April 2021 hearing found that no additional recommendations were fully implemented and little progress has been made to complete the 30 outstanding recommended actions.

Committee Recommendation:

The Standing Committee on Public Accounts recommends that:

- 1) 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.**

Roles, Responsibilities, and Operations

EMO's Role in an Emergency

EMO's role in an emergency situation was a topic of interest. The Ministry explained that the legislative framework for preparing for and responding to an emergency is outlined in the *Emergency Management and Civil Protection Act*. The Act sets out requirements for municipalities and provincial government bodies to create emergency plans and procedures. The Ministry must have a plan for any emergency that includes the coordination of provincial emergency management. EMO developed the Provincial Emergency Response Plan (PERP), and is responsible for assisting, co-ordinating and monitoring ministries and municipalities in the development of their emergency plans and programs.

The Provincial Emergency Operations Centre (PEOC) performs a more active role in emergency management. The PEOC is an operations coordination hub that provides situational awareness, information sharing, and coordination of provincial resources. It is always staffed and operational. During an emergency, EMO's role is twofold: keeping ministry-level executive leadership up to date on the status of and response to the emergency, and providing strategic direction to the operational leadership of the PEOC. When asked about how the Ministry adjusted to its PEOC employees working from home, the Ministry said that while the majority of staff worked remotely, there was always a physical presence in key roles at the PEOC.

The Committee was interested in the Province's level of preparedness to deal with the pandemic in March 2020. The Ministry insisted that the Province was as ready as it could have been for this unprecedented event. The Provincial Emergency Response Plan was updated and approved in late 2019, and distributed to all deputy ministers. However, the 444 municipalities were not aware of the updated response plan as the AG noted in the audit report that the plan was not made public, as required. A compliance cycle for all ministries' Continuity of Operations Plans was completed in early 2020.

The Ministry was asked about the extent of efforts to cooperate with the Auditor General's latest audit during a pandemic. The Committee heard that the Ministry dedicated a staff member to coordinate the responses to approximately 25 inquiries received from the AG's office regarding the special report. Overall, the Ministry estimated that around 300 hours of work by staff and management were needed to cooperate with the audit.

Procurement of Supplies and Information Technology

There was also discussion of the Ministry's involvement in the procurement of supplies, specifically relating to pre-established rates for certain supplies. The Ministry of Government and Consumer Services explained that, before COVID-19, the Province had bulk purchasing agreements and shared services in place. Shared services refer to a group of organizations that had contracts in place for the hospital sector. Internally, the government had a Vendor of Record that committed to predetermined rates, albeit without a commitment to volumes. However, few of these contracts were helpful when COVID-19 hit, as supply chains were disrupted, borders tightened, and the demand for commodities like PPE significantly outstripped supply.

In response, the government implemented a whole-of-government approach to address the shortages, with every ministry involved at the deputy-level. An integrated domestic supply chain was put in place, based on the estimated aggregated demand for certain commodities. The domestic supply chain significantly helped the Province to meet demand for PPE, as it did not need to rely solely on international shipments and its limited warehouse capacity for supply.

The Ministry of the Solicitor General (Ministry) also informed the Committee that the Province procured DisasterLAN (or DLAN), an online emergency management software system capable of tracking, reporting, and managing emergency incidents. The system's data input capabilities facilitate better management of emergency incidents across Ontario in terms of oversight, response and recovery. Specifically, the software enhances overall situational awareness, facilitates resource requests between stakeholders, assists in debris management and disaster assessments, and streamlines emergency communications. However, during the audit the AG found that this system was only being used internally by EMO and the PEOC – it had not been implemented province-wide to all emergency management partners (ministries, municipalities, Federal government, First Nations, etc.).

When asked about communication with other provinces, Cabinet Office said that federal-provincial-territorial Clerks' meetings facilitated by the federal government were infrequent. Deputy-level federal-provincial-territorial calls were more frequent, occurring on a weekly or daily basis.

Committee Recommendations:

The Standing Committee on Public Accounts recommends that:

2) The Ministry of the Solicitor General

- a) 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; and**
- b) determine the changes needed to make its provincial response structure as effective as possible, and implement them.**

3) 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.

Organizational Structure and Reporting Mechanisms

The Ministry was asked to provide a rationale for the Secretary of Cabinet's sole-source procurement of \$1.6 million in consulting services to create a new organizational structure. The Committee heard that, in order to meet the challenges presented by the pandemic, the government had to scale up and be flexible. A broader structure was needed, with the aforementioned whole-of-government approach necessary to ensure an effective response to the

pandemic. Cabinet Office noted that the new structure (the Central Coordination Table, or CCT) was aligned with the Provincial Emergency Response Plan, and supplemented the Province's emergency response. However, during the audit, the AG reviewed the new structure and noted that it was not in line with the provincial response plan as it was not a command structure and it did not follow the standard response structure noted in the response plan, which is called the Incident Management System (IMS).

Cabinet Office elaborated that the CCT enabled the decision-making process to be expedited and policies to be implemented quickly by giving policy-makers direct and immediate access to decision-makers. Policy areas that required input from multiple ministries were handled by cross-functional teams of experts. Turnaround time for regulations and emergency orders was very short, with policy drafters often working overnight.

Responding to Committee members' questions on why the CCT structure was only finalized in April 2020, the Ministry said that bringing all the ministries on board and formulating the cross-functional teams was a time consuming process.

Committee members were also interested in how economic interests and considerations are accounted for at the CCT. Cabinet Office explained that the Ministry of Finance is represented on the CCT, and is performing economic analysis on any proposal that might have a negative economic impact.

When asked what steps are going to be taken to improve emergency response decision-making and governance structure in the future, the Cabinet Office assured the Committee that the model is not static, and is constantly being refined and enhanced. One of the recent changes was a reduction in the number of working tables from four to three, with the responsibilities of the eliminated table (including critical personnel, employment of broader public sector servants, mental health in the Ontario Public Service) folded into the respective ministries. Cabinet Office added that a daily EMO situation report is circulated widely across the Ontario Public Service, which includes a summary consolidating input from relevant ministries and agencies on the issues of the day.

Committee Recommendation:

The Standing Committee on Public Accounts recommends that:

- 4) 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.**

EMO Staffing, Municipal Participation and Support

Committee members were concerned about the staffing levels at EMO, and asked the Ministry to clarify the issue. The Ministry asserted that while there were some vacancies in the department during the pandemic response, there was no feeling of a lack of staff or a significant absence. Over the course of the pandemic, the Ministry continued to fill vacancies. Currently, the Ministry is not aware of any significant shortages or vacancies in positions. However, the Committee heard that the Ministry has completed a staffing review with the goal of increasing the staffing at EMO. This review recommended that EMO increase staffing by a minimum of 38 full-time-equivalent staff to align its staffing with the lowest level of its peers.

The Ministry stated that it is also pursuing staff surging to deal with the lack of field officers serving Ontario's 444 municipalities; the Ministry is reaching out to municipalities that have community emergency management offices, and is asking for officers from those offices to temporarily join the PEOC to provide additional capacity and gain experience.

The Ministry was also asked about municipal participation in DLAN, the aforementioned province-wide IT system, and explained that the system is available to all municipal emergency management coordinators. While the Ministry does not have the authority to compel the municipalities to use the system, multiple municipalities have participated in the necessary training, and have used the system to submit requests for information. Cabinet Office added that a legislative change would be required to compel municipalities to participate in the new system. During the audit, the AG noted that only a few of the 444 municipalities had received training and had access to the new EM IT system.

Committee Recommendations:

The Standing Committee on Public Accounts recommends that:

- 5) 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.**
- 6) 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.**

CONSOLIDATED LIST OF COMMITTEE RECOMMENDATIONS

The Standing Committee on Public Accounts recommends that:

- 1) 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.**
- 2) The Ministry of the Solicitor General**
 - a) 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; and**
 - b) determine the changes needed to make its provincial response structure as effective as possible, and implement them.**
- 3) 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.**
- 4) 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.**
- 5) 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.**
- 6) 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.**