

Ministry of the Solicitor General

Overview of the Emergency Response Process in Ontario

Prepared for: Ontario's Long-Term Care
COVID-19 Commission

Date: October 14, 2020

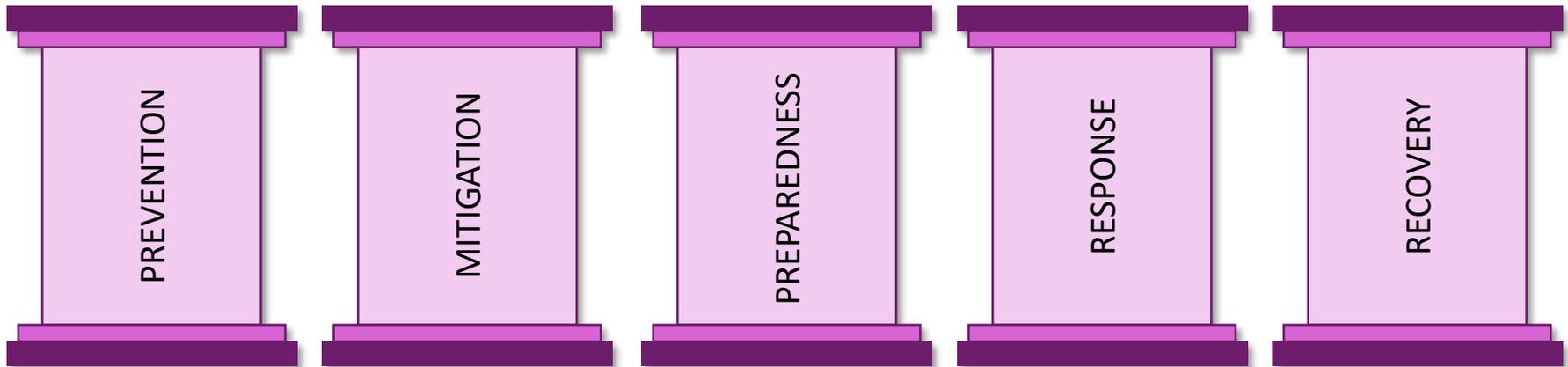
Agenda

- Foundations of emergency management in Ontario
- Additional emergency response structures during COVID-19
- EMO's role during COVID-19 response

Foundations of Emergency Management in Ontario

Pillars of Emergency Management in Ontario

- The ***Emergency Management and Civil Protection Act (EMCPA)***, last updated in 2006, establishes the province’s framework for managing emergencies – defining the authority and responsibilities of provincial ministries, municipalities and specific individuals, such as the Premier, Commissioner of Emergency Management, and the Chief of EMO.
 - The EMCPA and Regulation 380/04 primarily requires the development of EM programs under preparedness and response.
- **Emergency Management (EM)** in Ontario encompasses five components (or pillars):

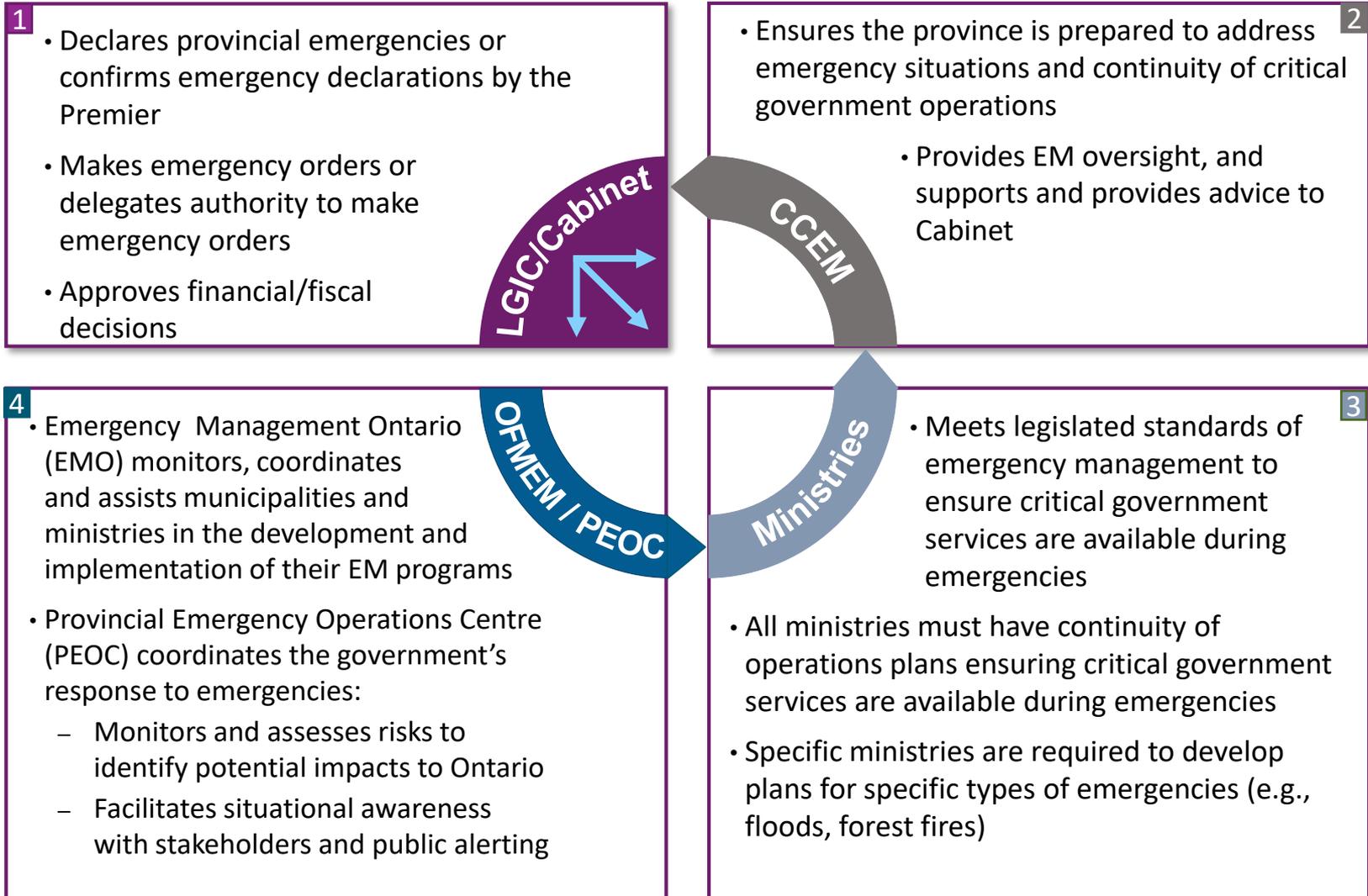


- An **emergency** is “*a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise*” (EMCPA, Section 1)

Overview of Legal Framework for Emergencies

- The *Emergency Management and Civil Protection Act (EMCPA)*, along with other provincial legislation, establishes a framework for municipal and provincial governments to prepare for and respond to emergencies (whether or not an emergency declaration has been made) that occur in Ontario. The Solicitor General is responsible for the administration of this Act. Some key sections in the EMCPA in relation to Ontario's response to COVID-19 include:
 - Defines an **emergency** as “a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise”.
 - **Section 3** directs municipalities to formulate an emergency plan governing the provision of necessary services during an emergency and the procedures under and the manner in which employees of the municipality and other persons will respond to the emergency.
 - **Section 6** directs provincial ministers to create emergency plans governing the provision of necessary services during an emergency and the procedures under and the manner in which public servants and other persons will respond to the emergency.
 - **Section 7.0.1** outlines how the Lieutenant Governor in Council (LGIC) or Premier can declare a provincial emergency and the criteria for doing so.
 - **Section 7.0.2** provides authority during a provincial declared emergency, and subject to the criteria and limitations in that section, for the LGIC to make orders in respect of 14 areas (Appendix B) that the LGIC believes are necessary and essential in the circumstances to prevent, reduce or mitigate serious harm to persons or substantial damage to property. As outlined in section 7.0.8, these orders are revoked after 14 days unless the LGIC or delegated Minister, before it is revoked, extends the effective period of the order for a period of no longer than 14 days.
 - **Section 7.0.10** directs the Premier to table a report in respect of an emergency declared under section 7.0.1 in the Assembly within 120 days after the termination of a declared emergency. This section also includes details about what needs to be included in the report .
 - **Section 7.1** provides authority, once an emergency has been declared under section 7.0.1 and subject to other criteria, for the LGIC to make orders that temporarily suspend or replace certain types of legislation (Appendix B). The period of this temporary extension cannot exceed 90 days. The LGIC can, before the end of the period of temporary suspension, review the order and make an order renewing the original order for a further period of temporary suspension not exceeding 90 days.

Provincial Roles and Responsibilities



Provincial Roles and Responsibilities (cont'd)

LGIC / Cabinet

- Declares provincial emergencies or confirms emergency declarations by the Premier.
- Makes emergency orders or delegates authority to make emergency orders.
- Approves financial/fiscal decisions.

Premier

- May declare, extend and terminate emergencies.
- Regularly reports to the public with respect to the emergency.
- Tables a report in respect of the emergency in the Assembly within 120 days after the termination of an emergency or, if the Assembly is not in session, table the report within seven days of the Assembly reconvening.
- May exercise any power or perform any duty conferred upon a minister or an employee of the Crown.
- May direct and control the administration, facilities and equipment of the municipality in the emergency area.
- May require a municipality to provide such assistance as he or she considers necessary to an emergency area.

Cabinet Committee on Emergency Management

- Ensures the province is prepared to address emergency situations and continuity of critical government operations.
- Provides EM oversight, and supports and provides advice to Cabinet.

Commissioner of Emergency Management (Currently the Deputy Solicitor General, Community Safety)

- Provides advice and guidance to the Premier and Cabinet.
- Provides advice and guidance to the CCEM during declared emergencies.
- Oversees the coordination of public safety initiatives across provincial government.
- Ensures appropriate initiatives are developed by Community Safety portfolio.
- Makes emergency orders as delegated during a provincial emergency.
- Reports to the Premier within 90 days of the termination of an emergency on any order made by the Commissioner.

Cabinet Committee on Emergency Management (CCEM)

The CCEM is appointed from among the members of the Executive Council, to advise the Lieutenant Governor in Council on matters relating to emergencies:

Mandate

- Ensuring the province is prepared to address emergency situations
- Assuming other responsibilities as Cabinet deems appropriate

Roles and Responsibilities

- Advising the Premier/Cabinet on action required
- Advising on the development of government's overall emergency management response strategy
- Ensuring continuity of critical government operations and services

CCEM Current Membership*

- Premier and President of the Executive Council (Chair)
- Minister of Energy, Northern Development and Mines (Energy)
- Minister of Health
- Minister of Municipal Affairs and Housing
- Minister of Natural Resources and Forestry
- President of the Treasury Board
- Solicitor General
- Attorney General
- Minister of Finance

8 * Established under [Order in Council 997/2020](#) on July 2, 2020

Declaration of a Provincial Emergency Under the EMCPA

- Under the EMCPA, the Premier or LGIC may declare a provincial emergency if they are of the opinion that the following criteria are met:
 1. There is an emergency that requires immediate action is required to prevent, reduce or mitigate a danger of major proportions that could result in serious harm to persons or substantial damage to property; and
 2. At least one of the following applies:
 - Provincial resources available cannot be relied upon without the risk of serious delay;
 - Provincial resources available may be insufficiently effective to address the emergency; or
 - It is not possible, without risk of serious delay, to determine if current provincial resources can be relied upon.
- Once a provincial emergency is declared under s.7.0.1 of the EMCPA, the government can make emergency orders under section 7.0.2 and 7.1:
 - Section 7.0.2 emergency orders can be made in respect of 14 areas, such as prohibiting or regulating movement within any area of the province; closing any place; authorizing a person (or class of persons) to render a service they are reasonably qualified to provide; fixing prices for goods, services or resources; establishing facilities for the care, welfare, safety and shelter of individuals, etc.
 - Section 7.1 emergency orders can be made to temporarily suspend provisions of certain types of legislation (e.g., limitation periods) in order to assist person affected by the emergency.

Provincial Roles and Responsibilities (cont'd)

Ministries

- Meet legislated standards of emergency management to ensure critical government services are available during emergencies.
- All ministries must have continuity of operations plans ensuring critical government services are available during emergencies.
- Specific ministries are required to develop plans for specific types of emergencies (e.g., disease, epidemics, floods, forest fires).

EMO

- Under the direction of the Chief, Emergency Management, EMO monitors, coordinates and assists municipalities and ministries in the development and implementation of their EM programs.
 - Under the EMCPA, each ministry requires a Ministry Emergency Management Coordinator (MEMC) and each municipality requires a Community Emergency Management Coordinator (CEMC) which are the primary EM stakeholders in ministries and municipalities.
- The PEOC coordinates the government's response to emergencies:
 - Monitors and assesses risks to identify potential impacts to Ontario.
 - Facilitates situational awareness with stakeholders and public alerting.

Emergency Planning by Lead Ministries

The EMCPA authorizes the Lieutenant Governor in Council to require the formulation of an emergency plan in respect of the type of emergency assigned to each minister.

Under OIC 1157/2009:

- All ministers are responsible for the formulation of emergency plans in respect of any emergency that affects the continuity of operations and services in their respective ministries
- Specific ministers have been designated to be responsible for the formulation of emergency plans in respect of specific types of emergency assigned to them.

Where the Government of Ontario is responding to a type of emergency that is assigned by Order in Council (OIC) 1157/2009, the ministry whose minister has been assigned responsibility for that type of emergency is considered the lead ministry.

- The lead ministry is responsible for enacting the ministry's emergency response plan for the assigned type of emergency.
- SOLGEN is responsible to have a plan for 'any emergency that requires the coordination of provincial emergency management', and for this it has the 'Provincial Emergency Response Plan' (PERP).
- **Under this OIC the Ministry of Health (MOH) is responsible to have a plan for '*Human health, disease, and epidemics; health services during an emergency*'.**
- **This is the authority under which MOH is the lead ministry for the COVID-19 pandemic.**

OIC Ministry-Specific Responsibilities

The following ministries are assigned responsibility for the formulation of emergency plans and coordination of response in relation to their assigned responsibility under Order In Council 1157-2009:

Ministry	Type of Emergency
Solicitor General*	Any emergency that requires the coordination of provincial emergency management; nuclear and radiological; severe weather; war and international; any other peacetime emergency not listed herein; building structural collapse; explosion and structural fire; space object crash; terrorism; civil disorder; any emergency that requires the continuity of provincial government services
Ministry of Health	Human health, disease and epidemics; health services during an emergency
Agriculture, Food and Rural Affairs	Farm animal disease; food contamination; agricultural plant disease and pest infestation
Energy, Northern Development and Mines**	Energy supply Abandoned mine hazards; any emergency that requires the support of provincial emergency management in Northern Ontario
Municipal Affairs and Housing	Any emergency that requires coordination of extraordinary provincial expenditures

* Order In Council 1157-2009 refers to the former Ministry of Community Safety and Correctional Services

** Order In Council 1157-2009 refers to the former Ministry of Energy and the former Ministry of Northern Development and Mines

OIC Ministry-specific Responsibilities (cont'd)

Ministry	Type of Emergency
Attorney General	Any emergency related to the administration of justice including the operation of the courts; and provision of legal services to the government in any emergency
Children, Community and Social Services*	Any emergency that requires emergency shelter, clothing and food; victim registration and inquiry services; personal services
Environment, Conservation and Parks**	Spills of pollutants to the natural environment including fixed site and transportation spills; drinking water
Labour, Training and Skills Development	Any emergency that affects worker health and safety
Natural Resources and Forestry	Forest fires; floods; drought/low water; dam failures; crude oil and natural gas exploration and production, natural gas and hydrocarbon underground storage and salt solution mining emergencies; erosion; soil and bedrock instability
Treasury Board Secretariat***	Any emergency that affects labour relations and human resource management in the provincial government
Transportation	Transportation

* Order In Council 1157-2009 refers to the former Ministry of Community and Social Services

** Order In Council 1157-2009 refers to the former Ministry of Environment

*** Order In Council 1157-2009 names the Ministry of Government and Consumer Services; however, these responsibilities were transferred to Treasury Board Secretariat in 2015

Provincial Emergency Response Plan (PERP)

Coordination

- The PERP focuses on coordinating the overall provincial response to an emergency.
- The goal is to ensure response activities work together effectively.
- The PERP does not describe everything that needs to be done in an emergency. It focuses on coordination mechanisms.

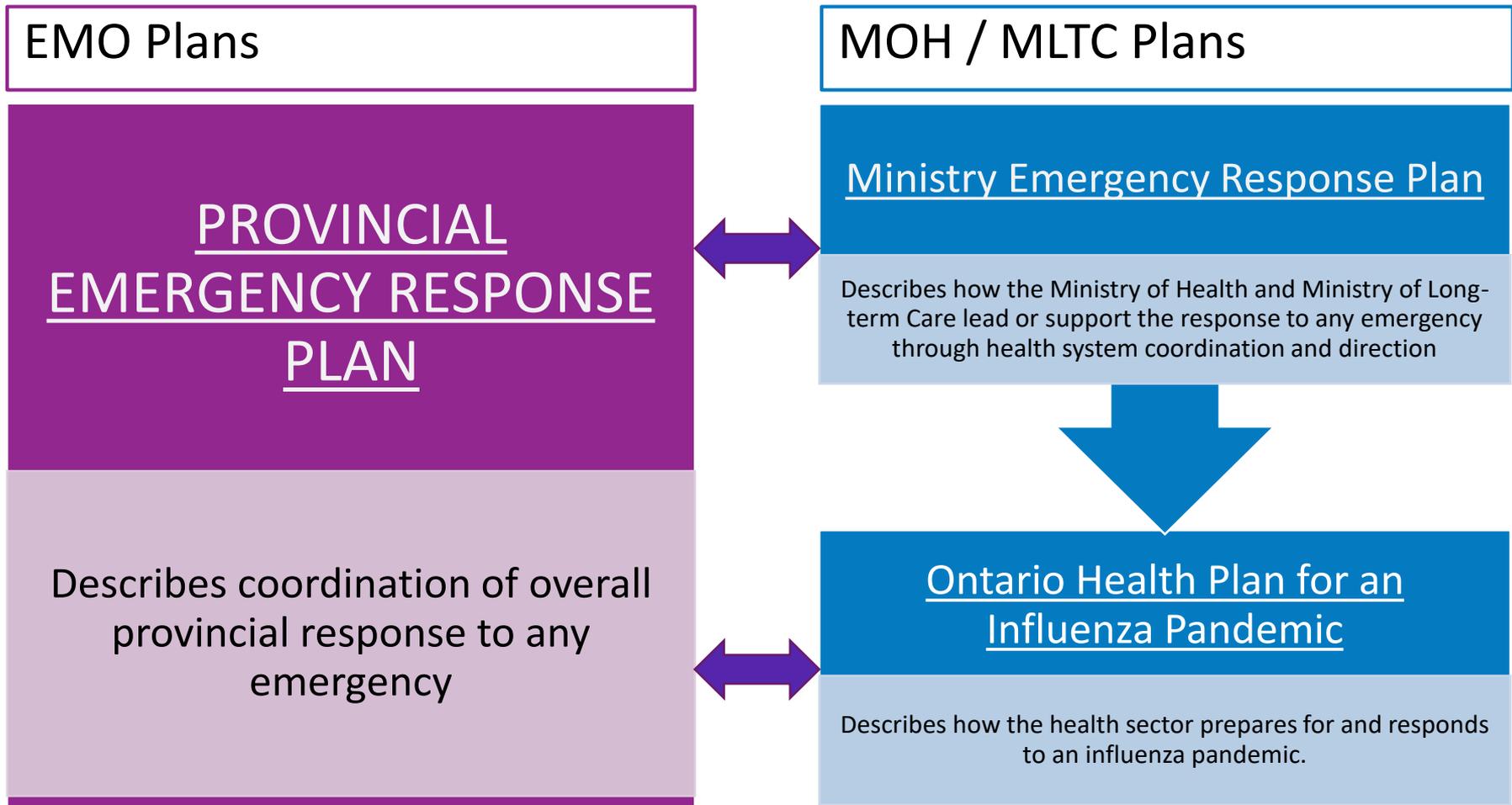
Widespread and complex emergencies

- The PERP is used for emergencies that require a coordinated effort between multiple provincial ministries.

The PERP's coordination link with ministries

- Each ministry directs its own emergency activities under its own emergency plan.
- The PERP is used to coordinate the overall provincial response, while supporting the activities of responding ministries.

Plans Correlation



EMO's Role in Emergency Response in Ontario

Graduated Emergency Management Concept

Significant Local Incident

Incidents affecting a relatively small geographic area that require some degree of provincial support. Led by municipalities and communities.

- Examples include:
 - 2018 Ottawa Tornado
 - 2017 Bracebridge flooding
 - 2015 First Nations floods/evacuation
 - Social emergencies (e.g. mental health or opioid abuse crises)

Provincial Critical Incident

Province-wide incidents or incidents affecting a larger geographic area that require provincial support and coordination.

- Examples include:
 - 2017 spring floods
 - 2013 ice storm
 - 2011 Northwest forest fires
 - 2009 pandemic H1N1 influenza

Declared Provincial Emergency

Formally declared provincial emergencies

- Three provincial emergency declarations in Ontario's history:
 - **2020 COVID-19 Pandemic**
 - 2003 SARS
 - 2003 blackout

Critical Incident with National Implications

Incidents that exceed provincial response capacity, are under federal jurisdiction, or require national coordination.

- Prime Minister can declare national emergency related to public welfare or order (e.g., pandemics, riots), war, or international events (e.g., terrorism)
- Outside of national declared emergencies, the federal and provincial governments can also work to provide a coordinated response. E.g.:
 - 2017 Asylum seekers & Hurricane Harvey
 - 2016 Syrian refugees

Scale and/or severity of event

*There are also ongoing preparedness activities carried out to ensure that the province is adequately prepared

PEOC as Emergency Coordinating Facility

- The Provincial Emergency Operations Centre (PEOC) is a facility that is used by EMO to coordinate response activities between provincial organizations (e.g. ministries), municipalities, the federal government, NGOs and other entities, in line with the OIC assignment to the Solicitor General of “any emergency that requires the coordination of provincial emergency management”.
- The PEOC is routinely run 24/7/365 and staffed by a small group who are permanently assigned to the PEOC, supported by an on-call PEOC Duty Team. During heightened activities other members of EMO are surged into the PEOC for extra support. The Duty Team and extra staff are EMO members who alternate between their routine jobs (project-oriented) and deploying to support the PEOC.
- The PEOC may have to respond to support various types of emergencies and at different levels:

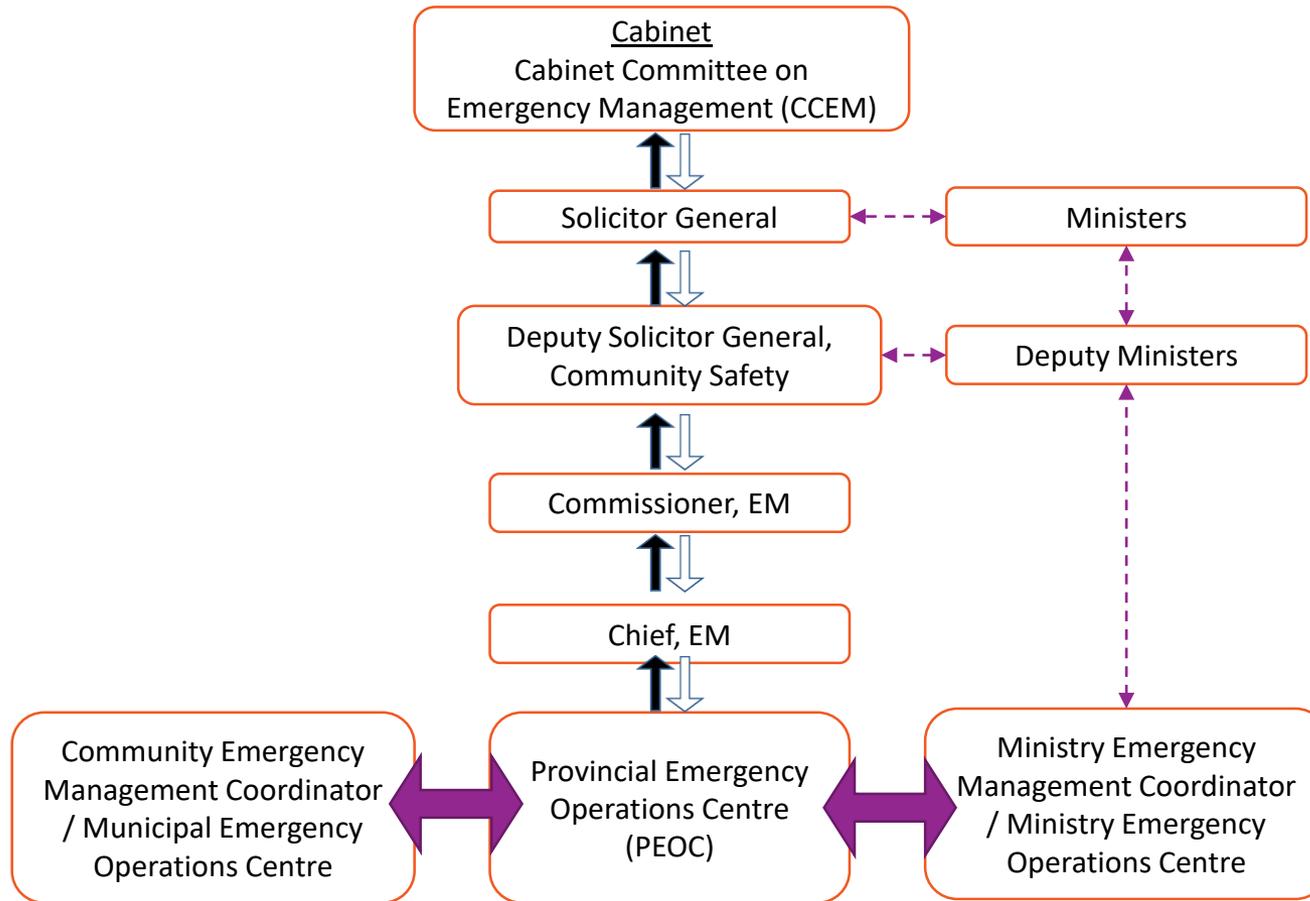
- Municipal;
- Provincial;
- Within Ontario First Nation communities;
- Nuclear and radiological

- The PEOC functions include:

- Coordination of situational awareness and information sharing and collaboration with a wide variety of stakeholders, including provincial ministry EOCs (including MOH), federal departments, including the federal Government Operations Centre, NGOs, critical infrastructure operators, and industry partners.
- Physically accommodating liaison staff from all levels: federal, provincial, municipal, Non-Governmental Organization (NGO) to facilitate inter-organizational coordination efforts.
- Development and sharing of key information to support decision-makers as well as creating a common operating picture for everyone.
- Coordinating the availability of provincial resources.
- Receiving requests for provincial assistance and where not available coordinating requests for assistance from other jurisdictions (provincial/territorial, federal, or US border States).



Provincial Emergency Response Structure



Note: currently, the appointments of Commissioner, EM and Deputy Solicitor General, Community Safety are held by the same person.



Municipal requests and communication to and from the PEOC.

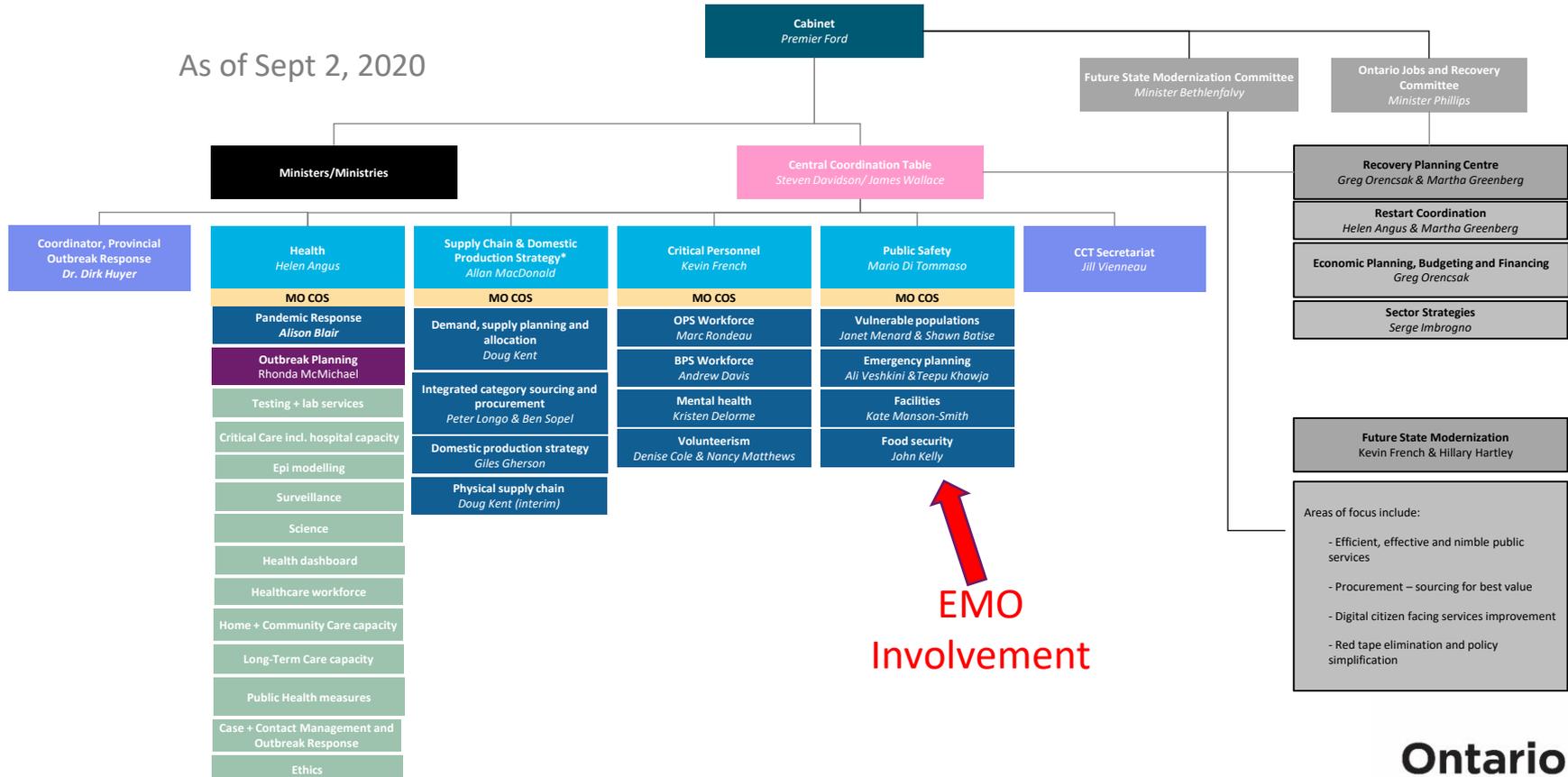
The PEOC requests assistance from the appropriate ministry. If the ministry is unable to fulfill the request, higher levels of decision making may be required. The PEOC and other ministries' Emergency Operations Centres maintain regular communications.

Emergency Response & Structures During COVID-19 Pandemic Involving EMO

COVID-19 Central Coordination Table Structure

- In April 2020, the Central Coordination Table (CCT) was created as part of an integrated response structure to drive the government's response to COVID-19. The Secretary of the Cabinet and Premier's Chief of Staff co-chair CCT and Ministries and Minister's Offices are invited to attend relevant discussions at these meetings.
- The CCT is focused on the most critical COVID-19 issues and providing strategic direction and coordination on challenging issues that require coordination across many areas of government.
- The CCT brings together four Command Tables and associated Cross-Functional Teams working on complex and high priority issues to identify and manage impacts and considerations across the organization (NOTE: Neither the CCT nor its sub-tables have decision-making authority and their role is to serve as a forum for discussions which inform eventual decision making.)

As of Sept 2, 2020



EMO
Involvement

Central Coordination Table (CCT)

Mandate: The Central Coordination Table drives the overall Government response to COVID-19, under the direction of Cabinet, related to the immediate health and humanitarian response

- **Support the COVID-19-related action across Government related to the immediate health and humanitarian response**
 - Define mandates for Command Tables within CCT and appoint leaders
 - Support policy decisions made by Cabinet (through Command Tables, Cross-Functional Teams and the Secretariat)
 - Engage Ministries as appropriate to deliver specific initiatives (at Provincial and Regional levels)
 - Provide direction on reprioritizing resource allocation as needed (including across Regions)
- **Remove barriers**
 - Unblock issues within Government to accelerate pace and effectiveness of delivery
 - Work with ministries to recommend policy options to Cabinet where needed
 - Empower teams to act within clear parameters
- **Lead communication**
 - Support internal communication
 - Coordinate messaging from within CCT with Communications
- **Track progress and establish accountability**
 - Review progress by Command Tables and cross-functional teams
 - Hold individuals to account for delivery

Co-Chairs

- Secretary of the Cabinet
- Premier's Chief of Staff

Members

- Command Table Leads
 - Health
 - Supply Chain & Domestic Production Strategy
 - Critical Personnel
 - Public Safety
- DMs for:
 - CO Communications
 - CO Policy
 - Digital & Data
 - Finance
 - Treasury Board
 - Intergovernmental Affairs
 - SolGen
 - MGCS
 - MLTC
 - EDU
- Coordinator, Provincial Outbreak Response

Public Safety Command Table and Cross Functional Teams

PUBLIC SAFETY COMMAND TABLE

Lead emergency planning and management of critical public safety issues working with partners (federal, provincial, municipal, Indigenous, NGO).

This includes but is not limited to: vulnerable populations, food security, facilities, and emergency plans and response activities by emergency/public safety personnel.

VULNERABLE POPULATIONS

Own the planning, coordination and execution for crisis-related needs in support of existing and new services required for vulnerable and Indigenous populations, in addition to the pandemic response needs of First Nations communities.

FOOD SECURITY

Own the strategy, monitoring, and recommendation of actions to ensure food security for the province.

EMERGENCY PLANNING

Coordinate cross-government efforts to anticipate, respond to, and resolve **non-Health emergencies impacted by COVID-19** (e.g.; fire, flooding, etc.). Also monitoring the workforce strength of fire, police, and emergency management personnel and enforcement of COVID public safety measures.

FACILITIES

Address the accommodations, physical infrastructure and capacity needs holistically (health, Long-Term Care (LTC) and non-health needs), working with public and private asset owners, except for hospitals
Note: may need to expand further following outreach to ministries about sectors and municipalities.

Out of scope: Capacity extensions on hospital-owned property (e.g., field hospitals in parking lots of hospitals).

COVID-19 Pandemic and EMO's Role

Outbreak Planning Support

- As part of the overall [Fall Preparedness Plan](#), EMO developed a guidance document to help inform lead ministries as they pursue their own sector-specific outbreak management planning.

EMO coordination with partners:

- Provides a coordinating role for multi-ministry, multi-stakeholder responses.
- Through the PEOC, sets up coordination calls with various stakeholders. Deploys Field Officers in support of emergency response efforts.
 - In July 2020, the PEOC coordinated direct support to the Windsor/Essex region to assist with the management of a large COVID-19 outbreak among farm workers at a particular farm. This support included the coordination of provincial ministry support, as well as deploying staff to the area to provide direct support to three isolation sites that were established to isolate almost 200 workers.
 - In August 2020, the PEOC coordinated with municipal, provincial, federal and First Nations partners to coordinate the simultaneous evacuations of the Municipality of Red Lake and the Eabametoong (Fort Hope) First Nation due to the threat of forest fires that were threatening these communities. This included the coordination with three different host communities who hosted evacuees from Eabametoong, as well as with several municipal and NGO partners to support the evacuation of residents from Red Lake.
- Facilitates provincial Requests for Assistance (RFAs) for emergency assistance between the provincial government and Public Safety Canada, e.g. for Canadian Armed Forces (CAF) support for Ontario long-term care homes.

COVID-19 Pandemic and EMO's Role

Evacuation Planning During COVID-19

- As part of flooding and forest fire evacuation planning for remote First Nation communities, EMO developed several guidance documents under a COVID-19 lens.
- Many host communities have been overwhelmed due to their own COVID-19 responses. Recognizing the impact of COVID-19 on municipalities this year, EMO, through the PEOC, has taken the lead on identifying suitable locations to host evacuees and to minimize the reliance on municipal resources for various supports.

Situational awareness and information sharing:

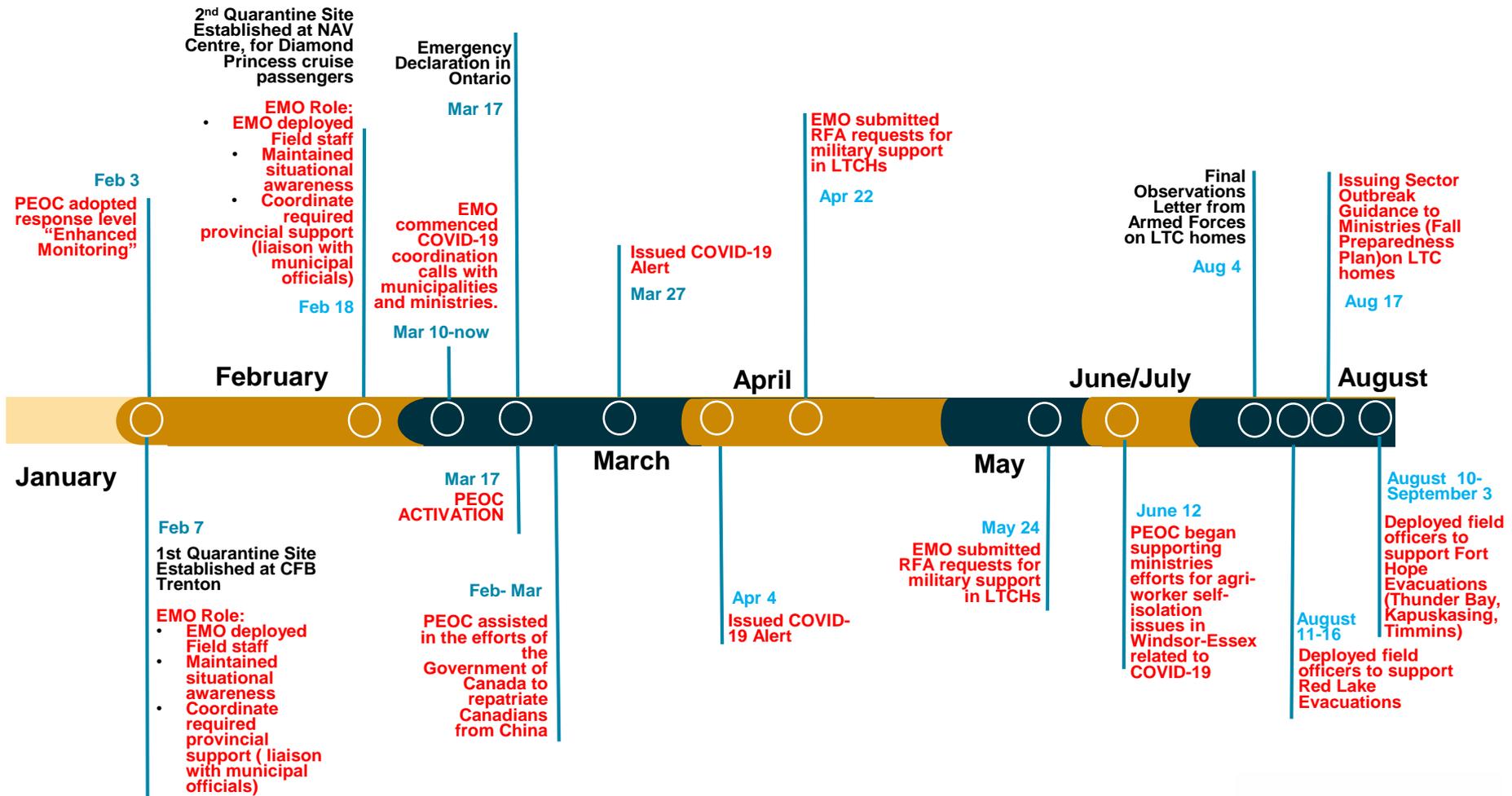
- On March 4, 2020, Deputy Solicitor General, Community Safety encouraged all ministries to review their Continuity of Operation's Plan (COOP) to support ministry readiness and in an effort to commence contingency planning to support the broader response to COVID-19.
- EMO maintained situational awareness with key stakeholders including those within the OPS (EM Executive Leads and ministry emergency management coordinators), municipal emergency management coordinators, First Nation communities and Public Safety Canada.
- Part of maintaining situational awareness is the development and sharing of the PEOC communication products for stakeholders and senior officials. These include Daily Consolidated Situation Reports, Incident Management Systems (IMS) products such as IMS-201s, IMS-209s, IMS-1001s (IAP), Qs & As, etc.
- EMO issued emergency alerts on March 27 (advising travellers returning to Ontario to self isolate for 14 days) and April 4 (advising Ontarians to stay home except for essential workers, and to only go out if necessary).

COVID-19 Pandemic and EMO's Role (cont'd)

EMO coordination of RFAs for LTCHs:

- MOH and MLTC identified specific LTCHs that could benefit from military assistance which is facilitated by an RFA.
- Because the RFA was going to be sent to the federal Public Safety Minister who is responsible for emergency management matters, it was determined that the RFA needed to be channeled through EMO.
- EMO coordinated the RFA which was developed with content provided by MOH, and MLTC, which was then sent to Public Safety Canada through their Government Operations Centre.
- This process was repeated for RFA requests to extend the military supports to specific LTCHs (as RFAs are typically 30 day durations).
- Overall, military supports included deploying teams consisting of nurses, medical technicians and additional personnel between April to July 3 at the following homes for varying periods of time: Orchard Villa, Holland Christian Homes Grace Manor, Altamont Care Community, Eatonville Care Centre, Hawthorne Place Care Centre, Downsview Long Term Care, and Woodbridge Vista Care Community. ([News Release](#))
- Determination of LTCHs requiring federal assistance and when/where assistance would be deployed was lead by MOH and MLTC; EMO's role was solely to facilitate and coordinate the RFA mechanism to request that support.

EMO COVID-19 Response Timeline

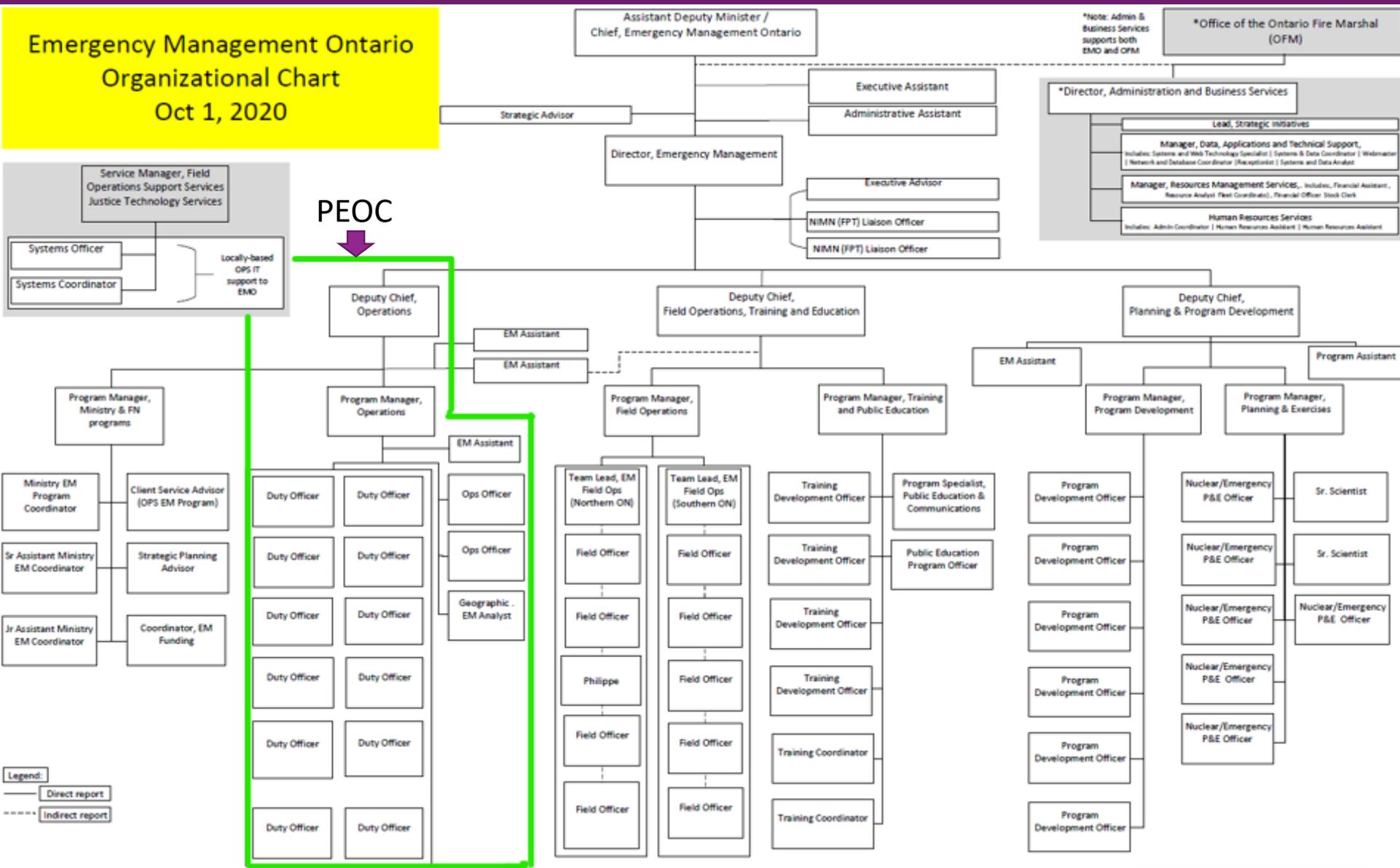


THANK YOU

Appendices

Appendix A: EMO Organizational Chart

**Emergency Management Ontario
Organizational Chart
Oct 1, 2020**



Appendix B: Areas of Authority to Make Orders in Section 7.0.2 and 7.1 of the EMCPA

Section 7.0.2 provides authority during a provincial declared emergency, and subject to the criteria and limitations in that section, for the LGIC to make orders in respect of the following

1. Implementing any emergency plans formulated under section 3, 6, 8 or 8.1.
2. Regulating or prohibiting travel or movement to, from or within any specified area.
3. Evacuating individuals and animals and removing personal property from any specified area and making arrangements for the adequate care and protection of individuals and property.
4. Establishing facilities for the care, welfare, safety and shelter of individuals, including emergency shelters and hospitals.
5. Closing any place, whether public or private, including any business, office, school, hospital or other establishment or institution.
6. To prevent, respond to or alleviate the effects of the emergency, constructing works, restoring necessary facilities and appropriating, using, destroying, removing or disposing of property.
7. Collecting, transporting, storing, processing and disposing of any type of waste.
8. Authorizing facilities, including electrical generating facilities, to operate as is necessary to respond to or alleviate the effects of the emergency.
9. Using any necessary goods, services and resources within any part of Ontario, distributing, and making available necessary goods, services and resources and establishing centres for their distribution.
10. Procuring necessary goods, services and resources.
11. Fixing prices for necessary goods, services and resources and prohibiting charging unconscionable prices in respect of necessary goods, services and resources.
12. Authorizing, but not requiring, any person, or any person of a class of persons, to render services of a type that that person, or a person of that class, is reasonably qualified to provide.
13. Subject to subsection (7), requiring that any person collect, use or disclose information that in the opinion of the Lieutenant Governor in Council may be necessary in order to prevent, respond to or alleviate the effects of the emergency.
14. Consistent with the powers authorized in this subsection, taking such other actions or implementing such other measures as the Lieutenant Governor in Council considers necessary in order to prevent, respond to or alleviate the effects of the emergency.

Section 7.1 provides authority, once an emergency has been declared under section 7.0.1 and subject to other criteria, for the LGIC to make orders in the following areas

1. Temporarily suspend the operation of a provision of a statute, regulation, rule, by-law or order of the Government of Ontario.
2. If it is appropriate to do so, set out a replacement provision to be in effect during the temporary suspension period only.