



## **The Municipality of the District of Lunenburg**

### **Request for Decision**

**Report to:** Fire and Emergency Services Committee

**Submitted by:** Alex Dumaresq, Deputy CAO  
Chris Kennedy, Fire Services Coordinator

**Date:** September 4, 2025

**Re:** Code of Conduct for Senior Fire Officials

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#### **Recommendation**

Move that FESC refer the proposed code of conduct for senior officers to the LRFES for review.

#### **Background**

In February of 2025 a fire chief in Cumberland County was driving department apparatus and struck a victim on scene. The Chief had a previous history of impaired driving and did not accurately report the incident to the municipality or its insurer.

The incident has prompted discussion within the Municipality and the Fire Service in Lunenburg County. The circumstances have highlighted some significant risks: first, driving unlicensed or impaired will eliminate insurance coverage; second, such an incident in an MODL fire department would be highly likely to cause legal issues for the Municipality and the department, potentially without the benefit of assistance from our insurance program, and may result in uninsured damage payments; third such an incident would cause catastrophic reputational damage extending beyond the department involved and affecting citizens' trust in the Municipality and fire service as a whole.

Currently most departments have some form of discipline process in their bylaws, and the Lunenburg Regional Fire and Emergency Services (LRFES) is developing a code of conduct for the organization.

Code of conduct and discipline issues can be challenging when involving senior officials in an organization, creating the existence or the perception of bias in the management of issues and complaints.

A fully functioning code of conduct not only establishes a behavioural standard, it also provides an impartial review mechanism, includes some form of discipline for violations of the code, and has some form of enforcement mechanism. The Fire and Emergency Services Committee (FESC) hosted a workshop in July 2025 with Fire services members and the FESC to discuss a code of conduct for senior officers. The discussion section of the report reviews the areas discussed and provides recommendations for the elements required of a code of conduct.

## **Discussion**

The focus of the report is the content and mechanisms recommended for a code of conduct for senior officials in volunteer fire departments registered with the Municipality. Throughout the discussion it is important to remember that the intention is to add a layer of accountability rather than replace the existing policies and resolution systems already in place within departments for member conduct. The new code is intended to address significant breaches which have the potential to impact the fire service in the county more broadly; where possible, the internal process for addressing disputes, conduct, discipline and inter-personal issue is all that is required.

### **Behaviours covered in the code of conduct**

Below follows a summary of behaviours identified in the workshop by the broader group that should form the basis of a code of conduct for senior officers.

- Participating in Fire department training, meetings or response while under the influence of drugs or alcohol;
- Harassment/discrimination;
- Fraud, theft & other criminal behaviours;
- Professionalism at fire scene;
- Conflicts of interest;
- Social media use that impacts the reputation of the department;
- and failure to report a violation of this code of conduct by a fellow senior official.

Staff are seeking revisions and/or confirmation from the committee that this list is appropriate to form the basis of a draft code.

### **Investigation of complaints**

The workshop discussion explored how different types of reviews may be more suitable at various times depending on the circumstances. There was general agreement that conduct issues are ideally dealt with within the department.

Where issues cannot be addressed internally in a department, staff recommend that the process be managed by an independent investigator. Having a 3<sup>rd</sup> party investigations avoids the potential for bias or perception of bias in the handling of a complaint based on the individual or department's relationship with the Municipality or with LRFES.

Under a proposed code of conduct, a complaint could be filed by a member of the department, a member of the public, or requested by the Municipality. The filing of a complaint would trigger a 2-step process by an independent investigator. First, the review would determine if the complaint falls within the code and there is sufficient information/cause to investigate. If yes, notification would be provided to the department and the Municipality and the investigator would proceed with an investigation and report.

Staff are seeking revisions and/or confirmation from the committee that the independent investigator approach is the most appropriate mechanism for the proposed code.

### **Remedial action**

If determined by the investigator that there was a breach, the report should go to an advisory board made up of three senior officers in a FD serving the Municipality. Staff recommend the panel be appointed from and/or by the FESC. The report should be presented in camera, in order to preserve the privacy of individuals involved in the complaint, to the extent possible within the confines of the Municipal Government Act.

Members of the committee cannot be a member of the department(s) involved in the matter and cannot be a family member or closely connected to individuals named in the complaint (adopting the same definitions as used for municipal elected officials in their code of conduct).

The advisory panel makes a recommendation to council (also in camera) on what remedial action needs to take place. Input from the workshop suggested the following range of remedial

action which could be applied, considering the gravity of the breach and the circumstances leading to the breach:

- Training
- Apology
- Suspension from the executive of the department
- Removal from executive of the department

Staff are seeking revisions and/or confirmation from the committee that this panel recommends to Council an appropriate avenue to determine remedial actions arising from the breach of the draft code.

### **Application and enforcement**

The final decision of Council would be communicated in writing to the individual and to the department. Confirmation of adherence to the remedial action would be communicated to the fire services coordinator. If the remedial actions were not implemented, Staff recommend the graduated compliance approach outlined in policy MODL 36 for compliance on pump testing requirements.

### **Strategic Focus**

Addressing a code of conduct for senior fire officials is identified in Council's workplan for 2025/26

### **Budget/Financial Implications**

Once implemented, future municipal budgets would require funds for investigations, which could range between several hundred to several thousand dollars, depending on the complexity of the investigation. It is not anticipated that there will be a high volume of complaints to be investigated.

### **Climate Change/sustainability**

Not Applicable.

### **Inclusion Diversity equity and Accessibility (IDEA@MODL)**

A further benefit of involving an independent investigator is that it provides more assurance of impartiality than an internal mechanism or one led by the Municipality. Impartiality can help

allay fears from equity-deserving groups who may fear that a complaint may be dismissed summarily.

### **Strategic Communications**

Collaboration with the fire service will be critical in ensuring the code is reasonable, appropriate and effective. Consultation with firefighters should take place both through the LRFES and through the annual general meeting of the fire service before finalizing and implementing the code of conduct.

### **Work plan**

If the committee endorses the draft code and processes, the following steps would be required:

- Refer the proposed code of conduct framework to LRFES for discussion
- Review of feedback from LRFES to FESC
- Recommend a proposal for a code of conduct to Council
- Preparation of a draft code of conduct and revisions to policy MODL 36, including legal and legislative review

### **Alternatives**

See Discussion for decision points and options relating to the content, investigation and enforcement of the proposed code.

### **Conclusion**

Recent events in other areas of the Province have underscored the need for increased accountability for senior officials in the fire service. The concepts outlined in the report would provide a mechanism for serious concerns to be addressed.

<b>Report Preparation</b>	
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<b>Report Approved by</b>	
<b>Date Reviewed by C.A.O.</b>	