
Chapter 2

COVID-19 Pandemic Response: Oversight Executive Council Office

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COVID-19 Pandemic Response: Oversight- Executive Council Office

Report of the Auditor General – Volume I, Chapter 2 - September 2023

Why Is This Important?

- COVID-19 pandemic impacted the lives of all New Brunswickers
- The government had to make difficult choices, including the curtailment of individual freedoms, the closure and reopening of public spaces, schools, and businesses, among many other measures to ensure the safety of New Brunswickers
- Effective oversight supports sound decision-making, policy and strategy implementation, risk mitigation and performance management

Overall Conclusions

- The Province reacted quickly with unprecedented measures aimed at saving lives
- The structures and processes established by the Province for the COVID-19 response set a framework for effective oversight
- There are opportunities to improve oversight to be better prepared for a future pandemic

What We Found

Responsibilities of Executive Committees

- No formal documents exist that define the purpose, expectations, and roles and responsibilities of COVID Core, the group of senior officials who supported Cabinet Committee on COVID-19
- COVID Core did not maintain records of its meetings
- Roles of the Deputy Ministers' Security and Emergency Committee and Assistant Deputy Ministers' Security and Emergency Committee in the pandemic response were not clearly defined

Documentation Supporting Public Health Measures

- Public Health measures at times were supported only by verbal updates from Department of Health, especially in the early stages of the pandemic
- One Mandatory Order was revised the next day after decision-makers asserted that it did not reflect the intended decision
- Documentation of Department of Health recommendations improved over time

Level of Preparedness

- Prior to the COVID-19 pandemic lessons learned from the H1N1 experience were not incorporated into an updated provincial pandemic plan
- The Province created new committee structures and processes in March 2020

Pandemic Preparedness Going Forward

- Province needs to incorporate lessons learned from COVID-19 pandemic into an updated provincial pandemic emergency plan and communication plan

Mandatory Order Process

- Justice and Public Safety did not always have time to seek Public Health feedback on draft Mandatory Order requirements
- The short time between the announcement of the Mandatory Order and when it became effective was challenging

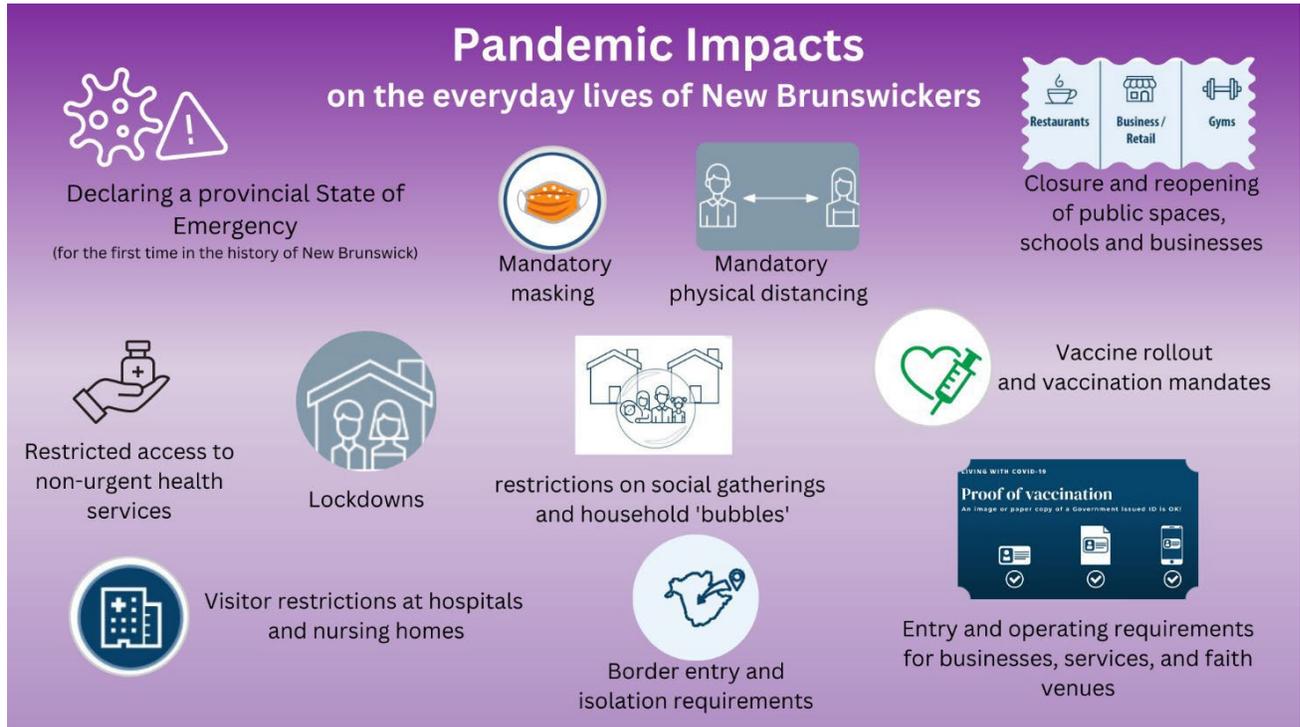
Audit Introduction

- 2.1** The public health threat posed by the COVID-19 pandemic led the Province to make difficult decisions and take unprecedented measures to help slow the spread of COVID-19, to minimize and prevent serious illness and overall deaths, minimize societal impacts and to minimize economic disruption¹. Decisions were made quickly in a context of considerable uncertainty, as knowledge about COVID-19 and the impact of these unprecedented measures rapidly evolved.²
- 2.2** The COVID-19 pandemic impacted the lives of all New Brunswickers. Examples of decisions made by the Province included:
- declaring a provincial state of emergency for the first time in the history of New Brunswick
 - closure and reopening of public spaces, schools, and businesses
 - lockdowns
 - mandatory masking and physical distancing
 - restricted access to non-emergency health services
 - border entry and isolation requirements
 - vaccine rollout and vaccination mandates
 - entry and operating requirements for businesses, services, and faith venues
 - restrictions on social gatherings and household “bubbles”
 - visitor restrictions at hospitals and nursing homes.

¹ *New Brunswick Provincial Pandemic Coordination Plan* (March 2020)

² *Public Health Ethics Framework: A Guide for Use in Response to the COVID-19 Pandemic in Canada* (2022)

Exhibit 2.1 - Examples of decisions made by the Province



Source: Prepared by Office of the Auditor General of New Brunswick

2.3 Oversight is a critical function to ensure that:

- due diligence is taking place before key decisions are made
- policies and strategies are being implemented as intended
- key risks are managed
- activities comply with policies, laws, and regulations
- corrective actions are taken when needed, and continuous improvement is taking place.³

³ Canadian Audit & Accountability Foundation – Practice Guide to Auditing Oversight

- 2.4** Executive Council Office provides secretariat and administrative services for Executive Council and is responsible to monitor the ongoing progress in achieving government objectives. According to the *New Brunswick Provincial Pandemic Coordination Plan*, the Province’s overall goal of the pandemic response was to:
- “minimize and prevent serious illness and overall deaths
 - prevent serious illnesses
 - minimize societal impacts
 - minimize economic disruption.”⁴
- Why we chose this topic** **2.5** We chose to audit oversight of the Province’s response to the COVID-19 pandemic for the following reasons:
- the COVID-19 pandemic impacted the lives of all New Brunswickers
 - the Legislative Assembly passed a motion on March 31, 2022, requesting that the Auditor General undertake a review of the response by the provincial government to the COVID-19 pandemic.
- Audit Objective** **2.6** The objective of this audit was to determine whether the structures and processes established by the Province of New Brunswick for the COVID-19 pandemic response set a framework for effective oversight.
- Audit Scope** **2.7** The scope of the audit included organization structure, roles and responsibilities, decision-making, communication, monitoring, and corrective actions.
- 2.8** Our auditee was Executive Council Office. We collected audit evidence from Department of Health and Department of Justice and Public Safety when deemed necessary.

⁴ *New Brunswick Provincial Pandemic Coordination Plan* (March 2020)

2.9 The audit covered the period between March 11, 2020 (the date the World Health Organization declared COVID-19 outbreak a global pandemic) to March 14, 2022 (the date the Province of New Brunswick lifted restrictions for the second time). This is the period to which the audit conclusion applies. Where relevant, we considered documentation and events prior to, and after, this period.

2.10 More details on the audit objectives, criteria, scope, and approach we used in completing our audit can be found in Appendix V and Appendix VI.

Conclusions

2.11 We concluded:

- the Province reacted quickly to the COVID-19 pandemic and introduced unprecedented measures aimed at saving lives as a matter of priority
- the Province established new structures and processes to oversee its response to COVID-19
- in general, the structures and processes established by the Province of New Brunswick for the COVID-19 pandemic response set a framework for effective oversight. We found opportunities for improvement such as:
 - improving clarity and documentation of roles and responsibilities of executive committees involved in the response; and
 - incorporating lessons learned from the COVID-19 pandemic into an updated provincial pandemic emergency plan.

2.12 We believe improvements in the above areas would help the Province be better prepared for a future pandemic.

Background Information

2.13 Prior to the COVID-19 pandemic, New Brunswick Emergency Measures Organization recognized that a

pandemic would likely occur and that its impacts would be severe.⁵

- 2.14** The *Province of New Brunswick Emergency Measures Plan (Provincial All-Hazards Plan)* states, “As a pandemic outbreak is likely to be widespread, a provincial whole-of-government response must be anticipated to maintain the continuity of government and other critical services and infrastructure impacted due to a pandemic event.”⁶
- 2.15** On December 31, 2019, reports emerged of a cluster of cases of viral pneumonia in Wuhan, China. A new coronavirus was identified to cause the disease, later named coronavirus disease (COVID-19) by the World Health Organization.⁷
- 2.16** As part of New Brunswick Emergency Measures Organization’s normal duties, events; both local and worldwide are monitored.⁸ On February 4, 2020, the Acting Director of Emergency Measures Organization initiated the provincial response to the pandemic by activating the Provincial Emergency Operations Centre⁹ to enhanced monitoring.
- 2.17** On March 11, 2020, the World Health Organization made the assessment that COVID-19 could be characterized as a pandemic and called for countries to take a whole-of-government, whole-of-society approach, built around a comprehensive strategy to prevent infections, save lives, and minimize

⁵ The 2009 *New Brunswick Provincial Contingency Plan for Pandemic H1N1 Influenza* and the 2006 *Pandemic Influenza Planning Guide for Municipalities*

⁶ *Province of New Brunswick Emergency Measures Plan* (Revised June 2017)

⁷ Office of the Auditor General of Canada. (2021). (rep.). *Report 8- Pandemic Preparedness, Surveillance, and Border Control Measures* (p. 1).

⁸ *Province of New Brunswick Emergency Measures Plan (Provincial All-Hazards Plan)* (Revised June 2017)

⁹ The Province Emergency Operations Centre, according to the 2017 *Province of New Brunswick Emergency Measures Plan*, is located in Fredericton and “consists of an operations room, a communications room, radio room, situation room and an administration area. It contains the necessary staff, working accommodation and communications for the coordination and control of the provincial emergency response.”

impact.¹⁰ On the same day, New Brunswick had its first presumptive case detected.

- 2.18** The World Health Organization in 2009 highlighted the need for pandemic planning beyond the health care sector which addresses a “Whole-of-Society Approach”. Noting “the economic and social consequences of the pandemic will be greater if governments, businesses, and civil society have not developed plans as to how they can continue to deliver key services in a pandemic. That is why all sectors of society should be involved in pandemic preparedness and response.¹¹”
- 2.19** Government recognized that difficult decisions would need to be made in a context of considerable uncertainty to respond to the pandemic and needed a process to combine the expertise in Public Health with the authority of the Minister of Public Safety. Government also recognized hard decisions of this magnitude should not be made by one or two officials alone.
- 2.20** On March 12, 2020, the Cabinet Committee on COVID-19 was formed with Executive Council Office assigned as secretariat. The mandate of the Cabinet Committee on COVID-19 was to:
- “Support efforts to ensure a coordinated, collaborative citizen-centric response and receive information from government departments and agencies in relation to COVID-19
 - ensure decision-makers and influencers have access to up to date, fact-based information regularly and have the opportunity to ask questions of officials.¹²”

¹⁰ World Health Organization. (n.d.). *Timeline: WHO's COVID-19 response*. World Health Organization. Retrieved March 16, 2023, from <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/interactive-timeline>

¹¹ World Health Organization. (2009). (rep.). *Whole-Of-Society Pandemic Readiness - WHO guidelines for pandemic preparedness and response in the non-health sector*. Retrieved May 17, 2023, from https://cdn.who.int/media/docs/default-source/inaugural-who-partners-forum/2009-0808_wos_pandemic_readiness_final7e244f53-ec76-420d-836e-758c25e2ddf5.pdf?sfvrsn=3b2fe69d_1&download=true.

¹² Cabinet Committee on COVID-19 Terms of Reference (March 2020)

- 2.21** We were informed that government decided “that the Minister of Public Safety, in considering how best to use his responsibility and authority, would benefit from experts in public health and other fields, and from recommendations from the Cabinet Committee on COVID-19 and decisions of the Cabinet.”
- 2.22** On March 19, 2020, the Province of New Brunswick declared a provincial state of emergency under section 12 of the *Emergency Measures Act*. This was the first provincial state of emergency issued in the history of New Brunswick. Under section 12 of the *Emergency Measures Act*, the Minister of Justice and Public Safety¹³ has the authority to “do everything necessary for the protection of property, the environment and the health or safety of persons therein¹⁴” on a state of emergency being declared.
- 2.23** The state of emergency was renewed by the Minister with the approval of the Lieutenant-Governor in Council for subsequent 14-day periods, until it came to an end on July 30, 2021, when the Province lifted all restrictions. It was subsequently reinstated on September 24, 2021, and continued to be renewed for additional 14-day periods until it was ended for the second time on March 14, 2022.
- 2.24** During the state of emergency there were 112 Mandatory Orders. Mandatory Orders detailed requirements such as the closure of businesses and schools, imposed travel restrictions, prohibited gatherings, mandatory masking, venue requirements for proof of vaccination, among many others.

¹³ Until September 29, 2020, it was the Minister of Public Safety who had the authority (Justice and Public Safety departments and ministerial responsibilities merged)

¹⁴ Emergency Measures Act (R.S.N.B. 2011,c.147)

Exhibit 2.2 - Examples of New Brunswick's colour-coded public health alert levels (which included lockdown, red, orange, yellow)

Updated January 17, 2021

	Red	Orange	Yellow
Bubble	Single household bubble - includes a caregiver or individual needing support	Single household bubble - includes a caregiver or individual needing support	Steady20 - a consistent list of 20 social contacts or less
Masks	Masks mandatory in indoor public places. Masks required in outdoor public spaces when physical distancing cannot be maintained.	Masks mandatory in indoor public places. Masks required in outdoor public spaces when physical distancing cannot be maintained.	Masks mandatory in indoor public places
Social Gatherings	Indoor - Your household bubble Outdoor - 5 people or less with masks and physical distancing	Indoor - Your household bubble Outdoor - Outdoor gatherings with physical distancing of 2.5 people or fewer are permitted	Indoor - Your Steady20 Outdoor - 10 or less with physical distancing
Restaurants	Drive-thru, takeout and delivery only	Patrons must remain seated You can only dine with your bubble	Patrons must remain seated
Business / Retail	Open with a COVID-19 operational plan	Open with a COVID-19 operational plan	Open with a COVID-19 operational plan
Gyms	Closed	Closed	Closed
Spas / Salons	Closed	Closed	Closed

Updated January 29th, 2021

	lockdown	Red	Orange	Yellow
Bubble	A one household bubble includes the people you live with. Can be extended to caregivers, an immediate family member who needs support and one other person	A one household bubble includes the people you live with. Can be extended to caregivers, an immediate family member who needs support and one other person	A one household bubble includes the people you live with. Can be extended to caregivers, an immediate family member who needs support and one other person	A one household bubble includes the people you live with. Can be extended to caregivers, an immediate family member who needs support and one other person
Masks	Masks mandatory in indoor public places. Masks required in outdoor public spaces when physical distancing cannot be maintained.	Masks mandatory in indoor public places. Masks required in outdoor public spaces when physical distancing cannot be maintained.	Masks mandatory in indoor public places. Masks required in outdoor public spaces when physical distancing cannot be maintained.	Masks mandatory in indoor public places
Social Gatherings	Indoor - Your household bubble Outdoor - no informal or formal gatherings	Indoor - Your household bubble Outdoor - 5 people or less with masks and physical distancing	Indoor - 10 and steady Outdoor - gatherings of 50 people	Indoor Informal - Your household and Steady 20 only Indoor Formal - Capacity limited to 25% capacity of facility with physical distancing Outdoor Informal - 10 people or less with physical distancing Outdoor Formal - Permitted with physical distancing of 10 people or less with an operational plan
Restaurants	Drive-thru, takeout and delivery only	Drive-thru, takeout and delivery only	Patrons may dine and dine with	Patrons must remain seated. You can only dine with your household and Steady 20
Business / Retail	Public facing stores that provide access to necessities and are permitted to operate (i.e. food, fuel, medications, etc.) are only permitted to sell essential items.	Open with a COVID-19 operational plan	Open with a COVID-19 operational plan	Open with a COVID-19 operational plan
Gyms	Closed	Closed	Closed	Open with a COVID-19 operational plan with strict measures

Updated January 29th, 2021

	lockdown	Red	Orange	Yellow
Bubble	A one household bubble includes the people you live with. Can be extended to caregivers, an immediate family member who needs support and one other person	A one household bubble includes the people you live with. Can be extended to caregivers, an immediate family member who needs support and one other person	A one household bubble includes the people you live with. Can be extended to caregivers, an immediate family member who needs support and one other person	A one household bubble includes the people you live with. Can be extended to caregivers, an immediate family member who needs support and one other person
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Business / Retail	Public facing stores that provide access to necessities and are permitted to operate (i.e. food, fuel, medications, etc.) are only permitted to sell essential items.	Open with a COVID-19 operational plan	Open with a COVID-19 operational plan	Open with a COVID-19 operational plan
Gyms	Closed	Closed	Closed	Open with a COVID-19 operational plan with strict measures

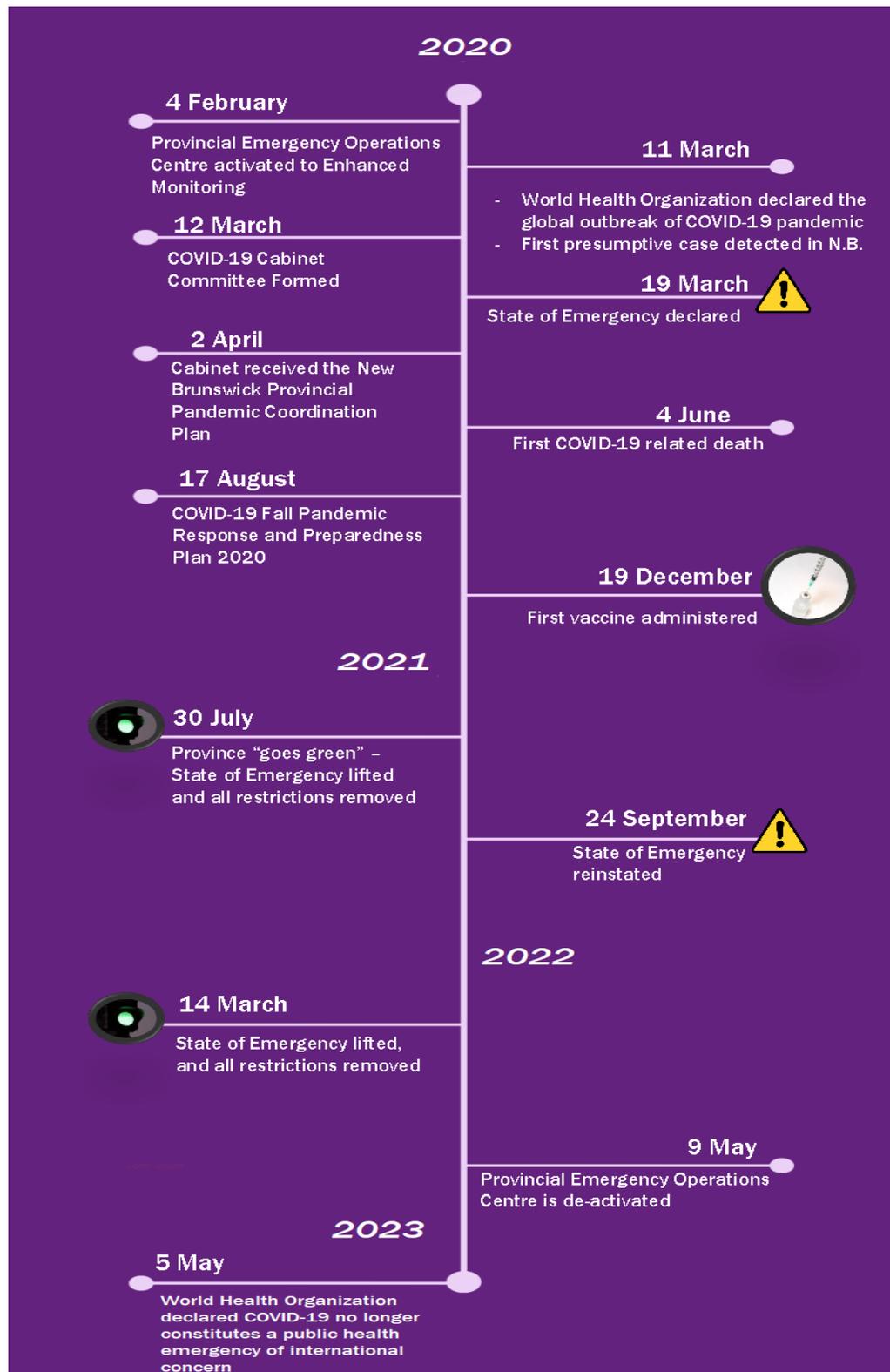
Source: Government of New Brunswick Website

Source: Government of New Brunswick Website

- 2.25** On April 2, 2020, two weeks after the state of emergency was first declared, Cabinet received for information purposes the revised March 2020 *New Brunswick Provincial Pandemic Coordination Plan* describing the Province’s coordinated approach for responding to public health events that are pandemic in nature. The coordination plan was approved by the Deputy Minister of Department of Health and the Deputy Minister of Public Safety.
- 2.26** On August 17, 2020, the Province of New Brunswick issued the *COVID-19 Fall Pandemic Response and Preparedness Plan 2020*. The plan noted, “NB is in the fortunate position to proactively plan and strategize a whole-of-society approach before a second wave of COVID-19. Planning and preparedness work across key private and public sectors continues, and the lessons learned from the first wave have been applied to an updated approach.¹⁵”
- 2.27** Exhibit 2.3 shows significant events in the Province’s response to COVID-19.

¹⁵ Province of New Brunswick – *COVID-19 Fall Pandemic Response and Preparedness Plan 2020* (August 17, 2020)

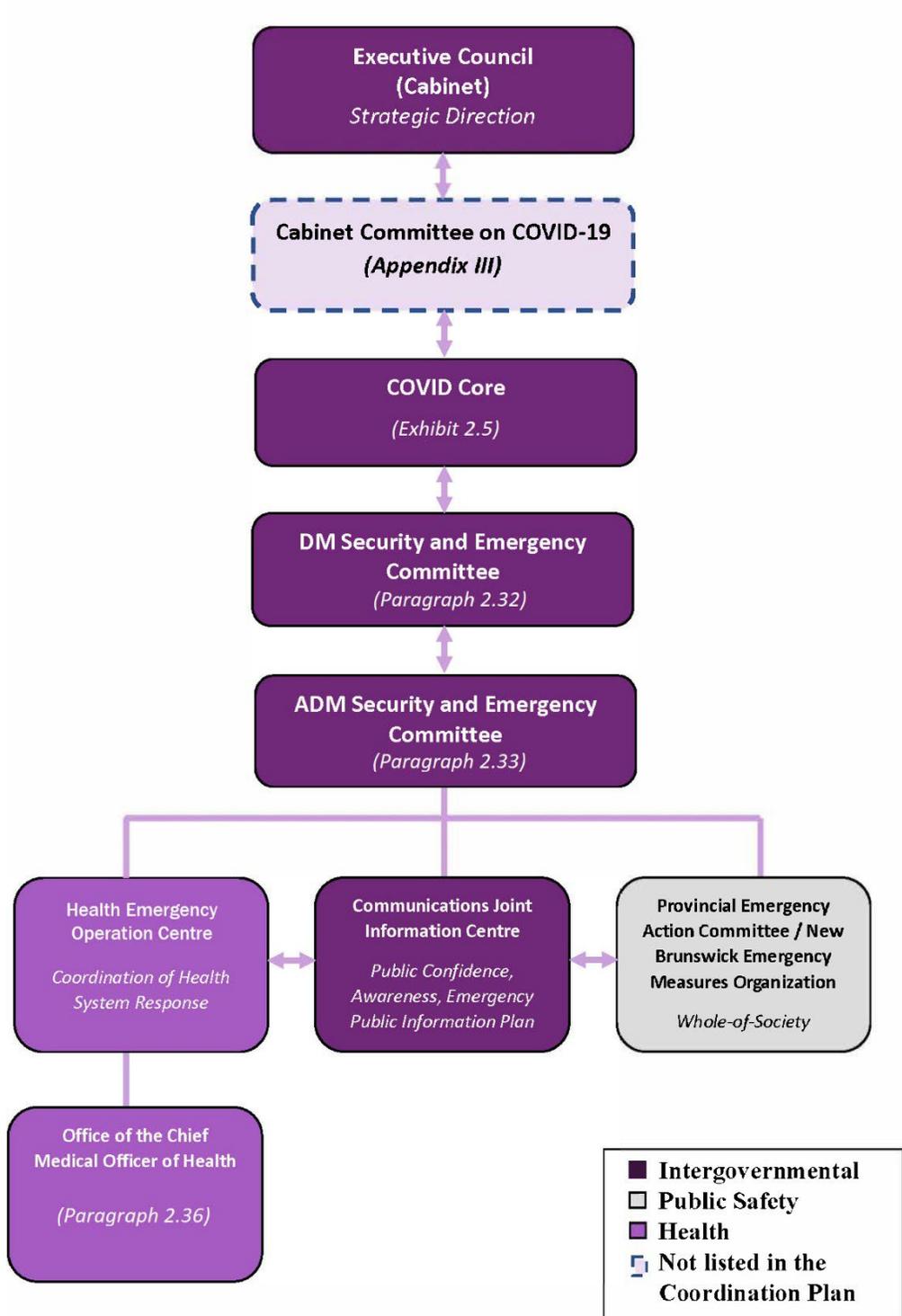
Exhibit 2.3 - Significant events in the Province's Response to COVID-19



Source: Prepared by Office of the Auditor General of New Brunswick

- 2.28** The response to the COVID-19 pandemic was overseen by Executive Council (Cabinet) with Cabinet Committee on COVID-19 and multiple executive committees involved in the oversight process. Pandemic-related decisions were made at the Executive Council level. Exhibit 2.4 displays the top levels of the Province’s decision-making hierarchy.

Exhibit 2.4 - GNB COVID-19 Decision-Making Hierarchy



Source: Adapted from the New Brunswick Provincial Pandemic Coordination Plan (unaudited). Refer to Appendix II for the complete Organizational Chart depicted in the New Brunswick Provincial Pandemic Coordination Plan.

- 2.29** Executive Council (Cabinet) was responsible for approving pandemic-related decisions brought forward by the Cabinet Committee on COVID-19.
- 2.30** The Cabinet Committee on COVID-19 received departmental submissions after they had typically gone through COVID Core and made recommendations to Cabinet for pandemic related decisions. The Committee had no decision-making authority. All recommendations of the Committee were made for the consideration of Cabinet.¹⁶ Refer to Appendix III for the list of the Cabinet Committee on COVID-19 membership throughout the pandemic response.
- 2.31** COVID Core was a group of senior government officials including the Clerk of Executive Council and the Deputy Minister of Justice and Public Safety¹⁷. See Exhibit 2.5 for the list of COVID Core Membership.

¹⁶ Terms of Reference – Cabinet Committee on COVID-19 revised October 2020 – Appendix D General Rules of Order

¹⁷ Until September 29, 2020, was Deputy Minister of Public Safety (Justice and Public Safety departments and ministerial responsibilities merged)

Exhibit 2.5 - Members of COVID Core Committee

<i>Members of COVID Core Committee</i>
Clerk of Executive Council (ECO)
Deputy Minister of Justice and Public Safety ¹⁸
Deputy Minister of Health
Deputy Minister of Corporate Communications (ECO)
Deputy Chief Operating Officer (ECO)
Provincial Security Advisor - Justice and Public Safety ¹⁹
Assistant Deputy Minister of Public Health

Source: Prepared by AGNB based on information provided by Executive Council Office (ECO)

¹⁸ Until September 29, 2020, was Deputy Minister of Public Safety (Justice and Public Safety departments and ministerial responsibilities merged)

¹⁹ Until September 29, 2020, was Provincial Security Advisor - Public Safety (Justice and Public Safety departments and ministerial responsibilities merged)

- 2.32** The Deputy Ministers’ Security and Emergency Committee was listed in the *New Brunswick Provincial Pandemic Coordination Plan* as responsible for executive strategic direction and advice to government.
- 2.33** The Assistant Deputy Ministers’ Security and Emergency Committee was listed in the *New Brunswick Provincial Pandemic Coordination Plan* as responsible to confirm priorities and scenarios, ensure resources and support response.
- 2.34** The *New Brunswick Provincial Pandemic Coordination Plan* notes the Health Emergency Operation Centre provides the streamlined process for various partners to work together in response to an event. Members represent all units with the Department of Health, the Office of the Chief Medical Officer of Health and integrates the Regional Health Authorities, Service New Brunswick Health Services and Extra Mural and Ambulance New Brunswick.
- 2.35** The Health Emergency Operation Centre, according to the 2018 *New Brunswick Health Emergency Management Plan Parts I & II*, is the “strategic headquarters responsible for planning, directing, coordinating, and aligning the Health System’s emergency response and recovery actions to emergencies. Its role is:
- maximizing the resources of the Health System;
 - developing and maintaining situational awareness across the complete Health System; and
 - identifying and resolving emerging issues early.²⁰

²⁰ Department of Health. (2018). (publication). *New Brunswick Health Emergency Management Plan Parts I & II Version 2.1* (p. 5).

- 2.36** The Office of the Chief Medical Officer of Health’s role is to ensure Public Health authorities conduct and manage responses to public health events, including:
- monitoring and surveillance activities;
 - risk assessment;
 - public health measures; and
 - evidence-informed recommendations²¹.
- 2.37** Corporate Communications and Public Relations Division of Executive Council Office is responsible for providing strategic communications planning to Executive Council Office and serves as a liaison between department communication units across government. In the *New Brunswick Provincial Pandemic Coordination Plan*, Corporate Communications is responsible for public awareness and the Joint Information Centre²².
- 2.38** The *New Brunswick Provincial Pandemic Coordination Plan* states “Once activated, the Joint Information Centre²³ will coordinate the development and approval of all pandemic-related internal and external communications materials.²⁴”
- 2.39** The Provincial Emergency Action Committee and New Brunswick Emergency Measures Organization were listed in the *New Brunswick Provincial Pandemic Coordination Plan* as responsible for whole-of-society response. The plan specifically notes all impacts outside the healthcare sector will be coordinated by the New Brunswick Emergency Measures Organization.

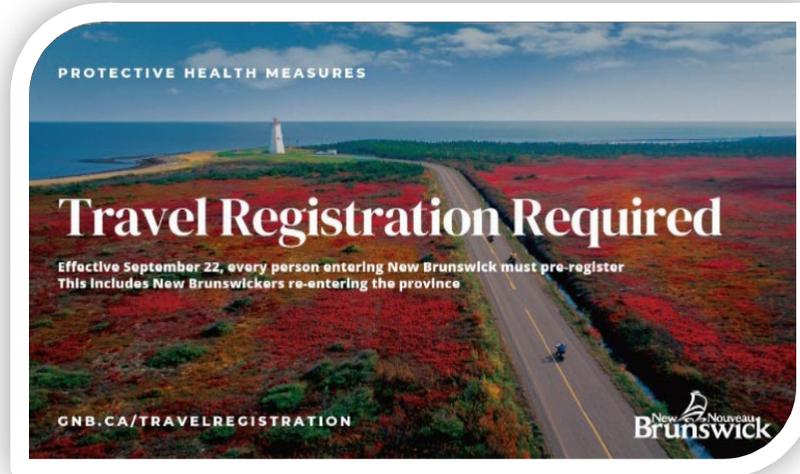
²¹ *New Brunswick Provincial Pandemic Coordination Plan* (March 2020)

²² The Joint Information Centre is located in the Victoria Health Centre in Fredericton (functions performed virtually in times of pandemic)

²³ *ibid*

²⁴ *New Brunswick Provincial Pandemic Coordination Plan* (March 2020)

Exhibit 2.6 - Example of a Mandatory Order measure introduced by the Province to control the spread of COVID-19: all persons intending to enter New Brunswick must pre-register their travel with the New Brunswick Travel Registration Program.



Source: Government of New Brunswick Website

- 2.40** In March 2020, the Province engaged leaders from National Preparedness Leadership Institute, an initiative of the Harvard Kennedy School and the Harvard T.H. Chan School of Public Health. Their primary lesson for New Brunswick senior leaders was to adopt the “swarm leadership²⁵” model to manage their response to the COVID-19 emergency.
- 2.41** We were informed COVID Core, members of the Cabinet Committee on COVID-19 and other senior officials incorporated principles of swarm leadership which encourages unity of mission, no ego and no blame, generosity of spirit and action, staying in one’s lane and a foundation of trust-based relationships into the pandemic response. Appendix IV outlines the five principles of swarm leadership.
- 2.42** An example of the use of swarm leadership was the unprecedented cooperation and collaboration of members of the Cabinet Committee on COVID-19 to help achieve a safe outcome for New Brunswickers.
- 2.43** A process was created whereby the Department of Health would bring forward advice to COVID Core who would then review, challenge, and provide strategic thought around the information. Department of Health advice would then proceed to the Cabinet Committee on COVID-19 and on to Cabinet. The Minister of Justice and Public Safety²⁶ would then issue Mandatory Orders under the *Emergency Measures Act* informed by advice from the Department of Health.

²⁵ Richard Kelly’s article in the Business Ivey Journal, “*Teaching Your Company to Swarm*” describes how bees and other creatures work together to achieve a shared goal and how “swarm theory has been linked to management and leadership models where centralized control gives way to self-organizing, decentralized agents within complex adaptive systems.”

²⁶ Until September 29, 2020, it was the Minister of Public Safety (Justice and Public Safety departments and ministerial responsibilities merged)

Level of Preparedness

- 2.44** The coordination plan for a provincial emergency response to pandemic influenza in place prior to the onset of the COVID-19 pandemic was the *2009 New Brunswick Provincial Contingency Plan for Pandemic H1N1 Influenza*²⁷.
- 2.45** Following the 2009 H1N1 pandemic, a review of the Government of New Brunswick response was conducted in two phases: phase one concentrated on the Health Care System, and phase two, conducted under the direction of the Department of Public Safety, focused on the overall government management of the response²⁸.
- 2.46** The review identified key findings for the government to address which included:
- “There is a policy and accountability gap. The Government of New Brunswick does not have a whole of government pandemic influenza plan; therefore the required policy and accountability framework to support the desired “whole -of -government” response to emergency events, including pandemic influenza is not in place”; and
 - “The required business continuity and pandemic influenza plans are not complete. A common theme throughout the GNB and municipalities was that planning is ongoing and the formal plans are not complete.”²⁹”
- 2.47** The *Emergency Management Framework for Canada* highlights the need for continuous improvement. “After emergencies or disasters occur, a systematic approach is used to learn lessons
- H1N1 review identified gaps in policy and accountability and lack of business continuity plans***

²⁷ Province of New Brunswick *Emergency Measures Plan (Provincial All-Hazards Plan)* (Revised June 2017) noted “Provincial Contingency Plan for a Pandemic Event was developed in 2009 for the H1N1 Influenza and is under revision in collaboration with the Department of Health”.

²⁸ Science Applications International Corporation Canada. (2009). (rep.). *Review of the Government of New Brunswick H1N1 Pandemic Influenza Preparedness and Response* (p. ii). Halifax, Nova Scotia.

²⁹ Science Applications International Corporation Canada. (2009). (rep.). *Review of the Government of New Brunswick H1N1 Pandemic Influenza Preparedness and Response* (p. ii). Halifax, Nova Scotia.

Prior to COVID-19, lessons learned from the H1N1 experience over nine years ago were not incorporated into an updated provincial pandemic plan

2.48 The World Health Organization declared the end of the H1N1 pandemic in August 2010³¹. There were over nine years between the end of the H1N1 pandemic and when the World Health Organization characterized the global outbreak of COVID-19 a pandemic. We found prior to the COVID-19 pandemic, the Province had not incorporated lessons learned from the H1N1 pandemic into an updated provincial pandemic plan. Some Provincial staff we interviewed told us preparing for a pandemic response was not seen as a priority:

- “it was felt we were pandemic safe”
- “it was known a pandemic could happen, but no one ever thought it would.”

The Province created new committee structures and processes in March 2020

2.49 The Province created new committee structures and processes in March 2020 (such as COVID Core and the Cabinet Committee on COVID-19) and quickly revised the *2009 New Brunswick Provincial Contingency Plan for Pandemic H1N1 Influenza* into the *New Brunswick Provincial Pandemic Coordination Plan* in March 2020. However, we found this new March 2020 plan has not been updated to reflect the structures and processes that were implemented during the provincial COVID-19 response (such as the Cabinet Committee on COVID-19).

³⁰ Canada, P. S. (2022, July 27). An emergency management framework for Canada - third edition. Public Safety Canada. <https://www.publicsafety.gc.ca/cnt/rsrscs/pblctns/2017-mrgnc-mngmnt-frmwrk/index-en.aspx>

³¹ World Health Organization. (n.d.). H1N1 in Post-Pandemic Period. World Health Organization. Retrieved May 5, 2023, from <https://www.who.int/news/item/10-08-2010-h1n1-in-post-pandemic-period>

Recommendation

2.50 We recommend Executive Council Office ensure that the Province improve its emergency preparedness process by:

- preparing and keeping emergency response plans up to date for all hazards (including pandemics); and
- testing and updating plans on a regular basis according to a pre-defined schedule.

Responsibilities of Executive Committees

2.51 As noted in the Department of Justice and Public Safety’s *New Brunswick Emergency Measures Plan (All Hazards Plan)*³² revised in June 2017:

- “The time-tested formula for handling emergency situations is to have the right people, knowing what to do, at the right time and having the resources to do it. Achieving this is the goal of all emergency planning”; and
- “The potential for chaos can be reduced by clearly establishing responsibilities and by the use of an accepted concept of operations.”

Roles and responsibilities of executive committees were not clearly defined or documented

2.52 We found the executive committees involved in the COVID-19 response did not always have clear and well-documented roles and responsibilities. As shown in Exhibit 2.4, these included the COVID Core Committee, the Deputy Ministers’ Security and Emergency Committee, and the Assistant Deputy Ministers’ Security and Emergency Committee.

There are no formal documents that define the purpose, expectations, and roles and responsibilities of COVID Core

2.53 COVID Core is listed as a key committee on the organizational chart under Executive Council, however, it did not have a terms of reference, charter or other similar document which defines its purpose, expectations and roles and responsibilities of its members. According to Executive Council Office, COVID Core is a sub-committee of the Deputy Ministers’ Security and Emergency Committee. The COVID Core membership included the Assistant Deputy Minister of Public Health and the Provincial Security Advisor (see Exhibit 2.5). COVID Core was created because it was clear a whole-of-government approach was required on a sustained basis.

³² The *Province of New Brunswick Emergency Measures Plan (Provincial All-Hazards Plan)* “is designed to provide direction and guidance for dealing with emergencies ranging from a single provincial departmental response up to a fully coordinated, collective response by all provincial departments and partner agencies, supported by the federal government.” Part one of this plan outlines the concepts of operations, describes the response structure, and outlines the basic emergency actions and part two of this plan consists of contingency plans. The Provincial Contingency Plan for a Pandemic Event included in part two of this plan was “under revision in collaboration with the Department of Health.”

2.54 Executive Council Office noted COVID Core was responsible for coordination, providing advice and strategic thought around the pandemic response before information was presented to decision-makers and influencers.

2.55 We were also informed COVID Core was an internal coordinating committee that facilitated an integrated approach to supporting government's COVID-19 response; typically, everything that was submitted to Cabinet related to the pandemic went through COVID Core first. The daily work of COVID Core included:

- reviewing, challenging, providing strategic thought around information from government departments and agencies before it was provided to the Cabinet Committee on COVID-19;
- reviewing and helping to adjust the language of presentations from government departments and agencies before it was provided to the Cabinet Committee on COVID-19 so that it could be more easily understood; and
- reviewing several performance measures and statistics reported through public and internal dashboards, such as number of cases, deaths, vaccination rates, public sentiments, and economic indicators.

No records maintained by COVID Core

2.56 However, we found no records to support COVID Core meetings, such as meeting minutes, agendas, discussion notes or action items.

Roles of the Deputy Ministers' Security and Emergency Committee and the Assistant Deputy Ministers' Security and Emergency Committee were not clearly defined in the Provincial Pandemic Coordination Plan

2.57 The *New Brunswick Provincial Pandemic Coordination Plan* does not clearly describe the roles of the Deputy Ministers' Security and Emergency Committee and the Assistant Deputy Ministers' Security and Emergency Committee in the Province-wide response to the COVID-19 pandemic. The plan states the Deputy Ministers' Security and Emergency Committee was responsible for "Executive Strategic Direction, Advice to government" while the Assistant Deputy Ministers' Security and Emergency Committee was to "confirm priorities and scenarios, ensure resources, support response." It is not clear how the two committees

fulfilled these responsibilities during the COVID-19 pandemic response.

2.58 Clear roles and responsibilities contribute to improved coordination and accountability, and reduce the risk of duplication of efforts and communication breakdowns.

Recommendation

2.59 We recommend the Executive Council Office ensure:

- **the roles, responsibilities, and expectations of all executive committees involved in provincial emergency responses are clearly defined and documented; and**
- **records are maintained for all committee meetings during an emergency response.**

Pandemic Decision-Making Process

The Province made difficult decisions which significantly impacted the lives of New Brunswickers

2.60 The Province made difficult decisions during the COVID-19 pandemic which significantly impacted the lives of New Brunswickers. Difficult choices (such as the curtailment of individual freedoms and the closure and reopening of public spaces, schools, and businesses) were made in context of considerable uncertainty, as knowledge about COVID-19 and the impact of these unprecedented measures rapidly evolved³³.

Expedited processes were established to increase the speed information was brought forward for pandemic-related decisions

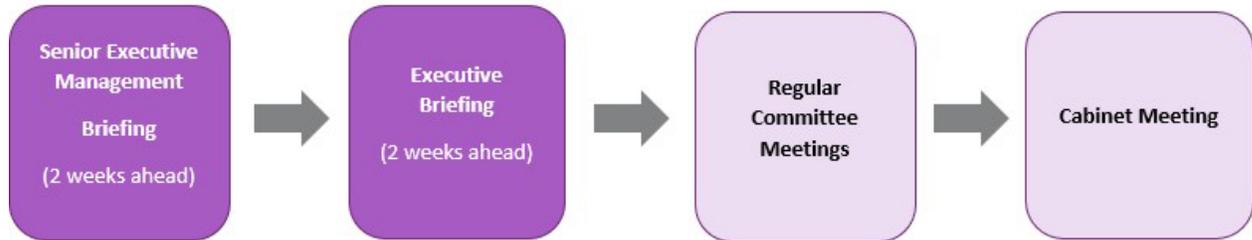
2.61 Because of the scale and rapidly evolving nature of the COVID-19 emergency, the government's typical decision-making process was not used for pandemic-related decisions. Expedited processes were established to enable the Province to collect and present information for decision makers to ensure decisions were made in time to respond to constantly changing conditions.

2.62 See Exhibit 2.7, COVID-19 Decision-Making Process Compared to the Standard Executive Council Cabinet and Committee Process.

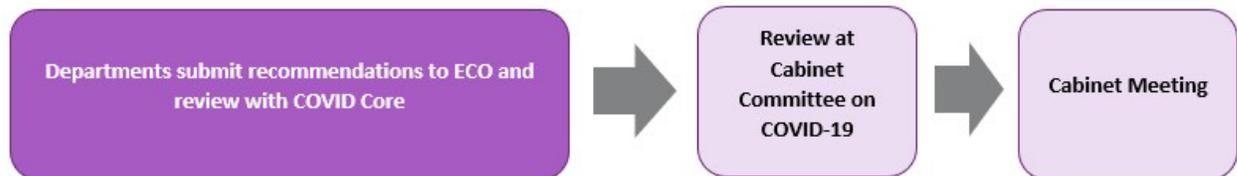
³³ *Public health ethics framework: A guide for use in response to the COVID-19 pandemic in Canada* (2022)

Exhibit 2.7 - COVID-19 Decision-Making Process Compared to the Standard Executive Council Cabinet and Committee Process

Standard Executive Council Cabinet and Committee Process:



Process used for pandemic-related decisions:



Source: Created by AGNB based on information provided by Executive Council Office (unaudited)

The time required to bring information to decision makers was expedited from weeks, to at times, just hours

2.63 Decision-making around COVID-19 included many factors such as impacts to public health, sustainability of the health system, as well as societal and economic considerations. As shown in Exhibit 2.7, the Senior Executive Management and Executive Briefing functions were assigned to COVID Core for pandemic-related decisions, thereby cutting the time required to bring information to decision makers from weeks, to at times, just hours.

2.64 The Department of Health would first bring data and information to COVID Core for discussion and review. Sometimes advice was in the form of an outcome they wanted to see achieved. Other times, updates of current data, situations, and evolving science were provided for situational awareness. COVID Core would discuss potential advice to Cabinet. COVID Core would also discuss potential Mandatory Order wording changes and how

measures would be implemented and operationalized.

- 2.65** COVID Core would then arrange for Department of Health to present to the Cabinet Committee on COVID-19, which replaced the functions of regular Committee meetings.
- 2.66** Department of Health would present to the Cabinet Committee on COVID-19 and members would pose questions or raise concerns. Advice was at times provided verbally, especially in the early stages of the pandemic. Cabinet Committee on COVID-19 would then make a recommendation to Cabinet for final decision.
- 2.67** Department of Health would then present to Cabinet. Similar to what took place with the Cabinet Committee on COVID-19, additional discussion would sometimes occur. Cabinet would give final approval and a Record of Decision would be drafted. The Record of Decision often did not include the specific language to be included in the Mandatory Order.
- 2.68** The Department of Justice and Public Safety was responsible for drafting the Mandatory Order. Once drafted, the Minister would review and sign the Mandatory Order.
- 2.69** We were informed the Department of Justice and Public Safety³⁴ drafted the Mandatory Orders to reflect the discussion and decision of Cabinet, as well as any recommendations and information included in Department of Health documents presented to Cabinet. The Department of Justice and Public Safety sought feedback on draft Mandatory Order requirements from Department of Health in advance of the Mandatory Order becoming effective, however, a lack of time on certain occasions prevented this from being performed on a consistent basis.
- 2.70** The typical decision-making process involves a Memorandum to Executive Council (MEC)

Justice and Public Safety did not always have time to seek Department of Health feedback on draft Mandatory Order requirements

³⁴ Until September 29, 2020, it was Public Safety (Justice and Public Safety departments and ministerial responsibilities merged)

document brought forward from departments and agencies for Cabinet decision making which identifies issues, recommended action, and various consultations and considerations. A condensed version of the MEC template was used, entitled: *For submissions dealing with initiatives related to the Province's response to the COVID-19 pandemic*. The template detailed the subject, issue, recommended action, background, financial implications, economic and business implications and other considerations.

Condensed Memorandum to Executive Council process not always used

2.71 At the start of the pandemic, Department of Health updates were often provided verbally to the Cabinet Committee on COVID-19 and Cabinet. We were informed that over time a standard flow of presentations was developed, starting with epidemiological trends, triggers, risk assessment, and finally the recommendations. The Department of Health felt this approach helped make the information digestible, factual, and could be turned around in a shorter amount of time.

2.72 We selected and tested a sample of Mandatory Order requirements to determine whether there was evidence of Department of Health recommendations provided to decision-makers supporting the addition or removal of public health measures. We focused our sample testing on significant public health measures introduced through Mandatory Orders. We did not evaluate the quality of Department of Health advice provided or the appropriateness of the measures.

We found six instances out of 14 sample items where public health measures were supported by verbal updates only

2.73 In our sample testing, we found six instances out of 14 sample items where Records of Decisions showed verbal updates with no supporting documentation or recommendations from Department of Health. These were significant measures instated in the early stages of the COVID-19 pandemic response.

Improvements noted in the documentation of Department of Health recommendations

2.74 We observed a Record of Decision in October 2020 in our sample where there were improvements in the documentation of Department of Health recommendations. For example, written options and recommendations were provided to decision-makers in the form of a PowerPoint presentation for the

introduction of mandatory masking in public indoor spaces. Exhibit 2.8 shows a list of significant Mandatory Order requirements and supporting documentation.

Exhibit 2.8 - Decision Support Sample – Results

Date	Mandatory Order requirement	Mandatory Order requirement #	Supported by:		
			Verbal updates only	Documented presentation	Documented recommendation
March 19, 2020	Closure of restaurants except take out	1	✓		
March 19, 2020	Closure of schools, colleges and universities	11	✓		
March 25, 2020	Self-isolation requirements (those returning from outside Canada)	13	✓		
March 25, 2020	Self isolation requirements (those entering New Brunswick)	14	✓		
March 25, 2020	Non-essential travel into New Brunswick prohibited	15	✓		
April 2, 2020	Gatherings of any size prohibited	18		✓	
April 28, 2020	Temporary foreign workers	18	✓		
June 5, 2020	Masks Mandatory to enter Public Buildings starting June 9	12		✓	
June 6, 2020	Removal of requirement of Masks Mandatory to enter Public Buildings	12		✓	
October 8, 2020	Mask use in most public spaces mandated	15		✓	✓
April 24, 2021	Hotel isolation	8		✓	✓
July 16, 2021	Mandatory Order not renewed	N/A		✓	✓
September 25, 2021	Proof of vaccination	2		✓	
March 11, 2022	Mandatory Order not renewed	N/A		✓	✓

Source: Created by AGNB based on information provided by Executive Council Office

- 2.75** We were informed that verbal briefings were necessary at the start of the emergency. At that stage, information was constantly changing, and new information would have been received from provincial and Federal partners with very little notice to prepare documentation. We were also informed that verbal briefings were used at other times during the Province’s response on occasions where time did not permit a written update or recommendations. A best practice would be to document all key decision supports as the pandemic moved from an emergency situation into a longer-term ongoing situation.
- 2.76** In our testing, we found one Mandatory Order issued that did not reflect the intent of decision makers and required immediate correction. On June 5, 2020, there was a Mandatory Order requirement effective June 9, 2020, stating: “Everyone who enters any building that is open to the general public must on entering wear a face mask covering their mouth and nose.” We were informed this requirement was removed the next day after some decision-makers asserted that the Mandatory Order did not reflect the intended decision. This instance highlights the need to document decisions to avoid misunderstandings.
- 2.77** Documented recommendations and decision supports would facilitate the capturing of lessons learned for future improvements and enhance transparency and accountability in relation to public health measures. In the early stages of urgency at the pandemic start, the priority was to save lives. As time passed, and the situation became more stable, we would have expected public health measures to be supported by documented recommendations from the Department of Health. Exhibit 2.8 indicates the passage of time may have influenced the amount of documentation supporting public health measures as the pandemic response progressed. Exhibit 2.8 also identifies important pandemic decisions which lacked decision support and documentation.
- One Mandatory Order was revised the next day after decision-makers asserted that it did not reflect the intended decision***

Recommendation

2.78 We recommend Executive Council Office ensure recommendations and decision support be documented for any similar future emergencies, as emergency situations become more stable with the passage of time.

Pandemic Communication

2.79 When faced with uncertainty and unpredictability, transparent, open, and early communication with the public and stakeholders during a pandemic is critical to build trust and to ensure the credibility of health advice.³⁵

2.80 During the state of emergency, Executive Council Office Corporate Communications was responsible for communicating decisions related to the Mandatory Order to the public. The Deputy Minister of Corporate Communications attended Cabinet meetings and shared decisions with the division responsible for communications and marketing material.

Processes were established to communicate Mandatory Order requirements

2.81 Processes were established to communicate Mandatory Order requirements which included:

- disseminating public/media information and social media messages in French and English simultaneously;
- posting the signed Mandatory Order on the government website and sharing the link in daily news releases;
- posting on government’s various social media channels;
- advertising on different platforms such as digital and social media, radio and sometimes newspapers; and
- preparing speeches and other written materials for the news conferences.

³⁵ Henry B on behalf of the Canadian Pandemic Influenza Preparedness (CPIP) Task Group. Canadian Pandemic Influenza Preparedness: Communications strategy. Can Commun Dis Rep. 2018;44(5): 106-9. <https://doi.org/10.14745/ccdr.v44i05a03>

Exhibit 2.9 - Examples of communication methods used by the Province (news conferences, advertisements, and infographics)



June 15 - Update on Path to Green



June 7 - Update on COVID-19

COVID-19 VACCINE

My child is terrified of needles, can they still get the vaccine?

Being scared of needles doesn't have to stop your child from getting vaccinated.

Recovery Level Comparison
Updated January 13, 2021

	Red	Orange	Yellow
Mobile	Stay in your home, only for essential purposes.	Stay in your home, only for essential purposes.	Stay in your home, only for essential purposes.
Meet	Meet only with household members or people you live with.	Meet only with household members or people you live with.	Meet only with household members or people you live with.
Local Activities	None.	None.	None.
Workplaces	None.	None.	None.
Business/ Retail	None.	None.	None.
Open	None.	None.	None.
Open/Active	None.	None.	None.
Schools/Daycare	None.	None.	None.
Healthcare	None.	None.	None.
Business/Event	None.	None.	None.

www.gnb.ca/coronavirus

COVID-19 TESTING

Register your positive rapid test result online.

If you test positive on a rapid point-of-care test, register your results online.

CNB.CA/POSITIVERESULT

Source: Government of New Brunswick Website

Team debriefing exercises identified areas for improved communication

- 2.82** Certain COVID-19 teams identified areas for improved communication as part of their debriefing exercises, which included:
- communication should be provided in plain language³⁶;
 - the need for careful considerations of the impact and intent of messages given to the public³⁷;
 - the need for clear guidelines about public resources for specific information about COVID-19³⁸;
 - there was a need for a sole IT infrastructure for information and COVID-19 updates³⁹;
 - the need to establish an Information Management Unit to run updates on the website⁴⁰; and
 - the need for consistent communication between WorkSafe, Red Cross, Health and all other institutions involved in the response⁴¹.

2.83 Executive Council Office has advised that these areas identified above have been addressed.

The short time between the announcement of the Mandatory Order and when it became effective created challenges

2.84 There was a short time between the announcement of the Mandatory Order and when it became effective. This at times created challenges for New Brunswickers, businesses, hospitals, schools, and other organizations as well as for provincial government staff. For example, requirements in the first Mandatory Order on March 19, 2020, were announced the same day and effective immediately. In this case, all food and beverage-serving businesses were required to move to take-out and delivery services only.

³⁶ Hot wash output- NB Travel Registration Team, Justice and Public Safety

³⁷ Hot wash output- Call Back Team, Justice and Public Safety

³⁸ Hot wash output- Call Back Team, Justice and Public Safety

³⁹ Hot wash output- Order Interpretation Team, Justice and Public Safety

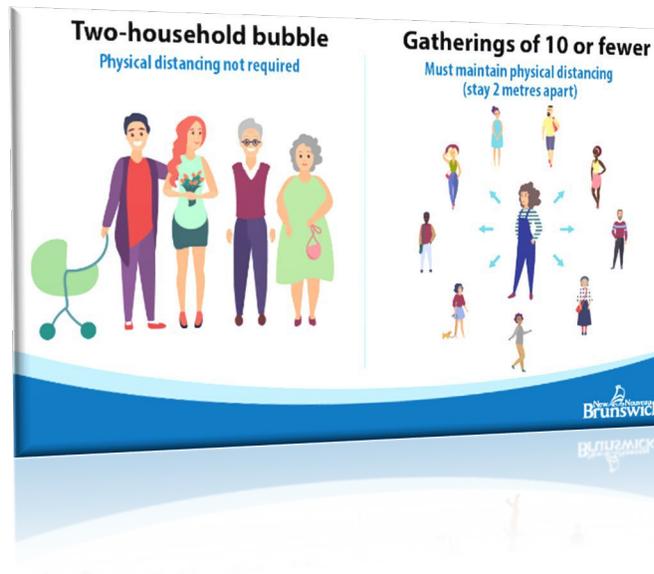
⁴⁰ Hot wash output- Order Interpretation Team, Justice and Public Safety

⁴¹ Hot wash output- NB Travel Registration Team, Justice and Public Safety

- 2.85** Executive Council Office noted:
- “Because the science was rapidly changing, the Province had to consistently pivot to ensure the safety of New Brunswickers”; and
 - “Decisions could not be delayed as New Brunswicker’s lives were at stake.”
- 2.86** When reviewing COVID-19 teams’ debriefing exercises, we learned some changes made to Mandatory Orders created confusion amongst the public and government staff. Challenges noted included:
- frontline staff felt the strongest impact on small changes made to Mandatory Orders;
 - small changes to Mandatory Orders increased business and consumer uncertainty;
 - constant changes to Mandatory Orders made enforcement challenging; and
 - small and constant changes increased COVID-19 fatigue with staff and New Brunswickers⁴².

⁴² Hot wash output- Order Interpretation Team, Justice and Public Safety

Exhibit 2.10 - Example of an infographic used by the Province to communicate COVID-19 restrictions (two-household bubble and gatherings of 10 or fewer)



Source: Government of New Brunswick Website

2.87 The *New Brunswick Provincial Pandemic Coordination Plan* states that Executive Council Office Corporate Communications is responsible for implementing the *New Brunswick Emergency Public Information Plan* (the provincial policy for the coordination of government communications in times of crisis or emergency) to support the provincial emergency management structure⁴³.

2.88 The *New Brunswick Emergency Public Information Plan* is governed by the principles of process, coordination, partnership with media and precedence. A description of each of the principles is outlined below:

- “Process – It is essential that the audiences, key messages and process for communicating with the public be determined as quickly as possible, and a daily business cycle be established to manage the process of preparing and

⁴³ *New Brunswick Provincial Pandemic Coordination Plan* (March 2020)

disseminating public safety advice and information.”

- “Co-ordination – All organizations involved in an emergency operation will co-ordinate their public information activities through the Provincial Emergency Operations Centre in Fredericton. This ensures a consistent flow of accurate and timely information between all partners and to the public.”
- “Partnership with Media – During an emergency, the media are an excellent source of real-time information, and help to get safety messages out to the public. They help to ensure that people have the information they need to be safe. Our process must accommodate media needs and deadlines wherever possible.”
- “Precedence – During the impact phase of an emergency, public safety messages generally take precedence over all other messages. When corporate messages are required, they should be co-ordinated through the Provincial Emergency Operations Centre. This ensures that corporate messages are consistent with public safety messages.⁴⁴”

The New Brunswick Emergency Public Information Plan does not appear to consider long-term emergencies

2.89 We found, the *New Brunswick Emergency Public Information Plan* does not appear to consider long-term emergencies (the phases and levels of the response in the plan “covers the several hours or days during which the event is brought under control”).⁴⁵”

No post-operation report provided to New Brunswick Emergency Measures Organization nor debriefing session completed as required by the New Brunswick Emergency Public Information Plan

2.90 We found Executive Council Office Corporate Communications did not provide a post-operation report to New Brunswick Emergency Measures Organization. We also found no debriefing session was held. The *New Brunswick Emergency Public Information Plan* outlines various responsibilities of the Director Emergency Public Information Services including providing a post-operation report within 30 days of termination of the emergency. The post-operations report is to include the following:

- conduct of operations;

⁴⁴ *New Brunswick Emergency Public Information Plan* (2017)

⁴⁵ *ibid*

- lessons learned; and
- recommendations for improvements.

- 2.91** The *New Brunswick Emergency Public Information Plan* notes that within 14 days of the termination of operations, New Brunswick Emergency Measures Organization, with support from Executive Council Office, will hold a debriefing session (“Hot Wash” exercise) to be attended by all Emergency Public Information Service staff who responded to the event. New Brunswick Emergency Measures Organization was unable to provide a reason the post-pandemic debriefing session had not occurred or a reason they did not request a post-operations report.
- 2.92** The Deputy Minister of Corporate Communications, who performed the role of the Director of Emergency Public Information Services, noted there was “nothing initiated from Emergency Measures Organization to Executive Council Office communications, however, although the Mandatory Order may have ended, the issue of COVID-19 has continued to current day and as such communications have continued in this regard.” The Deputy Minister further noted: “This was not the same as a flood or emergency situation where a hot wash would have been conducted at the end. Changes were made all along the way as required since the crisis was so prolonged.”
- 2.93** Post-reporting and debriefing helps capture good communication practices and lessons learned from the COVID-19 pandemic. Once captured, this feedback should be incorporated into an updated emergency communication plan.

Recommendation

- 2.94** **We recommend Executive Council Office, in collaboration with New Brunswick Emergency Measures Organization, undertake a post-operation review and incorporate communication lessons learned into an updated *New Brunswick Emergency Public Information Plan*.**

Pandemic Preparedness Going Forward

- 2.95** On May 9, 2022, the Director of New Brunswick Emergency Measures Organization de-activated the Provincial Emergency Operations Centre⁴⁶. This meant that provincial assistance, direction, and coordination were no longer required, the COVID-19 operation was terminated, and the Provincial Emergency Operations Centre reverted to routine monitoring.
- 2.96** The state of emergency due to the presence of COVID-19 and its risks to the health and safety of New Brunswickers lasted over 650 days. During this period, various levels of government collaborated to respond to the pandemic and gained valuable experiences that can be used to better prepare the Province for any future pandemic emergencies.
- 2.97** We noted some of the teams supporting government’s response to the pandemic completed debriefing exercises. In addition, we noted Department of Health completed an After -Action Review of the Department of Health’s response to COVID-19 for the period January 2020 to May 22, 2020. However, we noted the Province has not initiated an overall After Action Review of the Province’s response to the COVID-19 pandemic. We were informed the Province is awaiting the conclusion of our COVID-19 audit work to initiate an After Action Review and plans to use our audit work to inform an effort to update the *New Brunswick Provincial Pandemic Coordination Plan*.
- 2.98** The *Province of New Brunswick Emergency Measures Plan*⁴⁷ (*Provincial All-Hazard Plan*), which provides the basis for the provincial response
- The Province needs to incorporate lessons learned from the COVID-19 pandemic into an updated provincial pandemic emergency plan*

⁴⁶ The Province Emergency Operations Centre, according to the 2017 *Province of New Brunswick Emergency Measures Plan*, is located in Fredericton and “consists of an operations room, a communications room, radio room, situation room and an administration area. It contains the necessary staff, working accommodation and communications for the coordination and control of the provincial emergency response.”

⁴⁷ The *Province of New Brunswick Emergency Measures Plan (Provincial All-Hazards Plan)* “is designed to provide direction and guidance for dealing with emergencies ranging from a single provincial

to any emergency in New Brunswick, states, “The provincial emergency response will continue until provincial assistance, direction and coordination are no longer required and the operation is terminated. The plan further stipulates, “An After Action Review to evaluate the effectiveness of the emergency response will be conducted within 14 days of the termination of the emergency... The preparation of a provincial report will be coordinated by NB EMO with the involved departments and submitted to the Minister/Deputy Minister (of Justice and Public Safety) within 60 days of the termination of the emergency.”

2.99 We also noted that certain key personnel involved with the Province’s response have moved on to other positions or are no longer employed with the Province. This increases the risk of loss of knowledge and lessons learned from the provincial response to COVID-19. Concern has been expressed by some of the staff we interviewed that this knowledge and experience has not been captured.

Recommendation

2.100 We recommend Executive Council Office ensure the Department of Justice and Public Safety, in collaboration the Department of Health:

- undertake an After Action Review to evaluate the provincial response to the COVID-19 pandemic;
- incorporate lessons learned into an updated provincial pandemic emergency plan; and
- create and implement a schedule to regularly test and update the provincial pandemic emergency plan.

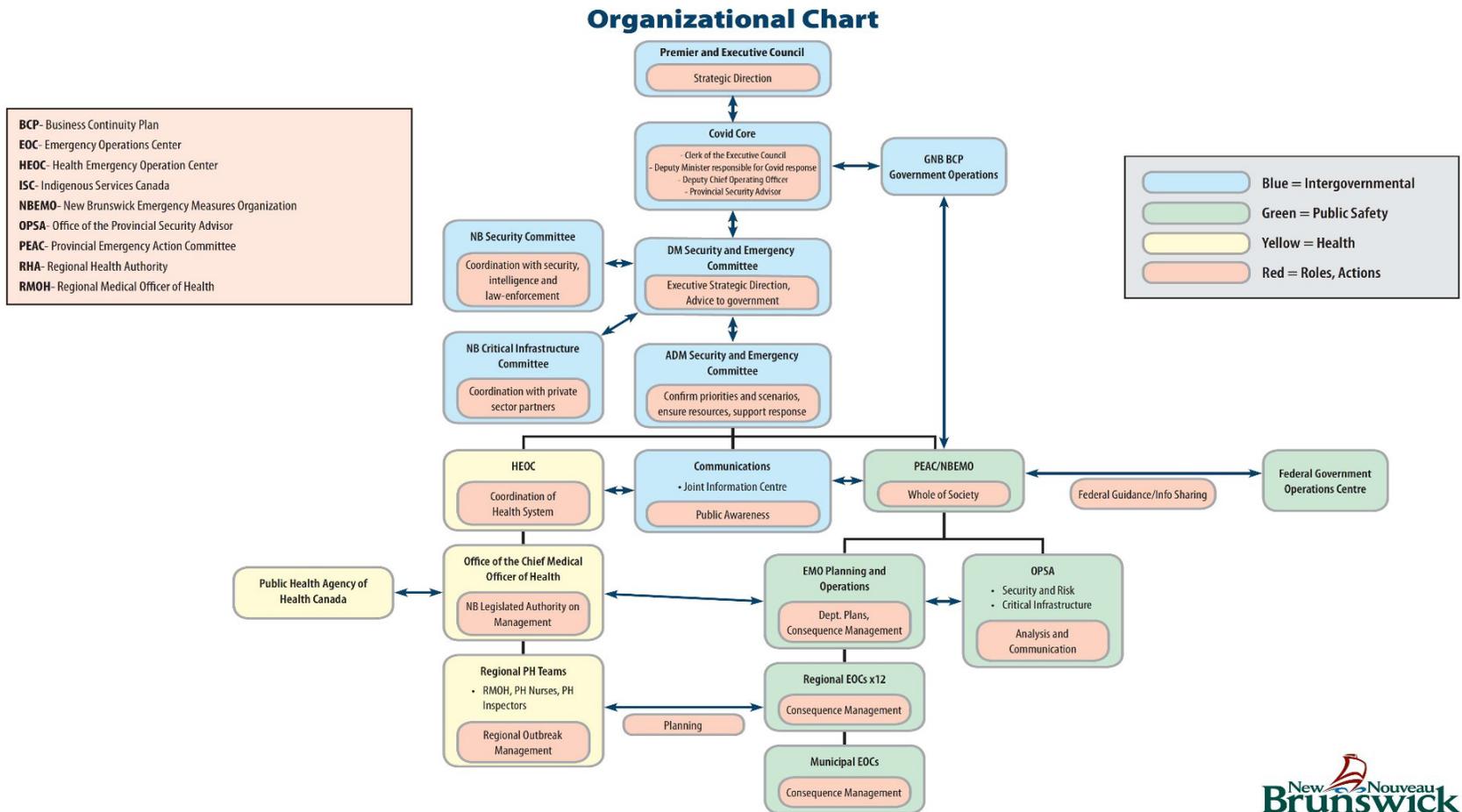
departmental response up to a fully coordinated, collective response by all provincial departments and partner agencies, supported by the federal government.”

Appendix I – Recommendations and Responses

Recommendation	Department's response	Target date for implementation
We recommend:		
<p>2.50 Executive Council Office ensure that the Province improve its emergency preparedness process by:</p> <ul style="list-style-type: none"> • preparing and keeping emergency response plans up to date for all hazards (including pandemics); and • testing and updating plans on a regular basis according to a pre-defined schedule. 	<p><i>Agree. Beginning in 2013, the Province made successive improvements to its plans related to emergency management, following events in 2013, 2014, 2017 and 2018. This work is ongoing, and we will revisit plans and processes following the finalized report from the Auditor General's Office.</i></p>	<p><i>A plan will be in place by end of 2023-2024 fiscal year.</i></p>
<p>2.59 Executive Council Office ensure:</p> <ul style="list-style-type: none"> • the roles, responsibilities, and expectations of all executive committees involved in provincial emergency responses are clearly defined and documented; and • records are maintained for all committee meetings during an emergency response. 	<p><i>Agree. There was only one governance and oversight committee that did not have formal documentation around roles and responsibilities (COVID Core).</i></p> <p><i>COVID-19 Cabinet and Cabinet maintained records for each meeting. COVID Core was not a formal decision-making body. Therefore, records were not created/required. PEOC produced daily situation reports that were shared with COVID Core for information.</i></p>	<p><i>Implemented immediately and actioned in advance of the next event, where operationally feasible.</i></p>

Recommendation	Department’s response	Target date for implementation
We recommend:		
<p>2.78 Executive Council Office ensure recommendations and decision support be documented for any similar future emergencies, as emergency situations become more stable with the passage of time.</p>	<p><i>Agree. As situation stabilizes, decision support will be documented.</i></p> <p><i>First and foremost, the Province is committed to the health and safety of New Brunswickers.</i></p>	<p><i>Implemented immediately and actioned in advance of the next event, where operationally feasible.</i></p>
<p>2.94 Executive Council Office, in collaboration with New Brunswick Emergency Measures Organization, undertake a post-operation review and incorporate communication lessons learned into an updated <i>New Brunswick Emergency Public Information Plan</i>.</p>	<p><i>Agree. See 2.50</i></p>	<p><i>July 2024</i></p>
<p>2.100 Executive Council Office ensure the Department of Justice and Public Safety, in collaboration the Department of Health:</p> <ul style="list-style-type: none"> • undertake an After Action Review to evaluate the provincial response to the COVID-19 pandemic; • incorporate lessons learned into an updated provincial pandemic emergency plan; and • create and implement a schedule to regularly test and update the provincial pandemic emergency plan. 	<p><i>Agree. This is the normal process, and an after action review will be conducted using the findings of the Auditor General’s Report on COVID-19 Pandemic Response: Oversight.</i></p>	<p><i>July 2024</i></p>

Appendix II – NB Provincial Pandemic Coordination Plan: Organizational Chart



Source: New Brunswick Provincial Pandemic Coordination Plan (March 2020)



Appendix III – Cabinet Committee on COVID-19 Membership

Date	Members
<i>March 13, 2020</i>	Hon. Blaine Higgs Hon. Dorothy Shephard Hon. Carl Urquhart Hon. Hugh J. Flemming Hon. Dominic Cardy Kevin Vickers David Coon Kris Austin
<i>October 1, 2020</i>	Hon. Blaine Higgs Hon. Dorothy Shephard Hon. Carl Urquhart Hon. Hugh J. Flemming Hon. Dominic Cardy Roger Melanson David Coon Kris Austin
<i>October 8, 2020</i>	Hon. Blaine Higgs Hon. Dorothy Shephard Hon. Hugh J. Flemming Hon. Dominic Cardy Roger Melanson David Coon Kris Austin
<i>November 5, 2021</i>	Hon. Blaine Higgs Hon. Dorothy Shephard Hon. Hugh J. Flemming Hon. Dominic Cardy Kris Austin This membership remained in place until February 2022.

Officials with authority to attend Cabinet Committee on COVID-19 on a regular basis: Chief of Staff, Premier’s Office, Deputy Chief of Staff, Chief Operating Officer, Deputy Minister of Health, Assistant Deputy Minister, Public Health, Chief Medical Officer of Health, Deputy Minister of Corporate Communications, and Deputy Minister, Justice and Public Safety. *Additional Ministers invited to attend on an as-required basis.

Source: Prepared by AGNB based on information provided by Executive Council Office and Terms of Reference – Cabinet Committee on COVID-19 (updated October 2020) (unaudited)

Appendix IV – Principles of Swarm Leadership



Source: Prepared by AGNB based on information in You're It: Crisis, Change, and How to Lead When It Matters Most (pg.18), Marcus, L. J., McNulty, E. J., Henderson, J. M., & Dorn, B. C., *Public Affairs* (2021).

Appendix V – Audit Objective and Criteria

The objective and criteria for our audit of COVID-19 Pandemic Response: Oversight are presented below. Executive Council Office (ECO) reviewed and agreed with the objective and associated criteria.

Objective	To determine whether the structures and processes established by the Province of New Brunswick for the COVID-19 pandemic response set a framework for effective oversight.
Criterion 1	The executive committees involved in oversight of the Province’s COVID-19 pandemic response should have clearly defined and documented oversight roles and responsibilities.
Criterion 2	Processes should be in place to effectively monitor the COVID-19 pandemic response to ensure corrective actions are taken in a timely manner.
Criterion 3	Due diligence procedures should be in place to ensure recommendations from Public Health are received by Cabinet for decision-making.
Criterion 4	Processes should be in place to effectively communicate Mandatory Order requirements.

Source of Criteria: Developed by AGNB based on:

- Canadian Audit and Accountability Foundation *Practice Guide to Auditing Oversight*
 - *New Brunswick Provincial Pandemic Coordination Plan* (March 2020)
 - Government of Canada’s *Public Health Ethics Framework: A guide for use in response to the COVID-19 Pandemic in Canada* (2022)
 - *Canadian Pandemic Influenza Preparedness: Communications Strategy* (2018)
 - Relevant audit reports of other Canadian Legislative Audit Offices
-

Appendix VI – About the Audit

This independent assurance report was prepared by the Office of the Auditor General of New Brunswick on the Executive Council Office COVID-19 Pandemic Response: Oversight. Our responsibility was to provide objective information, advice, and assurance to assist the Legislative Assembly in its scrutiny of the Province of New Brunswick's oversight of the COVID-19 Pandemic Response.

All work in this audit was performed to a reasonable level of assurance in accordance with the Canadian Standard on Assurance Engagements (CSAE) 3001 – Direct Engagements, set out by the Chartered Professional Accountants of Canada (CPA Canada) in the CPA Canada Handbook – Assurance.

AGNB applies the Canadian Standard on Quality Management 1- Quality Management for Firms That Perform Audits or Review of Financial Statements, or Other Assurance or Related Services Engagements. This standard requires our office to design, implement, and operate a system of quality management, including policies or procedures regarding compliance with ethical requirements, professional standards, and applicable legal and regulatory requirements.

In conducting the audit work, we have complied with the independence and other ethical requirements of the Rules of Professional Conduct of Chartered Professional Accountants of New Brunswick and the Code Professional Conduct of the Office of the Auditor General of New Brunswick. Both the Rules of Professional Conduct and the Code are founded on fundamental principles of integrity, objectivity, professional competence and due care, confidentiality, and professional behaviour.

In accordance with our regular audit process, we obtained the following from management:

- confirmation of management's responsibility for the subject under audit;
- acknowledgement of the suitability of the criteria used in the audit;
- confirmation that all known information that has been requested, or that could affect the findings or audit conclusion, has been provided; and
- confirmation that the findings in this report are factually based.

Period covered by the audit:

The audit covered the period between March 11, 2020 and March 14, 2022. This is the period to which the audit conclusion applies. However, to gain a more complete understanding of the subject matter of the audit, we also examined certain matters that preceded the starting date of the audit. We have also noted where significant, or noteworthy, events or actions took place after this period.

Date of the report:

We obtained sufficient and appropriate audit evidence on which to base our conclusion on September 1, 2023, in Fredericton, New Brunswick.