"PROPOSAL FOR ESTABLISHING CO-ORDINATED CONSUMER REPRESENTATION ON FEDERAL AND PROVINCIAL COMMITTEES RESPONSIBLE FOR NATIONAL CODES FOR BUILDINGS"

by
Consumer Interest Alliance Inc.
For

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EXECUTIVE SUMMARY

As background to this work, a thorough investigation was done into the National Building Code (NBC) system, its committee structure, membership and its relationship with Provincial/Territorial Codes. Special focus was placed on identification of public interest and/or consumer representatives already within the system in order to meet the objective of determining how to increase consumer representation. This objective was the focus of this project, not an evaluation of the National Building Code itself.

The background research activities of the project included;

- reading the entire building code,
- interviews with two key consumer representatives in the national system, web search to ascertain the involvement of consumer groups in other countries in national building code systems,
- communication with consumer representatives on Technical Committees for CSA standards that are referenced in the Code,
- meeting with the Consumer Council of Canada, and
- a review of a consumer survey conducted 15 years ago which provided a historical perspective of consumer priorities.

This phase of the research was designed to find ways in which consumer priorities might best be identified and prioritized.

A Handbook for Consumer Representatives in the National Standards System, along with the information gained from the activities described above, was considered by the CIAI Board and its Volunteer Advisory Group (VAG). This work phase was to identify the essential pieces of a good consumer representation model. The VAG also looked at these materials in order to consider how to identify consumer representatives to participate on committees, how resources will be secured to facilitate participation and the issues to be considered in setting priorities for consumer representation. A requirement that the consumer representative must be selected by (or from) a consumer group in existence for at least three years should provide independent and credible consumer input.

Finally, input was also sought from undergraduate and graduate students from the University of Guelph on the various models that could be used as

tools to assess priorities and make the best use of limited consumer resources.

Background on the current situation in Canada and in other countries

Information was obtained on the extent of consumer participation in code development in Australia, the European Union, the United Kingdom and the United States. Although consumer participation in the Canadian NBC process is negligible, it was found to be considerably stronger than in other countries that have organized consumer groups. Consumer organizations in other countries also participate primarily through their national standards systems by participation in the development of standards that are referenced in the codes. While some countries may provide their consumer organizations with the opportunity to comment on National Building Codes, they are excluded from the committees that actually develop these codes. As is the case in Canada, the greatest level of consumer participation comes through National Standards Systems and consumer representation on committees that develop standards that are referenced in the codes.

How consumer representation is established and can be better supported

The CIAI has concluded, based on the research undertaken as part of this project, that the effectiveness of consumer representation is increased when backed by the strength and weight of a consumer organization. The CIAI recognizes that many effective consumer representatives became involved in standard or code development and are highly committed to participation as a result of relevant personal experience, but believes that a stronger link between a consumer representative and a defined constituency will promote better communication. This approach is anticipated to result in benefits which would provide more support for the committee work, particularly in the form of solid research into the positions brought by consumer representatives to the committee table.

Co-operation among consumer groups to co-ordinate consumer participation on code and standard setting bodies provides a forum in which the priority areas for this work can be determined and effective consumer representatives can be identified, recruited and/or trained.

The current economic situation should not be a barrier to designing supporting and promotional documentation and making an effort to identify

possible sources of funding and other resources to increase consumer participation. There will always be business cycles to deal with.

The Report recommends the creation of an independently administered special fund, to which industry, government and foundations or other philanthropic organizations would contribute the financial support to allow sustained consumer participation in code development activities for the time required to complete the work. This approach allows industry to fund consumer involvement without the perception of undue influence and encourages government funding with the assurance of effective and coordinated consumer input.

Identifying priority areas relating to building codes

In the process of compiling this Report the consultant who authored it reviewed all the codes and all the documents relating to the national code development process and the various provincial processes for adoption of the NBC found on the web. Both the codes and the code development process were studied in an attempt to identify the areas where a low priority was give to consumer concerns and to identify the provisions for the inclusion of consumer representation. The objective was not to study the actual codes, but to develop or identify a "Best Practice Model" for participation and a decision tool to facilitate the work of consumer organizations in prioritization of resource allocation within the code development system.

Advocating for more consumer representation on building code committees

The largest single purchase or expenditure any consumer makes in their life is on housing. From the background research conducted for this project it was determined that, of all the consumer problems that are reported to consumer groups, home repairs or renovations and car repairs are the largest, both in number and in costs. Despite this, consumer organizations tend to allocate very few resources to activities relating to housing issues and consumer participation is largely restricted to consumer representation on committees within the National Standards Systems that develop the standards that are subsequently referenced in the codes. Information from the Canadian Commission for Building and Fire Codes on its framework for improving the system for the development and co-ordination of provincial/territorial building codes indicates that consumers fall into a very

general category of “users”. Consumer representation is included in the “general interest” representation group on committees. There is no recognition of the need for specific consumer representation. CIAI recognizes that special interest groups other than consumer groups, such as those that represent Canadians with various disabilities, often represent the consumer/public interest position on committees. These representatives are often the most effective consumer representatives on particular committees, especially those relating to access, and these groups should be included in any process to improve coordination of consumer representation. As consumers are key stakeholders in the development and implementation of building and fire safety codes in Canada, it is obvious that they should be more directly involved in their development. This report endeavors to lay the groundwork for a system that will increase coordination within the consumer movement and assist us all in working together to increase consumer representation on building code committees and the resources available for this work.

In the development of a Best Practice Model set out in Part 3 of the Report, the CIAI has set out three basic principles to guide consumer participation in the development of codes. .These principles are Basic Consumer Purpose, Consumer Participation Makes a Difference, and Health and Safety are Urgent Objectives.

Recommendations for co-operating and co-ordination among consumer groups

As a result of consultation with another national consumer group, the Board of CIAI has developed and approved several recommendations. These have the objective of improving the co-ordination and cooperation among existing groups in order to ensure that the areas in the NBC system that are important to consumers are covered. These recommendations are contained in Part 7 of this Report.

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