

**Submission  
No 1**

**EXAMINATION OF THE AUDITOR-GENERAL'S PERFORMANCE  
AUDIT REPORTS OCTOBER 2016 – MAY 2017**

**Organisation:** Fire and Rescue NSW

**Date Received:** 6 November 2017

## IMPLEMENTATION OF RECOMMENDATIONS

### Fire & Rescue NSW (FRNSW)

#### Preventing and managing worker injuries

RECOMMENDATION	ACCEPTED OR REJECTED	ACTIONS TO BE TAKEN	DUE DATE	STATUS and COMMENT	RESPONSIBILITY (Section of agency responsible for implementation)
1 Introduce an ongoing health and fitness assessment for firefighters. This should: <ul style="list-style-type: none"> <li>• be mandatory</li> <li>• define frequency of assessment</li> </ul>	Accepted	a) Framework developed for mandatory periodic health check and fitness drill program	2016	Completed (may require amendment following Binding Conciliation)	Health & Safety Branch
		b) Industrial Relations Commission (IRC) conciliation between Fire Brigades Employees' Union (FBEU) and FRNSW undertaken on implementation of the Health Check and Fitness Drill	2016 - 2017	Conciliation unsuccessful - Agreement on a program could not be reached in conciliation. IRC Commissioner Murphy propose all outstanding matters be part of binding conciliation.	Industrial Relations
		c) IRC full bench determination of the threshold issue relating to intersection between the IR and WH&S Act (2011). Does the IRC have the power to make an Award which does not uphold both parties' requirements under the WH&S Act?	22/11/2017	Evidence submitted to IRC by FRNSW on 24/10/2017.  FBEU response is due by 14 <sup>th</sup> November.  FRNSW additional submissions by 21 <sup>st</sup> November.  27 <sup>th</sup> full bench hearing.	Industrial Relations
		d) Binding conciliation to commence on remainder of outstanding items relating to Health Check and Fitness Drill Programs	Pending outcome of full bench	Yet to commence	Industrial Relations
		e) Implementation of Health Check and Fitness Drill Programs	July 2018		Health & Safety Branch

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2 Improve the management of off-duty injuries and illnesses by: <ul style="list-style-type: none"> <li>• creating a policy and procedure for return to work options for off-duty injuries and illnesses</li> <li>• better promoting available support and rehabilitation services for off-duty injuries and illnesses</li> <li>• requiring the Fire &amp; Rescue NSW occupational physician to examine firefighters who are absent from duty for a period of more than 24 days</li> </ul>	Accepted	Implementation of a process of off duty injuries which attempts to replicate the support and recovery at work options provided to compensable injuries. Work continues developing link with federal government schemes and charitable resources to provide holistic intervention.	June 2018	On track	Health & Safety Branch

			Amend our current policies to capture off duty processes when due for review.	October 2018 – To allow integration with final Health Check and Fitness drill program and potential changes relating to presumptive legislation.	On track	Health & Safety Branch
			Return To Work Advisor (RTWA) meeting/advising area commands of all compensable and non-compensable injuries at monthly meetings.	Implemented	Implemented as business as usual.	Health & Safety Branch
			Manager Injury Management to attend Joint Area Command meetings to educate commanders on Off Duty Injury support and rehabilitation processes.	Ongoing	On track Additional information sessions to be held at Command meetings in 2017.	Health & Safety Branch

			An internal resource is being developed for RTWA to improve awareness of the supports available for injured workers.	June 2018	On track	Health & Safety Branch
			The recommendation for the revision on the threshold for Fire & Rescue NSW Occupational Physician review from 28 to 24 days absent from duty will be considered in the next permanent and retained award discussions.	February 2020	On track	Industrial Relations

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3 Review the death and disability scheme to assess: <ul style="list-style-type: none"> <li>• by how much the changes made in 2015 have improved long-term scheme sustainability</li> <li>• whether the current level of employer and employee contributions are sufficient to meet the long-term cost of all benefit types when they fall due.</li> </ul>	Accepted	Actuarial report provided for review by the Auditor General.	Date of report 14/07/2018	Complete	Finance
		As part of the Award negotiations FRNSW submitted a proposal to expand the current mechanism used to manage the long-term cost of the scheme by removing the restrictions on the claims to be considered, i.e. considering all claims not just off duty and death claims as is currently utilised.		Rejected by FBEU. February 2020 (next award negotiations)	Industrial Relations