



NSW RURAL FIRE SERVICE

Clarification of evidence provided by Mr Stephen O'Malley, Executive Director Finance and Executive Services, NSW Rural Fire Service, to Portfolio Committee No. 5 – Legal Affairs

Funds paid to deceased firefighter families

During my evidence to the Committee, I referenced fundraising that had been conducted on behalf of the families of firefighters who tragically lost their lives whilst on active duty during the 2019-20 bush fire season.

Firefighters Geoffrey Keaton and Andrew O'Dwyer

- Firefighters Geoffrey Keaton and Andrew O'Dwyer were tragically killed while on duty at the Green Wattle Creek fire ground near Buxton in south western Sydney on the evening of Thursday 19 December 2019.
- The NSW Rural Fire Service (NSW RFS) became aware that immediately after their deaths were announced, a number of fundraising pages were created which were not controlled by either the families or the NSW RFS.
- The NSW RFS determined it was appropriate to create an official channel for the community to make donations directly in support of the spouses and young children of the deceased. With the support of the families, NSW Treasury and the Westpac Banking Corporation a facility was established on Friday 20 December 2019 to accept donations.

Firefighter Samuel McPaul

- Firefighter Samuel McPaul was tragically killed while on duty at the Green Valley fire ground east of Albury on the evening of Monday 30 December 2019.
- As it had done for firefighters Keaton and O'Dwyer, the NSW RFS established an official channel for the community to make donations directly to the then pregnant wife of Mr McPaul. Again with the support of the family, NSW Treasury and the Westpac Banking Corporation a facility was established on 31 December 2019 to accept donations.

General

- The fundraising conducted on behalf of the families was separate from the NSW Rural Fire Service and Brigades Donations Fund (the Trust), and was controlled by the NSW RFS.
- Details of the fundraising were provided to the public by the NSW RFS via its website and social media channels, and the beneficiaries were clearly identified as the spouses of the deceased firefighters and through them their children. The web link is available at <https://www.rfs.nsw.gov.au/news-and-media/general-news/featured/support-for-firefighter-families>
- A Disaster Relief Fund was established to facilitate the tax deductibility of donations made by the public.

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

- Pro-bono legal and financial advice was sourced and made available to the beneficiaries of the fundraising.
- A distribution was undertaken on Friday 15 May 2020 which reflected all funds held in the accounts at that date. 100% of funds received was distributed directly to the beneficiaries.
- It is the view of the NSW RFS that this distribution is a gift and as such tax free, however beneficiaries have been advised to seek their own taxation advice.
- The families of the deceased firefighters have, or will, also receive other support, including counselling and family support, statutory payments under the *Workers Compensation (Bush Fire, Emergency and Rescue Services) Act 1987* (which include weekly benefits for dependant children and a lump sum death benefit of \$816,850), and numerous offers of financial and educational assistance have been made directly to the families.

I am prepared to disclose to the Committee the quantum of the financial support provided to the families of the deceased firefighters referred to above, however I seek a resolution from the Committee that this information will not be publicly disclosed in order to protect the interests of the beneficiaries.

Other support for firefighters

In addition to the support routinely provided by the NSW RFS to volunteer firefighters; due to the extraordinary nature and impact of the 2019-20 bush fire season, with the approval of the Minister for Police and Emergency Services a program of payment of ex gratia assistance has been implemented for fire fighters who lost their home in the season while supporting their community.

Ex gratia payments of \$10,000 have been made to 89 firefighters to assist them in rebuilding their lives. A small number of potential recipients are continuing to be contacted and details sought to allow payments to be made.

The NSW RFS is continuing a process of identifying volunteer members who may require additional support.

Social Media


During questioning, the Hon Mark Buttigieg MLC referred to commentary on social media as potentially demonstrating that some people had a desire for funds to be distributed more broadly.

While it is acknowledged that there are no doubt some members of the community dissatisfied with the ruling of the Supreme Court, I would bring to the Committee's attention that over 1.446 million individual donors supported the Trust through the PayPal Giving Fund (PPGF). This platform was the underlying platform for the campaign conducted by Ms Barber and a significant number of other fundraising campaigns.

The NSW RFS did canvass with the PPGF whether it was feasible to assess the intent of individual donors, however given the particular circumstances of the fundraiser, it was determined that the fact donors were informed that the funds were being raised for the benefit of the Trust at the time they chose to donate was the best indicator of the donor's wishes.

Volunteer Feedback

The report on Volunteer Feedback requested by the Hon Rose Jackson MLC and the Hon David Shoebridge MLC is attached for the Committee's reference.

Stephen O'Malley 
Executive Director, Finance and Executive Services
23 July 2020



NSW RURAL FIRE SERVICE



NSW RFS PUBLIC DONATIONS

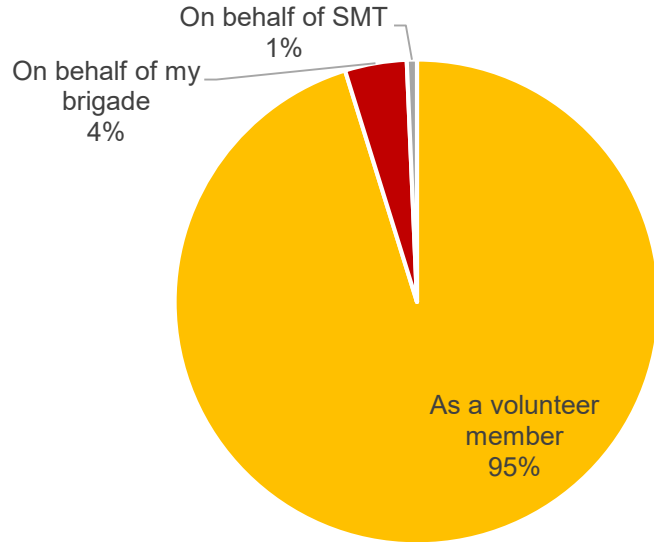
Volunteer Feedback

Background

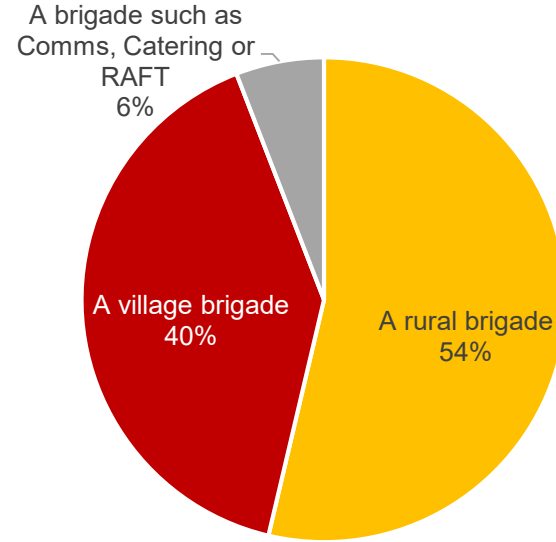
- The NSW RFS has sought the views of its volunteers to help guide decision making around the significant level of public donations.
- This includes donations made directly to the NSW RFS and through the NSW RFS and Brigades Donations Trust.
- An online survey was launched on 13 March 2020, inviting volunteers to answer a number of questions and provide suggestions on funding options. It closed on 13 April 2020.
- More than 1600 submissions were provided.
- This survey provides insight into the views of volunteer members on areas of focus, and can assist with the identification of worthy projects or initiatives to be funded through the DGR fund.

Who completed the survey

I am completing this survey...



Description of your brigade



Use of funds

Rate the following from 1-5 (Strongly Disagree to Strongly Agree)	Average Score
Publicly donated funds can help deliver improved programs or services for volunteers and brigades	4.4 65% rated 5
The views of NSW RFS members are important in assessing where funds are spent	4.7 80% rated 5
It is important to spend donated funds and report on progress, so that the community sees their donations going to good use	4.8 86% rated 5
Donated funds should not replace funding that is normally provided through other means, such as Government	4.8 89% rated 5



So what?

It's important to **engage** our members to **develop ideas** which deliver **improved programs or services** – and **be transparent** about how funds are used.

Areas Of Focus

Rate the following from 1-5 (Strongly Disagree to Strongly Agree)	Average Score
Rebuilding - taking immediate action to rebuild and replenish, including the establishment of the \$20 million fund for volunteer brigades, and providing emergency funding for brigade items which have been damaged or destroyed	4.2
Equipping - ensuring our brigades are equipped to protect the community, property and the environment, including improving technology and connectivity.	4.6
Supporting - enhancing and extending our support of our members including volunteer welfare and their mental health, and consideration of a dedicated memorial for fallen volunteer firefighters.	4.1
Improving - improving service delivery for members and the community such as education and training, emergency response and processes for volunteers.	4.2



So what?

There is **strong support for the themes** identified with the DGR Trust Fund. There's a **big focus on equipment**, while less than 50% strongly agreed with member support initiatives.

Areas Of Focus

- Participants were provided with a scenario where they had \$100 to spend on initiatives.
- They could use all of the funds on one area, or spread it across a range of initiatives.
- Users were also given an option to select 'Other' and provide free text input.
- The averages on the following page are averages out of \$100. The higher the number, the stronger the support for that initiative.

	Average
Training materials	8.0
Training courses	12.4
Improving brigade stations and amenities	22.0
Training facilities	11.4
Brigade recruitment materials	6.1
Additional firefighting equipment used by local brigades (eg hoses, trucks, pumps)	25.2
Additional equipment used by local brigades (eg chainsaws, tools)	16.6
Improving connectivity (eg internet, radio networks, mobile data terminals)	20.2
Firefighting equipment used across a large area (eg communications vehicles, aircraft)	16.5

	Average
Engaging with the community (eg resources, fire safety programs)	9.9
Operational support tools (eg mapping, intelligence tools)	12.5
Mental health initiatives	11.0
Improving general health and wellbeing of volunteers	11.0
Professional development of volunteers (eg courses)	8.5
Ongoing support of families of members who are sick, injured or die on duty	14.3
Ensuring fallen firefighters are remembered and recognised	7.9
Management support for volunteer brigades (eg membership, brigade management tools, rostering)	7.6
Other (please specify)	31.8

Priorities – Top Five



Additional firefighting equipment used by local brigades (eg hoses, trucks, pumps)



Improving brigade stations and amenities



Improving connectivity (eg internet, radio networks, mobile data terminals)



Firefighting equipment used across a large area (eg communications vehicles, aircraft)



Additional equipment used by local brigades (eg chainsaws, tools)



So what?

Reinforces the earlier results on **equipment and facilities** for volunteers. Of **lowest priority** are brigade recruitment materials, brigade management tools and firefighter memorials.

Other Category



Supplementing existing funding

There is a NSW RFS program which delivers a piece of equipment to brigades across the state.

Under the existing program, there's a budget of \$5 million which comes from the normal funding sources. This funding allows equipment to be provided to 500 brigades this year.

It has been identified that more brigades could benefit from the program through additional funding.

It is proposed to use \$5 million of publicly donated funds to double the number of brigades which can benefit from the program to 1000 this year.

Would you support the use of the publicly donated funds in this way?

4.0

Average Score

5 – 51%

4 – 21%

3 – 15%

2 – 8%

1 – 5%

Ideas for funding

Most submissions focus on equipment and infrastructure (including improvements to existing trucks and stations), and ensuring funding is targeted at brigades who need it most.



Some initial views on ideas for funding

There's a considerable number of responses which would be considered

- › General comments (eg thoughts on management of donations or about Government funding)
- › Brigade or District specific (eg my brigade needs a new truck)
- › Out of scope of the Trust deed

Of the remaining, there's a few themes emerging

- › Better equipment – trucks, equipment for trucks (including roll bar protection, spray bar retrofit)
- › Better stations and facilities – improved brigade station amenities, more consistent approach
- › Better technology – connectivity for brigades, availability apps, tech in trucks, mapping
- › PPE/PPC – better or more PPC, better helmets, respirators

And there's some misinformation – or opportunities to educate

- › The scope of the Trust, people saying they can't get PPC or firefighting gear