

President: Peter Cannon
Volunteer Firefighters Association

P.O. Box 148 . Peak Hill 2869.



The Hon Richard Torbay MP
Member for Northern Tablelands
& Decentralisation Taskforce Chair

6 March 2013

Dear Sir

Re: Submission to NSW Government Decentralisation Taskforce – Relocation of NSW Rural Fire Service

The VFFA supports the The NSW Government's key election commitment to decentralise state government departments to stimulate regional development and provide greater opportunities for rural and regional communities.

The Volunteer Fire Fighters Association (VFFA) which represents NSW volunteer rural fire fighters advocates the geographic relocation of the NSW Rural Fire Service (RFS) Head Office and staff to a prominent regional centre in the central west of NSW.

Indeed some 4 years ago this very subject was discussed with a member of your committee Mr Greg Alpin in the office of the member for Burrinjuck, Katrina Hodgkinson in Yass.

Since its inception the RFS has been located in the Sydney metropolitan area and there is not much 'rural' about its current location at Homebush. The urban location of the RFS has created a disconnect between the RFS head office staff and volunteers in rural areas of NSW. Often decisions made in RFS head office reflect a bureaucratic "City" approach rather than a pragmatic "Rural" approach which is often a cause of mistrust, tension and conflict.

The VFFA contends that if the RFS head office staff were relocated to a prominent rural regional centre they would become integrated within the rural community and with their core customer base - the rural volunteer fire-fighter. This in turn would improve communication, trust, and the practical relevance of decisions they make on behalf of the volunteers on a daily basis.

In addition, the relocation of the RFS from Sydney to a prominent regional centre in central NSW would also position the RFS operations within a more central location relative to its four regional areas.

Decentralisation of NSW Government departments has occurred on a number of occasions in the recent past such as the SES to Wollongong, Workcover to Gosford and the Department of Mineral Resources to Maitland and, have provided benefits to the economies of rural & regional centres. Notwithstanding initial set up costs, the relocation of the RFS to rural NSW should be cost-effective over the long-term, providing wide ranging benefits for the tax payer, the State Government and the regional economy.

The development of new RFS head office in a rural regional centre will provide numerous jobs in the planning and construction aspects of the relocation, which will benefit the local, and possibly the state, economy.

Technology barriers that in the past may have adversely affected the relocation of government departments such as the RFS to rural areas are no longer an issue. Improvements in technology and communications such as the development of the internet, email, on-line video-conferencing and the national broad band network render geographic isolation from Sydney as no impediment to the relocation of the RFS to rural NSW.

In terms of the existing RFS head office infrastructure at Homebush, the VFFA proposes as part of a considered and managed approach, that the State Government relocate the existing Fire and Rescue NSW head office to the RFS head office at Homebush. The VFFA recommends that the State Government examine options to consolidate Fire and Rescue NSW facilities including the logistics support centre at Greenacre and the Alexandria communication / training college and relocate these functions to the current RFS head office at Homebush. This would enable the State Government to divest / sell the Fire and Rescue NSW assets which would provide a substantive financial return to the government as the market value of the Fire and Rescue NSW land assets are realised.

The VFFA acknowledges that the relocation of the RFS to a prominent regional centre within central NSW would not be without problems however provided it is conducted through a carefully considered, planned and managed approach, the relocation should be relatively efficient. Once the decision is made to relocate the RFS, the VFFA advocates the establishment of governmental committee comprising representatives of the state government, and key stakeholders including local government, NSW Farmers, and volunteer rural fire-fighters to assist in the implementation of the relocation. The VFFA would be willing to serve on such a committee to represent the views of volunteer fire-fighters during the planning and implementation of the RFS relocation to the central west of NSW.

Members of the VFFA executive would also be pleased to further discuss this proposal with the committee at a time and place of your choosing.

Yours Sincerely

Peter Cannon.
President: Volunteer Fire Fighters Association.

Advantages of Moving RFS Headquarters

Major Regional Centre

1. Fulfill a Government promise before the last election to decentralize.
2. Reduce costs.
3. Create employment for Regional NSW.
4. Attract personnel with practical rural skills.
5. Put Rural back into Rural Fire Service.



RFS Headquarters

1. Fire & Rescue would move to a purpose built building.
2. More centralized location.
3. Larger premises.
4. Can continue as an Emergency Management Centre.



Fire & Rescue

1. Sell off Fire & Rescue site which is extremely valuable.

**The whole plan would be extremely cash flow positive.
Both agencies would be more central to their areas of responsibility.
Creates employment and financial benefits for Regional NSW.**



Volunteer Representation on NSW Rural Fire Service State Forums

Introduction

The Volunteer Fire Fighters Association (VFFA), the association that represents the voice of the volunteer rural fire fighter in NSW is concerned that under the current Rural Fires Act 1997, volunteers who form the backbone of the Rural Fire Service (RFS) are poorly represented on key committees that guide RFS policy and strategic direction.

There are two statutory committees established under the Rural Fires Act 1997 and a non-statutory committee that have a role in provision of advice to the Commissioner on policy and the strategic direction of the RFS. The statutory committees are Rural Fire Service Advisory Council (RFSAC) and the Bush Fire Coordinating Committee (BFCC). The non-statutory committee is the Corporate Executive Group (CEG) a body whose activities are NOT transparent.

The VFFA has reviewed the composition of the statutory and non-statutory committee(s) and assert that volunteers are poorly represented or not represented at all on the aforementioned committees.

The RFSAC as the name suggests is limited to an advisory role reporting to the Minister and the Commissioner on any matters relating to the administration of the rural fire service under the Rural Fires Act including public education programs and service standards

Only two (2) volunteers are represented on the nine (9) member RFSAC with the bulk of representatives drawn from the government and non-government organisations such as Local Government, Shires Association, Farmers Association the Insurance Council of Australia and the Nature Conservation Council. It is noted that the RFSAC is male dominated with no volunteers represented below the rank of Group Captain. The Commissioner has the statutory role of Chairperson of the Council, and membership is by ministerial appointment

The Bushfire Coordinating Committee (BFCC) is responsible under the Act for advising the Commissioner on bushfire prevention, mitigation and coordinated bushfire suppression. The composition of the BFCC is comprised primarily of government agencies with a statutory role in the prevention mitigation or suppression of bushfires. As with the RFSAC the Commissioner has been vested with the statutory role of chair of the BFCC. No volunteers are represented on the fourteen (14) member BFCC.

The principal role of the non-statutory committee known as Corporate Executive Group (CEG), is to consider and provide advice to the NSW RFS Commissioner on strategic issues affecting the RFS. Membership of the CEG is composed primarily of RFS executive staff, with the President of the RFS as the token volunteer representative. It is noted that there are no rank and file volunteers, women or youth on the CEG.

The Case for Reform

The VFFA asserts that despite the introduction of the Rural Fires Act in 1997, the structure of the RFSAC and the BFCC have essentially remained unchanged since the advent of the Bush Fires Act 1949. Indeed there was greater representation of volunteers on the Bush Fire Council under the auspices of the Bush Fires Act 1949 than on the current RFSAC.

The VFFA contends that the distribution of authority within these current statutory and non-statutory committees is biased towards RFS executive staff and commissioned officers, with rank and file volunteers poorly represented at a strategic level in the RFS. The real authority guiding the strategic direction and decision making within the RFS is centralised within the corporate executive group (CEG), a body whose activities are NOT transparent or accountable to the bulk of the RFS membership – the "volunteers".

The RFSAC by virtue of its limited advisory role does not enable input into the strategic direction of the RFS nor does it provide for any oversight of the activities of the RFS. The RFSAC has no decision-making authority, no voting authority, and no accountability to the volunteers which comprise the bulk of the RFS membership.

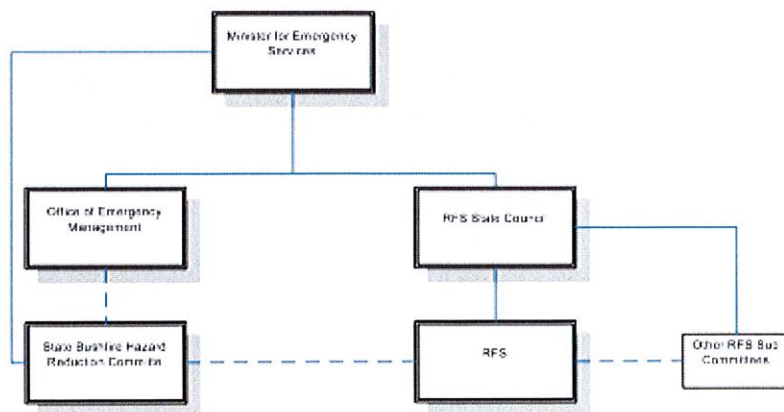
The two current volunteer stakeholder positions represented on the RFSAC are selected from the Rural Fire Service Association (RFSA) and hold the position of Group Captain. Rank and file volunteers have no input into the nomination and selection of members on the RFSAC. The strategic management framework operating within the RFS is in sharp contrast to that of the Country Fire Authority of Victoria (CFA). The CFA have an autonomous board of management independent of CFA executive management whose role is to guide and provide oversight of the CFA. The chairperson of the CFA board is appointed independently of the CFA executive management. The board members have a diverse range of backgrounds ranging from CFA volunteers to persons with strong financial, legal and commercial expertise. As in Victoria, NSW has an enormous amount of untapped expertise within its volunteer ranks and which is ignored by the executive of the RFS.

The Reform Proposal

The VFFA is advocating that the structure of RFS committees and forums which guide the strategic direction of the RFS is in need of overhaul/reform and central to this reform is the abolishment of the RFSAC, the BFCC, the CEG and the creation of:

1. RFS State Council to guide the strategic direction of the RFS
2. State Bush Fire Management Committee (SBFMC), independent of the RFS with a direct reporting line to the Minister for Emergency Services.

Proposed Reform of RFS Structure – State Level



RFS State Council

The statutory functions of the RFS State Council under the Rural Fires Act 1997 could include but not be limited to:

- The review and approval of the RFS Annual Report;
- The review of Corporate plans of management for the RFS;
- To make decisions, consistent with the RFS Corporate Plan, about the strategic direction of the RFS
- To monitor the management and governance of the RFS; and
- To give advice to the Minister on all aspects of how the RFS develops in the future.

Central to this reform is greater representation of volunteers on the RFS State Council. Under this framework the reform will give volunteers more say over the future direction of the RFS, ensure that greater use is made of the talents of volunteers at a strategic level and bring greater transparency and accountability of RFS activities to its key stakeholders, the volunteers.

The Minister would appoint volunteers to the RFS State Council on the recommendation of the general RFS membership through a state-wide region based independent nomination and voting system.

Key to the success of the reform is the independence of the RFS State Council without reference to the RFS executive and a preparedness to guide the strategic direction of the RFS proactively and assertively.

It is envisaged that the RFS State Council would have decision-making authority, voting authority, and specific responsibilities which in each case is separate and distinct from the authority and responsibilities of executive management of the RFS. It is envisaged that the RFS State Council would exercise strategic control and management over the RFS with its primary responsibility of the committee to ensure that the RFS management is performing and accountable to the volunteers who comprise the bulk of the membership of the RFS.

The key principles of the reform advocated by the VFFA are:

1. The creation of an RFS State Council to replace the RFSAC and the CEG
2. The inclusion of significantly greater volunteer representation on the RFS State Council
3. The appointment of an independent Chairperson (rotational appointment by a volunteer nominated by the Minister).
4. The Committee to be governed by the overarching principle to serve the interests of RFS volunteer members, staff, customers and the broader community
5. RFS executive Management to be responsible for implementing the directions determined by the Committee
6. The RFS State Council to sit between the Commissioner's Office and the Ministers Office in the RFS organisational hierarchy

Role of the RFS State Council

The role of the RFS State Council would be determined by the statutory powers, duties, and responsibilities delegated to it or conferred on it by the Minister under the Rural Fires Act and would include but not be limited to

1. Governing the RFS by establishing broad policies and objectives;
2. Approving annual budgets & monitoring expenditure;
3. Accounting to minister and stakeholders for RFS performance
4. Providing leadership and supervision of the RFS executive
5. The review and approval of the corporate plan of management
6. To make decisions consistent with the corporate plan, about the strategic direction of the RFS
7. To give advice to the Minister on all aspects of how the RFS develops in the future.
8. Reviewing and challenging RFS senior executive performance
9. Reviewing, monitoring and ratifying the annual report
10. Reviewing, monitoring and ratifying systems of risk management, codes, service standards
11. Ensuring the Committee is functioning well, reviewing the work of the Committee and planning for the succession and orientation of Committee members.
12. Liaising with the RFS internal audit committee
13. Appointing such sub Committees as may be appropriate to assist the RFS in the discharge of its responsibilities, and determining their responsibilities and, approving a charter for each sub Committee;

It is envisaged that RFS State Council members would be paid fees for their service and attendance as determined by State Government reimbursement protocols.

Role of the RFS Commissioner

The RFS Commissioner would be responsible for running the affairs of the RFS under statutory authority conferred by the Rural Fires Act 1997 and delegated authority from the Committee to implement the policies and strategy set by the Committee. The Commissioner should carry the title of Chief Executive Officer on the RFS State Council to represent their actual senior executive role in the organisation. In carrying out his/her responsibilities the RFS Commissioner would report to the Committee in a timely manner and ensure all reports to the Committee are present a true and fair view of the RFS financial condition and operational results and follow strategic directions. The Committee would report directly to the Minister for Police and Emergency Services

Structure and Composition of the RFS STATE COUNCIL (RFSSC)

The VFFA supports in principal the adoption of the following conceptual membership model:

1. RFSSC to comprise a membership of 11 persons
2. Volunteers to have majority representation on the RFSSC as the foremost stakeholder in the RFS.

3. Volunteer membership to include rank and file volunteers (below the rank of Group Captain).
4. Composition of the RFSSC to reflect the diversity of volunteers across the organisation.
5. Membership of the RFSSC would be by ministerial appointment
6. The Minister would appoint a volunteer member as Chair and another as Deputy Chairperson
7. Volunteer representatives would be elected from each RFS region and the successful candidates recommended by the RFS to the Minister for appointment to the RFSSC.
8. Positions on the RFSSC would be up for election every three years.

The NSW Rural Fires Act 1997 must be amended to enshrine in legislation the reform advocated in this report including the statutory declaration of the RFSSC and the composition & recognition of volunteer representation on the RFSSC.

State Bush Fire Management Committee (SBFMC)

The VFFA is advocating the abolishment of the Bush Fire Coordinating Committee and the creation of an independent State Bush Fire Management Committee (SBFMC). The committee would operate independently of the RFS and report directly to the Minister for Emergency Services. Representation on the SBFMC would comprise RFS, key land management agencies, Bushfire Science experts, RFS volunteers and indigenous stakeholders. It is envisaged that a pre-eminent bushfire scientist would chair the Committee.

The role of the committee would be:

1. The provision of advice to the Minister on bushfire prevention, mitigation and coordinated bushfire suppression
2. The preparation and ratification of State bush fire management (risk management) plans
3. The development and review of state bush fire management committee targets and benchmarks.
4. Reviewing, monitoring and ratifying state bushfire community safety programs
5. Reviewing, monitoring and ratifying systems of bushfire risk management plans and codes
6. Reviewing, monitoring and supporting publicly funded state bushfire research programs and grants
7. Monitoring and auditing the performance of government agencies in meeting bushfire hazard reduction targets
8. Reporting to the Minister on the bushfire prevention, mitigation, research and suppression
9. Annual preparation of forward estimates to the Minister for bushfire mitigation works funding.
10. Dissemination and management of the fire mitigation works funding to State land management authorities and private land owners.
11. Audits of fire mitigation works funding expenditure on bushfire prone lands as identified in approved bushfire risk management plans

Conclusion

In conclusion, the VFFA asserts that the structure of the forums which guide the strategic direction of RFS are out dated, and in need of real reform. The reform model proposed by the VFFA involves the creation of an RFS State Council to guide the strategic direction of the RFS and a State Bush Fire Management Committee, to be located within the Office of Emergency Management and independent of the RFS with a direct reporting line to the Minister for Police and Emergency Services. (It is noted that this was Coalition policy taken to the NSW State Election).

Central to this reform is greater representation of rank and file volunteer rural fire fighters on the key RFS strategic forums, as volunteers comprise the bulk of the Rural Fire Service and deserve a greater voice on the future direction of the RFS.

ENDS

Correspondence to:

VFFA
PO Box 148,
Peak Hill. NSW 2869



25th September, 2012.

The Hon. Michael Gallacher MLC
Minister for Emergency Services
Level 33, Governor Macquarie Tower
1 Farrer Place,
Sydney. NSW 2000

Subject: Review of the Emergency Services Levy.

Dear Minister ,

The VFFA believes that the funding model used to collect the emergency services levy should be replaced by a broad based property levy based on the West Australian model.

This levy would be imposed on all property with variations to allow for the vastly different property values in urban and rural areas.

The advantages are:

- The levy would be spread across the entire population rather than being paid only by those who choose to insure in Australia.
- The broad spread of the levy would mean that the cost to each person would be relatively low.
- The levy would be more evenly spread across the beneficiaries-those who use emergency services.
- There would be less burden on local government.

Individuals and corporations who choose not to insure would be contributing to the services they currently are free to access in times of emergency.

There is an efficient collection mechanism already in place in the form of the local government rating system, which could be used to collect the levy. The cost of this additional collection could be offset by the payment of a collection fee.

This levy system would be much fairer and transparent than the current unwieldy, haphazard system where insurance companies levy those who contribute to the wellbeing of the community by privately insuring their assets.

This levy system would remove a significant disincentive to private insurance in the present emergency services levy based on private insurance premiums.

Yours Faithfully,

Mr. Peter Cannon
President.

Website: www.volunteerfirefighters.org.au

VFFA.....KEEPING VOLUNTEERS INFORMED

Emergency Services Levy by Volunteer Fire Fighters Association.

The VFFA believes that the funding model, a levy on private insurance, used to collect the emergency services levy should be replaced by a broad based property levy based on the West Australian model.

This levy would be imposed on all property with variations to allow for the vastly different property values in urban and rural areas.

The advantages are:

- The levy would be spread across the entire population rather than being paid only by those who choose to insure in Australia.
- The broad spread of the levy would mean that the cost to each person would be relatively low.
- The levy would be more evenly spread across the beneficiaries-those who use emergency services.
- There would be less burden on local government.
- Individuals and corporations who choose not to insure or insure offshore would contribute to the services they access in times of emergency.

THE DISADVANTAGE AT THE MOMENT UNDER THE PRESENT EMERGENCY SERVICE LEVY SYSTEM;

The figures of insured properties will fluctuate from year to year but here is a guide of what has happen in the past,

- The percentage of householders insured around 50%
- The percentage of householders not insured or under insured 24%
- The percentage of companies/householders that insure offshore 26%

Offshore insurers do not pay into the Emergency Service Levy (ESL), also non insurers also don't pay the ESL, so at the end of the day there is only the insurers who insure in Australia that contribute to the present system of the ESL. This is not fair and this is why we need change but it has to be right model, this is why the VFFA recommends the Western Australia model because of different rating structures.

There is an efficient collection mechanism already in place, in the form of the local government rating system, which could be used to collect the levy. People who pay rates directly or indirectly through rent payments would contribute via a surcharge on their rates bill. This system would require a cap system similar to the present differential rating system to ensure that rural land holders are not charged excessive amounts. One of the clear advantages of this collection method is that those people and corporations with large

property holdings would pay more for emergency services. The cost of this additional collection mechanism to councils could be offset by the payment of a collection fee.

This levy system would be much fairer and transparent than the current unwieldy, haphazard system where insurance companies levy those who contribute to the wellbeing of the community by privately insuring their assets.

This levy system would remove a significant disincentive to private insurance in the present emergency services levy based on private insurance premiums.

There are no significant disadvantages to this method of sourcing the funding necessary for our emergency services. This change to the system of collection of funds for this purpose is overdue and will contribute significantly to easing the burden on those who contribute to the well-being of the community by choosing to insure their assets.

The VFFA believes that this change to the funding model is fair and workable as can be seen in the other Australian states which use this method of collection. The NSW state government is to be commended for seeking to change a system which is unfair and unworkable to one which spreads the burden across all members of our community. VFFA strongly supports this initiative and urges all members to contact their respective members of parliament and urge them to support it as well.

Emergency Services Levy paper from the Volunteer Fire Fighters Association.

The RFSA recently published some frequently asked questions about the proposed property based levy for the funding of emergency services in NSW.

Some of the answers given to these questions are misleading and designed to do nothing but retain the present unsatisfactory funding model.

Some of the FAQs are:

How will it affect me?

The answer should be very little as the increase in rates will be offset by a decrease in insurance costs when the emergency services levy is removed.

Will my insurance premiums be reduced if a property levy is introduced?

The answer should be yes as competition will drive the cost of insurance down when the present emergency services levy is removed.

Will the funding for Rural Fire Brigades be affected?

The answer should be that there is no reason for a reduction in funding as NSW transitions from the present funding model to a fairer one.

If I have a vacant parcel of land and my neighbour has a similar parcel with a building on it, will we both pay the same property levy?

The answer should be that a property based levy will ensure that everyone pays for emergency services but, because everyone is contributing, the cost to each individual will be lower. The heavy burden will not fall on those who choose to insure privately meaning that the owners of large buildings who choose not to insure will now pay their fair share of the cost of emergency services.

The President of the RFSA is right to raise concerns about the proposed change to the funding model for emergency services in NSW but he should not conduct a scare campaign without factual information to back up his assertions.

He states that " the current model has evolved over 60 years and is the envy of other states and territories because of its independence, flexibility and brigade level involvement."

Why then have most states moved away from this model to a property based levy system?

The answer is ,of course, that these jurisdictions have long ago recognised that the model still in use in NSW is unfair, outdated, inflexible and haphazard in its application. It is inefficient and directs the cost of emergency services to those who choose to insure

privately and local government. Private insurers and local government both need relief from rapid cost increases and a change to the funding model will provide this relief.

If Mr McKinlay is sincere in claiming to represent the RFS volunteers he would get behind the calls for reform and drive change in NSW. He would apply himself to seeking a seamless change to a fairer levy system and stop attempting to defend the indefensible.

NSW needs reform in the funding model for emergency services. The volunteers of NSW RFS need Mr McKinlay to move out of the way.

President of the VFFA.

Peter Cannon

PO Box 148, Peak Hill. 2869.

RFS Volunteer Fire Fighter Discipline Procedures in need of Reform

The VFFA understands that all rural fire fighting agencies in Australia have internal volunteer grievance and discipline procedures.

The VFFA is concerned that in NSW volunteer rural fire-fighters who are subject to disciplinary action and who lodge grievances against paid staff have no option than to place faith in a system that is owned, controlled and arbitrated by the RFS.

Under the *NSW Rural Fires Regulation 1997* a member of a rural fire brigade can be guilty of a breach of discipline if they are negligent, careless, inefficient or incompetent in the discharge of their duties. Hence the grounds for bringing discipline charges against a volunteer rural fire fighter are very broad, poorly defined and wide open to interpretation.

The prevailing concern for many volunteer rural fire-fighters is the knowledge that they can be subject to disciplinary action for simply speaking out publically against the RFS and RFS policy.

The RFS Service Standard 1.1.2 *Discipline*, dictates that proceedings are managed initially at brigade level with provisions to escalate discipline proceedings to volunteer discipline committees at the District level and to the RFS head office at State level. Under the service standard there is requirement for district discipline committees to have formal training in disciplinary matters. The service standard requires that committee members are provided with guidance and support by RFS District Manager.

Grievances lodged by volunteer fire-fighters against RFS staff are managed at District level with provisions for escalation to the Region and State level of the RFS.

Volunteers rural fire fighters subject to adverse discipline findings under the current service standard may be suspended, demoted or have their membership of the RFS terminated.

Volunteer rural fire-fighters subject to an unfavourable discipline finding may seek a review of a discipline decision made at the District level by the RFS District Manager and appeal an unfavourable discipline finding to the RFS Commissioner. The appeal decision of the RFS Commissioner is final.

An unfavourable discipline finding against a volunteer rural fighter has the potential to harm their personal reputation, integrity and psychological wellbeing particularly if it involves suspension and dismissal from the RFS.

Given the serious nature of disciplinary matters and the potential personal consequences for volunteers, their reputation, integrity and future membership of the RFS, it is imperative that volunteer rural fighters are afforded support services available to full time fire-fighters employed by Fire

and Rescue NSW (NSW Fire Brigades) to ensure they are afforded procedural fairness, natural justice and a proper defence.

The VFFA have identified several issues with the volunteer rural fire fighter disciplinary and grievance procedures in NSW that are in need of reform:

1. Volunteer rural fire-fighters have no access to an independent industrial officer where they can go to seek assistance, legal advice and representation.
 - a. The VFFA is concerned that under the present system volunteer rural fire-fighters, without the support of a trained industrial officer (independent of the RFS) are vulnerable to self-incrimination and prejudicing their defence in disciplinary proceedings brought against them by the RFS.
2. A volunteer rural fire fighter's only right of appeal against an unfavourable discipline finding is to the RFS Commissioner. The decision of the RFS Commissioner is final.
 - a. The VFFA is concerned that there is no third party right of appeal to an independent body with a volunteer charter (external to the RFS bureaucracy) to review:
 - i. an unfavourable discipline finding against a volunteer rural fire fighter.
 - ii. a favourable discipline finding towards paid staff.
 - iii. the evidence, case management, rationale for the decision and fairness, partiality, equity and natural justice in the proceedings.
3. Grievances lodged against paid operational staff at District, Zone and Team level are adjudicated by senior operations staff at Region and State level.
 - a. The VFFA is concerned about the independence in a process where senior management within the operations section of the RFS manages and adjudicates grievances brought by volunteer rural fire-fighters against its own operational staff.
4. The training, qualifications and experience of volunteers presiding on district discipline committees.
 - a. The VFFA is concerned that there is no requirement in the RFS service standards for volunteers on district discipline committees to have training in mediation, conflict resolution, negotiation, arbitration and conciliation.
5. The training, qualifications and experience of paid RFS operations staff engaged in the case management of grievances brought by volunteers against paid RFS staff.
 - a. The VFFA remains unclear whether paid RFS operations staff possess appropriate training, qualifications, expertise and relevant industry experience in conflict resolution, mediation, negotiation, arbitration, conciliation and the principles of collaborative law.

Recommendations

The VFFA makes several recommendations to improve the rights of volunteer fire fighters subject to disciplinary charges brought by the RFS.

1. Volunteer rural fire-fighters subject to disciplinary charges be afforded the same level of support services available to full time fire fighters employed by the Fire and Rescue NSW. This includes access to assistance, legal advice and representation by a professional industrial officer (or volunteer advocate), who is independent of the RFS.
 - a. It is envisaged that the provision of professional industrial support services to volunteer rural fire-fighters would be funded by the state government , and contracted to an external accredited provider.
2. Mandatory training is provided to all volunteers who participate on district disciplinary committees in mediation, conflict resolution, negotiation arbitration and conciliation and principals of collaborative law.
3. RFS staff who case manage and adjudicate on discipline and grievances involving volunteers and paid staff have appropriate training and experience in mediation, conflict resolution, negotiation arbitration and conciliation and principals of collaborative law.
4. Discipline and grievances that escalate to the RFS are case managed by an internal integrity unit that is fully independent of the operational arm of the RFS and reports directly to the RFS Commissioner.
5. Provision is made for a volunteers to be granted the right to a third party appeal to an independent body (external to the RFS) with a volunteer charter to review & audit:
 - a) unfavourable discipline findings against volunteer rural fire-fighters involving serious punitive action i.e. suspension and dismissal.
 - b) favourable discipline findings for matters involving serious grievance and discipline allegations made by volunteer rural fire-fighters against paid staff.
 - c) Any aspect of the disciplinary process and resolution
6. The decision of the independent body must have the powers and authority to impose legally binding decisions on the RFS.
 - a. Existing organisations that could provide an independent third party review & audit of volunteer discipline and grievance matters include:
 - a) NSW Industrial Relations Commission
 - b) NSW Ombudsman
 - c) NSW Community Justice Centres
 - d) Australian Human Rights Commission
7. Consideration be given to establishing an independent *volunteer tribunal* to operate on a needs basis within the existing NSW government framework for industrial relations, similar in concept to the NSW residential tenancy tribunal with the terms of reference of the tribunal extended to all emergency service volunteer organisations in NSW.

8. RFS volunteer fire-fighters subject to discipline procedures or involved directly in the disciplinary proceedings are afforded the right to lodge formal complaints with the volunteer tribunal if they believe natural justice or procedural fairness has not been followed or if they have reasonable grounds to believe they have been subject to discrimination during an RFS disciplinary hearing and determination.

In summary the VFFA believes the NSW RFS Discipline service standard does not afford sufficient rights, support and advocacy for rank and file volunteers subject to disciplinary action. The VFFA believes that the current discipline service standard is in need of serious reform to ensure the rights of volunteers subject to disciplinary charges by the RFS are protected and enshrined in legislation i.e. the Rural Fires Regulation.

Volunteer Fire Fighters Association.

BUSH FIRE RISK MANAGEMENT MODEL.

Re; Canobolas Model.

What is it?

From the Volunteer Fire Fighters view, it is about an all over bushfire plan that covers the problems associated with fire risk management in National Parks & Public Lands.

The key objectives of the Bush Fire Risk Management Model are:

1. Protection of life, Property and Community assets from the adverse impact of fire.
2. Utilise ecologically sustainable development principles in managing fire in the Landscape.

Scope of the plan: 1. Identifies level of RISK across the zone.

2. Identifies strategies which can and will be implemented to manage the risk identified across the zone. All agencies are to be involved with the development of the plan and whilst every area may have their own burn plan; they recognise the BIG PICTURE and how it fits together – in fact they assist with the implementation of preventive works.

Finally, the BFMC which develops the plan does not involve itself in fire fighting activities; this is the responsibility of the local brigades and agencies that have had major input into the development of the plan.

Before we start to explain the plan itself we have to recognise and understand that to get consideration of the model proposed the RFS members who make up the VFFA, yes we all belong to both organisations, dug our heels in. Realising the dangers and implications across the board of the lack of management processes in regards to wild fire and the suppression thereof within National Parks and public land, we stated we would refuse to enter such potentially dangerous fire grounds without a change to the pro-active management processes in situ. The VFFA team finally got the ear of both the RFS and the NPWS and they, realising the position they were now in, delegated two of their members to liaise with us. Taking away our demands and laid out criteria necessary for the basis of the Canobolas Model; Alex Green from National Parks, now Vic Parks in Victoria and David Hoadley - Zone manager of Canobolas RFS Orange then worked studiously with us to get what is now know as the Canobolas Plan. There was something like 80 Gum Tree type meetings with the community and Volunteer fire fighters around the area. We owe a big thank you to both Alex and David for driving this plan and making it into reality and for this we thank them.

From what we are aware of the RFS and NPWS have agreed to this Fire Risk Management Model but are waiting to see it implemented across the State.

The RFS Zone Bush Fire Management Committee (BFMC) to be responsible for implementing this Fire Risk Management Model, after all it's about protecting lives and the community and its assets.

BUSH FIRE RISK MANAGEMENT MODEL.

1. Fire Trails—Boundary fire breaks to be set at an agreed width each side of the boundary fence by neighbours.
2. Internal Fire Trails—2x4x2 Trails, which means 4mts of graded trail, 2mts either side to be clear of timber or heavy scrub so that brigade trucks can pass or overtake one another.
3. Turning Bays—agreed distance every 250/1Km so that in the event of an emergency, Fire Crews can escape, they are able to turn around and leave the area easily and expeditiously.
4. Hazard Reduction Burns.—to be carried out in a period of time that is identified by BFMC and the Group Captains, Captains and Local Brigades.

This is all about reducing the fuel loading in National Parks & Private Land, this to be identified by conducting studies in the field and relaying back to mapping of these areas. Once the assessment is made working the fuel loadings out it should be followed into a Mosaic pattern, such as a example below;

Burning Periods; 1-4 yrs hazard burn /cool burn, this would be high fuel loading country, burning at the right time would cause little damage to the environment and good outcome for all.

10-15yrs; slightly less fuel loading country.

15-25yrs; again identified by mapping.

25- 30yrs; less fuel loading again.

30-40yrs. fairly sparse country.

5. National Parks or other Areas –Cut into Sections, so that in the event of Fire breaking out, we the Fire Fighters have a chance to contain the fire in that area, with what ever action that is required. eg. Back burning and would give greater access to the fire.
6. Water in National Parks—Water storage in Parks, is essential for Fire Fighting brigade trucks. A quick turn around is required for filling trucks eg. 45 minutes. If a Fire truck is empty, it is out of action and the quicker it is back at the fire scene the better.

This we believe would give us the fire fighters a fair chance in controlling major fires in these Public Lands with commonsense outcomes with major cost savings to NSW.

This paper has been compiled by- Volunteer Fire Fighters Association.

www.volunteerfirefighters.org.au -



RE - WELFARE / RELIEF FUND FOR VOLUNTEER FIREFIGHTERS

I hereby submit for consideration of the NSW Rural Fire Service (RFS) a proposal for the establishment of a Welfare/Relief fund for volunteer firefighters.

1. THE PROBLEM/BACKGROUND

Over the past 12 years, many parts of NSW have experienced a significant increase in major bushfire situations resulting in the declaration of numerous section 44 bushfire emergencies. The most notable fire seasons were 1994, 1997, 1998, 2001, 2002 and 2003.

These fire seasons were particularly onerous and required considerable resources and effort by fire services and land managers before the larger campaign fires were brought under control and normality restored to affected communities. A significant portion of the fire fighting effort during these years was undertaken by the volunteer firefighters of the NSW Rural Fire Service.

Due to the size and progress of these fires, the potential threat to life and property and the resources required to suppress the fires, many volunteer firefighters had little choice but to avail themselves to fire fighting or other fire related tasks for a considerable period of time. In most instances, when they were not fighting the fires they were resting. Whilst there is no direct evidence to support this claim, there is much anecdotal evidence that many volunteer fire fighters suffered financial hardship during these fires as a result of not receiving an income whilst on duty with the RFS.

Since its inception, the Rural Fire Service (formerly Bushfire Brigade) prided itself on its ability to muster volunteers to fight fires in our local communities, usually for no more than a few days at a time.

However, much change has occurred in the past 12 years and one of those changes has seen Brigades traveling further afield for extended periods to assist in the suppression of bushfires with many of these fires continuing well beyond a few days to over a month. An example is the recent Victorian bushfires of 2006 where CFA firefighters were stretched to the limit and worked well beyond a month to control the fires. In addition, the RFS assists other emergency services such as the SES at other significant and protracted natural disasters such as the Sydney hail storm of 1999.

Whilst change has occurred within the RFS, notable changes have also occurred on the employment front, with workplace contracts, greater demands on employees and many self employed working longer hours to make ends meet.

In the end, the volunteer firefighter has to decide between his work and the protection of his home, family and the community. This is an unsatisfactory outcome for the volunteer firefighter and the local community in times of emergencies and one that should be addressed as a matter of urgency with the evolution of our service.

In this context, bushfires and other emergencies must be seen as a whole of community problem and associated costs must be borne by the community, business and government alike, otherwise volunteer services such as the RFS may not be sustainable in the future.

It is therefore proposed that a mechanism be established by the State Government to provide some form of "safety net" to cover the financial burden of volunteer firefighters and their families during protracted section 44 bushfires and other emergencies.

2. RECOMMENDATION

- That the Volunteer Fire Fighters Association make representation to the NSW Rural Fire Service to investigate the feasibility of providing financial support to volunteer firefighters during a protracted section 44 bushfire emergency and other emergencies where the service has an involvement.
- The proposed model is an emergency welfare/relief fund, set up by the State Government and coordinated by the Department of Community Services (DOCs) at a local office. DOCs would provide an ex gratia weekly cash payment to volunteer firefighters under the following circumstances;
 - **Where a volunteer fire fighter participates continuously for a period of no less than 7 days in fire fighting or other related tasks during a declared section 44 bushfire emergency or other emergency and, is self-employed or where an employer cannot financially support their absence during a section 44 bushfire emergency or other emergency,**
- Following the first payment, further payment would be made at intervals not less than 7 days apart for the duration of the section 44 bushfire emergency or other emergencies and shall only be issued on the production of a recognized certificate to DOCs that has been certified by the Fire Control Officer,
- Such payment would only be provided to cover basic living and out of pocket expenses for the duration of the section 44 bushfire emergency or other emergency. The cash payment could take the form of a flat fee based on average weekly earnings determined by the State Government.

3. WHY THIS PROPOSAL SHOULD BE SUPPORTED

This proposal should be supported to: -

- ⇒ ensure that volunteer firefighters have an income sufficient to cover basic living expenses to support themselves and their families during protracted section 44 bushfire emergencies and other emergencies,
- ⇒ ensure that the RFS can deliver, support and maintain its core services to the community during protracted section 44 bushfire emergencies and other emergencies,
- ⇒ ensure a strong, healthy and viable membership of the RFS,
- ⇒ ensure the welfare and well being of the volunteer firefighters of the RFS.

4. CONSEQUENCES OF THIS COURSE OF ACTION

The consequences of doing nothing may result in: -

- ◆ low recruitment and loss of experienced volunteer fire fighters in the RFS,
- ◆ increased morale problems in the RFS,
- ◆ loss of potential new members to the RFS,
- ◆ the incapacity of the RFS to provide an ongoing and sustained commitment to protracted section 44 bushfire emergencies and other emergencies due to lack of trained volunteer firefighters,
- ◆ a heightened concern in the community due to the diminished role of the RFS,
- ◆ the need to establish more permanent fire services to compensate for the loss of volunteer services.

The consequences of implementing the above proposal will

- * as per section 3 above including;
- * ensure that the RFS meets its community obligations and delivers its core business functions in a most timely effective and efficient manner during protracted section 44 bushfire emergencies and other emergencies.
- * ensure a continued high level of membership and morale in the RFS.
- * ensure the readiness and preparedness of the RFS to rapidly respond as and when required to bushfire emergencies and other emergencies.

5. ALTERNATIVES

One alternative that could be considered is the introduction of a system of tax relief for the self employed and small business who employ volunteer firefighters. Such a system would need to be a national system administered by the Federal Government. A system of tax relief may be a viable alternative, but would require rigid criteria and a strong commitment by all stakeholders including volunteer fire fighters to ensure its success and prevent potential abuses.

Another alternative is the introduction of a paid retainer for volunteer firefighters during protracted section 44 bushfire emergencies. This system would need to be supported by the Federal Government and could be based on a similar system in place for members of the Australian Army Reserve when on duty with the Australian Army.

In conclusion, given Australia's aging population, the decline in rural areas and membership of the RFS and the spectra of workplace contracts along with the likelihood of climate change and more frequent devastating bushfires as forecast by eminent scientists in the future - the need for a highly trained and rapidly mobilised volunteer rural fire service to protect life, property and the environment cannot be underestimated.

To this end, it is paramount that consideration be given by the RFS and the Government to introduce measures to enhance and improve the welfare of volunteer fire fighters that aim to minimize the risk of financial hardship suffered by volunteer fire fighters during protracted section 44 bushfire emergencies. This action along with other measures would undoubtedly foster the recruitment of new volunteer firefighters as well as the retention of experienced volunteer fire fighters and is worthy of further investigation by the RFS and the Government.

I would like to acknowledge the time and effort put in by Michael Scholz (Member of the VFFA & Captain of Wilberforce Rural Fire Brigade) in writing this report on behalf of the Volunteers Fire Fighters Association.

Your earliest consideration and response to this matter would be appreciated.

Yours faithfully

Peter Cannon
President
Volunteer Fire Fighters Association (VFFA)

16th August 2007