

Submission
No 56

INQUIRY INTO EMERGENCY SERVICES AGENCIES

Name: Name suppressed

Date received: 20 July 2017

Partially
Confidential

2. Rationale for Submission

I feel that there are many serious problems regarding bullying, intimidation and harassment instigated by some staff and directed at Volunteers. These attacks are causing volunteers to walk away from the NSWRFs rather than to endure the stress and heartache associated with this type of pressure. Not only do I believe that the actions of some staff are causing volunteers to walk away...I believe also that their actions are effecting members and in some cases family members to the extent that they are seeking counselling.

I do wish to place on record that I do not infer that all staff are guilty of this practice and have found the majority hold the admirable belief that they are there to assist and support Volunteers not hinder them.

What I have documented is by no means unusual and I have firsthand knowledge of similar treatment meted out to other volunteers, usually by salaried staff, and on occasions with the assistance of a small number of volunteers who generally appear to have been groomed by some salaried staff to carry out their chosen agenda.

Such Volunteers often tend to be rewarded with assistance in achieving an operational level considerably above their experience and ability. This in itself is cause for grave concern given the distinct possibility that it may lead to a heightened level of risk to themselves, fellow members and the general public during emergencies.

Similar treatment has been experienced by some volunteers who have been guilty of nothing more than disagreeing or questioning unworkable or dangerous decisions or simply coming to the defence of those of us who have been the target of grossly unfair and undeserved character assassination, intimidation and bullying.

3. Notes regarding Submission

I submit attachments for your consideration that reflect in part my ongoing treatment over an [redacted] and similar treatment dealt out to some of my colleagues of similar rank, who felt compelled to place either the welfare of the public or the support of unfairly treated volunteers above their own comfort.

I believe it was necessary for me to include names and places in my submission because they are both relevant to my experiences and also in my opinion, because they clearly indicate a concerted effort by a group of linked staff who have made it their mission to get rid of myself and other senior members for reasons known only to themselves. I have thought long and hard about the inclusion of names and came to the conclusion that they must be included to assist the objectives of the enquiry. I am further concerned that such omissions may well cloud some very important issues that the Enquiry members should be made aware of and may wish to pursue. I would however have no opposition to the Enquiry deciding to remove names and places from any copies but believe it is advantageous that those officiating have access to the information in the first instance. I do state that this submission contains information that with few exceptions can be supported by documentary evidence or statements from others involved.

4. Observed Problems and Possible Solutions

My experience has led me to believe that Volunteers in many cases are treated with double standards and this is highlighted when serious transgressions including dishonesty involving salaried staff have been virtually covered up without effective penalty. Allegations involving volunteers are often dealt with by the District Manager who usually holds the rank of Superintendent. Volunteers as are all members of the NSWRFSS, bound by many volumes of Standard Operating Procedures, Regulations & Standards. In my opinion there are several factors encouraging these attacks on Volunteers and I list them here with my observations for your consideration.

- a. Volunteers have no-one in the service who is charged with ensuring they are afforded natural justice and procedural fairness as is the recognised right of all Australians nor are they offered support or advice when allegations are made against them. ***The Volunteer Firefighters Association (self-funded and totally Volunteer operated) has taken on this role but is not recognised by the Rural Fires Act, the NSWRFSS or the NSW Government. The VFFA needs the authority to act on behalf of the Volunteers and such authority needs to be backed by a change to the Rural Fires Act that would compel NSWRFSS management compliance and co-operation. It would be fair to say that many salaried staff actively campaign against the VFFA by advising Volunteers to have nothing to do with the organisation yet when someone joins the NSWRFSS the application form lists in small writing that applicants should tick a box IF THEY DO NOT WANT TO JOIN THE RURAL FIRE SERVICE ASSOCIATION (RFS) which evolved from the now defunct salaried staff representative body (Fire Control Officers Association) and still allows and in fact is compelled by its Articles of Association to allow salaried staff membership and a set number of staff positions being held on the Executive. The RFS will not involve itself in any form of disciplinary or dispute matters and whilst soliciting \$Millions per annum on behalf of Volunteers (who I am led to believe make study grants etc. to salaried members) seems more interested in socking cash away and are now reportedly purchasing buildings in the Parramatta area. The RFS is becoming a fast growing monolith that appears to have become purely a cash cow the greater part of which is consumed by operating costs. If not run by the NSWRFSS it at least operates with a high degree of RFS staff influence and is itself staffed with some former NSWRFSS Salaried Officers one of whom is a former Assistant Commissioner. It should be noted that whilst many RFS staff denigrate the VFFA, NSWRFSS salaried staff have access to the Public Service Association should they find themselves requiring assistance over an Industrial matter.***

- b. Many Standard Operating Procedures (SOP) have a disclaimer sentence at the end ***or as directed by the District Manager*** which effectively allows that Officer to firstly interpret the regulation as they see fit, and secondly to have the authority to alter what may be the good intent of that particular SOP. This inclusion was introduced I believe to allow a certain flexibility (particularly training/accreditation requirements) for many older experienced members who may well have been disenfranchised when the NSWRFs was formed back in the late 1990's. Whilst most District Managers exercise this power in good faith and as it was intended, there are some who most definitely do not. Merely a change in the District Manager can and has meant the goal posts have been moved completely and often the District can be compelled to operate in an ever increasingly disjointed manner than it ever did when under Shire Council control. ***The time has long passed where this power should remain with the District Manager. I would suggest the power if required at all should now rest solely with the Commissioner or his Deputy rather than having an un-necessary situation where the Standard Operating Procedure is open to manipulation. Standard Operating Procedures need to be just that. Standard across the State and not subject to an individual's whim.***
- c. When allegations are made that a Volunteer has transgressed service standards, operating procedures or any one of a myriad of other rules and regulations, the NSWRFs in effect becomes the ***Accuser, Judge, Jury and Executioner***. The Volunteer often is left with no natural justice or procedural fairness and is also supposedly bound by a confidentiality clause that seems to encourage that no outside advice be sought whilst preparing a defence. Once found guilty of an allegation the Volunteer under SOP has a right of appeal to the next level up from the person giving the findings which in the majority of cases attracts a rubber stamp of the initial findings. Allegations made against some Volunteers have had the appearance of resulting from collusion by the accusers who seem to join forces to achieve a desired result. There have also been many instances of Salaried Officers (some high ranking) who have been found guilty of acts of dishonesty or similar and the penalties applied seem minor to the extreme whereby relatively minor transgressions by volunteers can attract what appear to be extremely severe penalties. ***There is an urgent need for a completely impartial body to be set up that can hear such allegations fairly and effectively rather than having volunteers and their family in some cases being subjected to extreme stress over a number of months or longer. Such a body with VFFA taking the Advocate role should the member so request would be ideal.***

- d. Election of Brigade and Group Officers. Another area of concern that is left open to manipulation and can be utilised as an avenue for harassment and bullying. Election procedures and even candidates can be manipulated by District Managers who have the right of veto and who can also stipulate what format is acceptable, then oversee vote counting without scrutineers sometimes assisted by elected volunteers who were assisted into the position by the same salaried Officers. There have been instances of Election procedures being advised comprehensively in writing then altered mid Election. ***The solution in this regard I believe is easily found. A state wide format would need to be devised and accepted as should already be the case. Local Councils or similar already have in place management procedures for Elections. The calling for nominations, the election itself and the tally of votes could be transferred to such a body without RFS staff or senior volunteer involvement. A proviso could be that several RFS Volunteers not holding or standing for any office themselves be elected by their peers as Volunteer Representatives for the purpose of acting as Scrutineers on the Volunteers behalf. Once again this would exclude tailored interpretations merely to support what may be an agenda that is not in the best interests of the service or its Volunteers. Such a system would be above question and may go a long way to dispel current feelings that have resulted from a previous lack of transparency and credibility in election results.***
- e. I have over the last five years noticed an obvious escalation of Volunteers being poorly treated. Some of this can probably be explained by the natural attrition of long serving traditional Fire Control Officers who were swept along with the emerging monolith we now know as the NSW RFS. Many of these people were more aptly described as Salaried Volunteers who were committed to serving and not content to be moulded into what may be expected of a Public Servant. They lived and often grew up in the community in which they served and had the respect of all including the Volunteers who they regarded as peers and returned their respect. Many of these Officers left the service prior to retirement age because they did not agree with the evolving service or in many cases its policies and attitudes. The focus now concentrates on the academic qualifications rather than management ability and actual firefighting experience of those appointed to vacant positions or marked for promotion to higher levels. A sign of the times maybe.... but a situation that does not make for good relations when Volunteers in many cases are far more effective fire and volunteer managers than the salaried officers who see themselves as the elite. Unlike the salaried members Volunteers in many cases are experience professionals or business men and women, practical farmers, and others from all walks of life who are not driven by a salary or ego. They volunteer to provide a necessary service and want to get the job done and return to their employment and families. In many cases their ability and dedication far exceeds that which may result merely from collecting a large salary.

A check into the background of many senior and not so senior Salaried Officers employed in the NSWRFs will reveal a high level of similar postcode addresses than that which could be explained away as a coincidence. Many of these people also come from the same or neighbouring Brigades, many have allegedly been the instigators of bullying and harassment of Volunteers. Many of these salaried officers are climbing the ladder and are or may soon be in positions of authority with the power to change policies and the direction of the service. ***What other emergency service has allowed unqualified and inexperienced people to join (other than as Trainees) and also presented them with the rank of Inspector.??*** I was at a meeting in recent years when an instance of a resident writing a letter of complaint (vexatious) against a Brigade was discussed. At the end of the letter the resident had added that if no solution was reached he would complain to the Minister. A member of the Brigade concerned, a small remote Brigade, asked what would happen to them if that happens... The senior Officer present a Superintendent and District Manager replied ***“don’t worry about that. They just send a letter which comes to me and then I say whatever I want and that is the end of it”*** His statement in itself best describes the arrogance the Volunteers are dealing with and his answer left me gobsmacked.

Whilst the practice of ‘Weeties Box’ rank seems to have ceased it is of grave concern when most of the older experienced staff have departed and those who may have been granted an operational Officer Ranking with little or no experience are now starting to occupy positions of authority. I am at a loss to think of anything that can repair this major risk to public safety and fire management in the short term. In the long term I must say that in my opinion the removal of the NSWRFs Headquarters to rural NSW in keeping with de-centralisation initiatives can only assist in the long term as would the replacement of senior staff as opportunities arise due to natural attrition, contract renewal etc. Should NSW ever go down the track of amalgamating the two Fire Services I would hope that ranked positions would have to be re-applied for... thus possibly weeding out some of the incumbents when merit based appointment criteria is followed. I would also suggest there is a need to investigate the appointment of a qualified and experienced outsider as Commissioner in the future. Short of forming a separate body within the Government which acts as a recruitment agency including interviewing etc. I am unable to offer any more suggestions on this point.

At this point I would thank you for your involvement on behalf of those volunteers who have or continue to suffer unfairly I thank you for your involvement in this enquiry and inform you that it is pleasing to finally have someone show an interest in matters that are of great concern to many volunteers and their families.