

## INQUIRY INTO EMERGENCY SERVICES AGENCIES

**Name:** Name suppressed

**Date received:** 23 July 2017

---

Partially  
Confidential

## PARLIAMENTARY SUBMISSION:

### WORKPLACE BULLYING IN THE NSW RURAL FIRE SERVICE

#### Summary of Submission

I am a volunteer member of the NSW Rural Fire Service, within a brigade in regional NSW. My experience encompasses operational firefighting, training, Community Engagement and functioning as a part of the brigade Executive team.

It is my submission to this inquiry that bullying, harassment and discrimination are not only prevalent within the culture and operations of the NSW Rural Fire Service, but also that the protocols and procedures in place to manage and resolve such complaints within the Service fail to do so in an efficient and effective manner, often further victimising the victim.

It is my experience that whilst the core values of the Service are to be respected and commended, there is a failing within the system whereby the status of Volunteer is allowed to undermine the core values through lack of accountability, and the prevalence of the "Old Boys Club" encourages the expectation of submission to, rather than respect for, experience and knowledge.

Whilst there are support structures in place to assist victims of workplace bullying, harassment and/or discrimination within the Service, these can only be successful when used in conjunction with swift and decisive investigation and resolution of both the RFS grievance process and the associated disciplinary process. There is currently a disconnect between these processes which ultimately results in the clear intention of the organisation's Service Standards failing to be effective.

The vision and mission of the NSW Rural Fire Service is to provide a world standard of excellence in the provision of a community-based fire and emergency service. The Service states that to protect the community and our environment we will minimise the impact of fire and other emergencies by providing the highest standards of training, community education, prevention and operational capability.

Workplace bullying, harassment and discrimination within the Service directly impacts the ability of dedicated volunteers to support this vision and mission.

If we cannot ensure the integrity of the Service behind closed doors, we cannot have faith that the integrity we display to the public will not be corroded. That corrosion will ultimately lead to public failures, and those failures will result in a public perception that our Service cannot be relied upon.

**PARLIAMENTARY SUBMISSION:**  
**WORKPLACE BULLYING IN THE NSW RURAL FIRE SERVICE**

**Contents of Submission**

1. Key Issues
  - (a) Need for Cultural Shift
  - (b) Discrepancy Between Intention and Practical Application
  - (c) Lack of Training
  - (d) Procedural Bias
  - (e) Ineffective Protections
  - (f) Ineffective Timeframes
  - (g) Lack of Victim Support
  
2. Case Studies
  - (a) Member 1
  - (b) Member 2
  - (c) Member 3
  - (d) Member 4
  - (e) Member 5
  
3. Recommendations
  - (a) Accountability at All Levels
  - (b) Monitoring of Brigade Management and Conduct
  - (c) Relevant Training and Certification of Leadership Level Volunteers
  - (d) Relevant Training and Certification of All Volunteer Members
  - (e) Review and Amendment of Service Standards
  - (f) Implementation of Formal Victim Support System
  
4. Annexures
  - (a) NSW Rural Fire Service, Service Standard 1.1.7 Code of Conduct & Ethics
  - (b) NSW Rural Fire Service, Service Standard 1.1.2 Discipline
  - (c) NSW Rural Fire Service, Service Standard 1.1.21 Stand Down/Removal from Membership & Notification of Criminal Charges & Convictions
  - (d) NSW Rural Fire Service, Service Standard 1.1.3 Grievances

## PARLIAMENTARY SUBMISSION:

### WORKPLACE BULLYING IN THE NSW RURAL FIRE SERVICE

#### 1. Key Issues

##### (a) Need for Cultural Shift

It is my firm belief, based on my own experiences, that a cultural shift is required to bring opinions and behaviour at brigade level into line with the RFS Values.

Within our brigade, and to the extent my knowledge allows within many other brigades, there is a reverence afforded to long serving members which extends beyond their acknowledged and valued experience and knowledge. There is a prevalent attitude of reverence towards the “Old Boys Club” within the Service, and this reverence affords certain members many associated protections in regards to the behaviour they are allowed, and even sometimes expected, to engage in.

Long serving members are held in high regard, and whilst I do not intend disrespect towards their years of dedicated service, it must be noted that often there is an expectation that those members should not be questioned. Many of these members have earned their positions without the formal training and qualifications which newer members of the Service have available to them, and in some cases they lead a brigade of members who have areas of knowledge and expertise the leaders themselves do not. Notwithstanding due respect for their experience, their old school ways are not automatically the right ways in today’s Service.

I have seen years of membership being used an excuse to belittle, victimise and railroad newer members. I have often witnessed the attitude that members with many years of experience should not be questioned, with this attitude being used to create an environment where newer members are deliberately misled into believing that these people know all the rules, and anything they say or allow must automatically be considered to be consistent with the values, rules and protocols of the Service. I have personally experienced newer members being instructed not to follow grievance protocols or report breaches of discipline because “the Captain has made his decision and that is final”. I have also witnessed members being bullied, both actively and passively, to the extent that they have left the brigade or the Service. The only apparent reason for the behaviour directed against them was that they did not offer the expected level of blind subservience, and were not accepted by the brigade clique.

The NSW Rural Fire Service does indeed have a proud history, and the public affords our members the highest levels of respect for the sacrifices we make and the dangers we face to protect them. If the Service cannot find a way to ensure a cultural shift and to bring the brigade level volunteer membership into line with the organisation’s expectation that our 74,000 volunteers are expected to be professional and accountable at all times, the disconnect between the intentions of the Service and the outcomes which are achieved will increase.

Workplace bullying will continue to undermine our core activities unless the attitude of entitlement which is so often seen at a grass roots level is removed. Newer members of the Service need role models and mentors. They need leadership they can respect and

## PARLIAMENTARY SUBMISSION:

### WORKPLACE BULLYING IN THE NSW RURAL FIRE SERVICE

depend upon. They can only become the future of the Service when they are respected and valued for their commitment and their efforts. They can only learn and grow by being supported and encouraged, not by being belittled and excluded. It is my personal experience that whilst the Service as an organisation understand and believes these things, the culture at brigade level overrides everything else.

#### (b) Discrepancy Between Intention and Practical Application

The RFS Values are intended to underpin everything we as members do.

They are:

- Mutual respect
- Adaptability and resourcefulness
- One team, many players, one purpose
- Integrity and trust
- Support, friendship, camaraderie
- Community and environment
- Knowledge and learning

Supporting the RFS Values are a series of Service Standards which outline what is expected of us as members in terms of the way we conduct every aspect of our activities. These Service Standards also outline what we as members can expect of the Service we volunteer in.

The Service Standards should be used as terms of reference by all members at all levels, whenever there is a need for clarification about our activities. They contain clearly defined expectations and processes.

However there is a clear discrepancy between the intention and the practical application of the RFS Service Standards.

In my experience at brigade level, Service Standards are viewed as unknown territory, too complicated and restrictive for brigade management. I have seen them used at brigade level as a weapon, not the support system they are intended to be. I have witnessed members being victimised and excluded from participation in brigade activities with unspecified Service Standards given as a blanket excuse.

Severe breaches of discipline within our brigade have been excused by our brigade leadership because, in their words, "There are too many service standards. We haven't read them, and we don't expect anyone else to." Breaches of discipline within our brigade carried out by our brigade leadership have been excused by those persons with the words "It's my job to show someone the door if I deem it necessary."

The Professional Standards Unit of the Service is an unknown to the general membership of our brigade, and I suspect this is common in many other brigades. This unit could be a

**PARLIAMENTARY SUBMISSION:**

**WORKPLACE BULLYING IN THE NSW RURAL FIRE SERVICE**

valuable resource to those who experience bullying and harassment within the Service, because such breaches of our Code of Conduct & Ethics could be handled by trained and knowledgeable staff members on an arms-length basis. However the reality of my experiences with bullying and harassment at brigade level has been that victims or those who speak up on behalf of victims are told they must keep such issues within the brigade, with referral to District Office as a last resort. If the Service is to uphold a clear and decisive stance on removing bullying and harassment, the Professional Standards Unit should be made known to all members and should be actively engaged in responding to, investigating and reporting on all incidents of bullying and harassment within the Service.

(c) Lack of Training

The NSW Rural Fire Service Code of Conduct & Ethics (Service Standard 1.1.7) describes the way all members of the Service are expected to conduct themselves. It is accessible by all volunteer members online.

At the time of this inquiry, Code of Conduct & Ethics training for volunteers is limited to senior brigade management and field officers only, and is not compulsory. It is not currently available for the general membership.

There is not currently any formal training available at brigade or district level in regard to the Service Standards which cover the Grievance and Discipline processes.

Without a clear understanding of what the Service considers to be unacceptable behaviour, and the processes which exist to deal with such behaviour, there cannot be any reasonable expectation that brigade leaders will handle such matters correctly, efficiently or appropriately, or that victims of bullying behaviour will understand the rights they have and the processes they should follow to ensure their own protection.

(d) Procedural Bias

In most facets of Australian Law, there is an emphasis on access to information between the parties in any matter. Just as the defendant has a right to full disclosure of the accusations made against them and any evidence to be relied upon, the victim has the right of access to the defendant's defence and evidence. Each party has an equal ability both to present facts and dispute them. Transparency is assured.

However the RFS discipline process and investigation mechanisms clearly favour the defendant. Whilst the defendant has the right to full disclosure of the victim's accusations and evidence, the victim does not have any reciprocal rights. In the event of a defendant submitting a false defence or evidence which has been manipulated, the victim does not have the opportunity to scrutinise or refute that which the defendant puts forth. Similarly, in the case of an investigation, the defendant has the right to be given a copy of the investigator's full report and determinations, yet the victim does not.

## PARLIAMENTARY SUBMISSION:

### WORKPLACE BULLYING IN THE NSW RURAL FIRE SERVICE

In Law, the victim is entitled to hear a jury's verdict on each charge, and to have access to a judge's reasoning and determinations. This affords the victim the opportunity to understand the outcome of the proceedings, and to have some level of closure through knowledge of any penalty which is applied to the defendant. The RFS process protects the defendant's right to privacy to the extent that the victim does not have the right to be informed of any outcomes. The most that a victim or a person submitting allegations of misconduct may be told is that "the matter has been resolved" with no further details.

#### (e) Ineffective Protections

Protection of the defendant's rights as determined by the RFS Discipline process disadvantages the victim.

The right of the defendant to due process whilst an accusation is being investigated is to be respected, but this protection of the defendant's rights does not afford any protection to the victim while due process is undertaken. There is provision in Service Standard 1.1.21 for a member to be stood down pending the outcome of an investigation when an allegation of certain behaviours is made against them. However it is my understanding that even when serious charges such as workplace bullying and harassment are made against a volunteer, standing that member down whilst a full investigation is conducted is a rare occurrence. As the investigation and disciplinary processes can be lengthy, this exposes the victim to further harmful behaviour including escalating behaviour or acts of retribution by the defendant.

There are no specific instructions in our Service Standards which detail how acts of retribution against someone lodging a complaint are to be handled. A member who has spoken out and made a report of bullying and harassment has no term of reference in regard to what they should do whilst a lengthy and secretive investigation is carried out. When a victim is not protected or informed during this process, the victim can easily feel that the Service is failing to acknowledge or act upon their complaint at all.

The presumption of innocence until guilt is proven, whilst acknowledged to be based on Constitutional Law, is only effective when appropriate interim measures are enacted to protect victims from further harm. Such measures are not used efficiently or effectively within the Service at a grass roots level.

#### (f) Ineffective Timeframes

The Service has policies in place regarding the timeframes under which any complaint from the public must be addressed, investigated and resolved. Complaints from the Service's own volunteer membership are not afforded the same right to a timely resolution.

Whilst the Grievance Service Standard does provide timeframes for each stage of the process, the Discipline Service Standard does not. Bullying and harassment behaviours,

**PARLIAMENTARY SUBMISSION:**

**WORKPLACE BULLYING IN THE NSW RURAL FIRE SERVICE**

being a breach of the Code of Conduct & Ethics, are dealt with under the Discipline Service Standard.

In one instance I am aware of, several reports of ongoing bullying within a brigade have been ongoing for over six months without any determination or resolution having been made. Such a lengthy delay without any intervention has allowed escalation of the bullying behaviour and further damage to both the victim and those members who have supported the victim.

There can be serious ramifications to the current lack of effective timelines which extend into the private lives of members outside of their Service activities. I have personal knowledge of a situation where a victim of bullying within their brigade was involved in several personal legal issues which were unrelated to the Service in any way. An unauthorised letter provided to another party in those legal matters by the brigade leadership was used against the victim to prejudice two courts, with the potential outcomes including possible incarceration and loss of parenting rights. Despite the letter itself being in clear breach of Service Standards, and the contents of the letter being deliberately misleading, the District Office failed to acknowledge or act upon the situation when informed. Eventually on their own initiative, the victim contacted the Service legal department and was advised that a retraction of the unauthorised letter could not be issued until such time as the investigation and discipline process was concluded. Over six months after being reported to the Service, no letter of retraction has been issued because the investigation outcomes have not been finalised. Consequently the letter continues to be used against the victim in court proceedings, of which the Service is fully aware.

Failure of the Service to recognise, respond to and resolve issues in a timely and transparent manner causes damage to victims and those who support them which is completely unnecessary and absolutely avoidable.

**(g) Lack of Victim Support**

Volunteer members of the Service commit countless hours to spending time away from their families, engaging in training and obtaining qualifications, attending Community Engagement events and responding to incidents at a moment's notice. Often, and particularly during campaign fires, these members sacrifice paid employment and family income to do so.

Unconditional trust is an integral part of brigade operation and effectiveness. Members put their lives in the hands of their leadership each time they go into battle to protect their community. The community considers us heroes for doing so. And yet, the same Service which allows us to do so hides a dirty secret, which is that if trauma occurs out of the public eye, it will be dealt with in the same way. My experience demonstrates that out of the public eye equates to forgotten and unimportant.

**PARLIAMENTARY SUBMISSION:**

**WORKPLACE BULLYING IN THE NSW RURAL FIRE SERVICE**

Whilst we as a Service take a highly considered and formalised approach to protecting life and property, we do not do so with our members once off the fire ground. Restoring normality is something the Service appears to be singularly poor at when it comes to bullying and harassment, because providing a telephone number or brochure for Critical Incident Support Services is the only consistent action taken by the Service to support victims.

**PARLIAMENTARY SUBMISSION:**

**WORKPLACE BULLYING IN THE NSW RURAL FIRE SERVICE**

**2. Case Studies**

(a) Member 1

In this case Member 1 held an elected position and was extremely active in both operational and training capacities. They were relied on by the brigade leadership to take on high levels of responsibility. When they had a personal dispute with another member in their private lives, the leadership of the brigade took sides and began a campaign of bullying and harassment which lasted several months.

Member 1 was excluded from participating in the duties of their elected position. They were denied brigade support in obtaining formal qualifications, and were openly criticised and belittled both in front of other members and to other members when they were not in attendance. The brigade leadership actively campaigned to manipulate the brigade membership vote at a brigade AGM and ensure Member 1 was not re-elected to the role they held, openly stating that their reason for doing so was solely because of the personal dispute with one of their friends.

Other members who supported Member 1 were ostracised and threatened with sanctions if they did not support the desires of the brigade leadership.

When Member 1 was successfully re-elected, veiled insinuations and accusations began to circulate within the brigade about inappropriate conduct towards junior female brigade members. These insinuations and accusations were made by members of the brigade leadership and their friends.

Member 1 eventually ceased their involvement with the brigade in order to protect their reputation and avoid an escalation of the false accusations against them.

(b) Member 2

In this case Member 2 held an elected position and was extremely active in most aspects of brigade operations and activities. They were relied upon by the brigade leadership to take on responsibility for a number of projects and activities. Member 2 worked hard to obtain knowledge, experience and qualifications.

Unknown to Member 2 at the time, the brigade leadership had initiated a plan to halt their progression within the brigade. A pattern of bullying behaviour began, with Member 2 excluded from performing their elected duties, excluded from activities for which they were qualified and eager to participate in, and excluded from any support in increasing their knowledge and qualifications. Plans were put in place by the brigade Captain and Senior Deputy Captain to ensure Member 2 was unable to progress to the rank of Deputy Captain should they attempt to do so.

When Member 2 attempted to halt an ongoing pattern of bullying and harassment of another member, they were criticised and further ostracised. Advising the brigade leadership that their actions were in breach of Service Standards and that they were acting on false information was met with derision. Attempts to advocate on behalf of the victim

## PARLIAMENTARY SUBMISSION:

### WORKPLACE BULLYING IN THE NSW RURAL FIRE SERVICE

were stonewalled with false claims of formal action being underway in order to avoid working positively towards a fair and timely resolution. Member 2's personal behaviours and private family life were monitored and openly criticised by the brigade leadership. The brigade Senior Deputy Captain stated that Member 2 and their family should find another brigade to attend.

When Member 2 complied with their obligation to make a formal report of the bullying and harassment they had witnessed, they were vehemently criticised. The brigade leadership now refuse to acknowledge the presence of Member 2 at brigade activities.

As a result of the reporting of bullying and harassment within the brigade, formal processes are now in process but not resolved. At a recent brigade reconciliation meeting which was chaired by a Group Officer and attended by two other Group Officers, Member 2 suggested that acknowledging bullying behaviours had been taking place and addressing positive methods of change should be a priority. These suggestions were met with derision and a very clear instruction from two Group Officers that "members should just talk out their problems and get over them", rather than "making reports to District Office which then need to be escalated and create a mess". A Group Officer stated that members who felt victimised by ongoing bullying would be offered assistance to find another brigade to attend. No statement was made by any Group Officer that the bullying was wrong or that it should stop.

#### (c) Member 3

In this case Member 3 has held positions of brigade leadership for several years in several capacities.

As a result of this member speaking out against bullying and harassment within the brigade, they have been openly criticised as creating division within the brigade. They have been told that trust has been damaged and needs to be rebuilt, insinuating that they are the one responsible for breaching trust, rather than those who practiced bullying behaviour. They have been told by a member of the brigade Executive that they should not have chosen to support a newer member of the brigade who was a victim of ongoing bullying over longstanding friendships. They were also told by the brigade President that the entire brigade Executive hate Member 3 as a result of Member 3 supporting the victim.

Member 3 is now experiencing passive bullying including exclusion and restrictions on their activities within the brigade.

#### (d) Member 4

In this case Member 4 was a junior member when targeted with inappropriate intimidation behaviour by an adult member, which was witnessed by several others. The behaviour was reported to the brigade Captain and Senior Deputy Captain along with

**PARLIAMENTARY SUBMISSION:**

**WORKPLACE BULLYING IN THE NSW RURAL FIRE SERVICE**

complaints that Member 4 was not the only member who had been targeted with this behaviour by that person. The resolution offered by the brigade Senior Deputy Captain was that the accused adult would be required to report their intended attendance at brigade activities to him, and he would advise Member 4's parents of that intended attendance so that the junior member could decide along with their parents whether they might want to avoid brigade attendance on that occasion. This resolution did not address the inappropriate behaviour of the adult member towards Member 4, but rather put the onus back onto the junior member and their parents. Regardless, the adult member who had acted inappropriately towards Member 4 continued to attend brigade activities without the required notification, and as a result Member 4 was unable to attend the brigade as the brigade leadership was not prepared to offer them any level of support or protection.

This situation was formally reported to the District Office over four months ago, and neither Member 4 or their parents have received any communication from any representative of the Service regarding their complaint since that time.

(e) Member 5

In this case Member 5 held an elected position and was extremely active in most aspects of brigade operations and activities. When they had a personal dispute with another member in their private lives, the leadership of the brigade took sides and began a campaign of bullying and harassment which lasted several months.

Unsure of their obligations to report personal and legal issues to the Service, Member 5 made a full disclosure of certain personal issues the day after a personal incident. They were assured by the brigade Captain and Senior Deputy Captain that the personal issues did not have a mandatory reporting requirement to the Service. However they learned several months later that this information was incorrect, and that the brigade leadership had themselves made a formal report to the Service without Member 5's knowledge.

Within a matter of weeks of the disclosure, Member 5 became targeted by the brigade leadership and a large contingent of the active general brigade membership. They were excluded from participating in the duties of their elected position. They were openly criticised and belittled both in front of other members and to other members when they were not in attendance.

The brigade leadership displayed a clear bias towards the other party in the personal dispute, who was also a brigade member. Member 5 was told on several occasions that they needed to find another brigade to attend. Both Member 5 and a member of the brigade Executive who attempted to advocate on Member 5's behalf with the brigade leadership were told that brigade sanctions against Member 5 were not negotiable, and when clarification was requested regarding the reasons the response was that no discussions would be entered into because "Confidential processes are underway with District Office and we can't discuss it." Member 5 later obtained confirmation from Regional Office that they were not the subject of any formal process and that no

## PARLIAMENTARY SUBMISSION:

### WORKPLACE BULLYING IN THE NSW RURAL FIRE SERVICE

instruction had ever been issued or authorised by the Service regarding any sanctions or exemption from regular duties.

Active and passive bullying escalated, and Member 5 was confronted by another member on brigade premises in an intimidating and verbally abusive personal attack. When Member 5 immediately reported the incident to the brigade Senior Deputy Captain, the response they received was “I can’t really blame him”, indicating that Member 5 deserved the verbal assault.

Six months after the initial personal incident, Member 5 lodged a formal complaint with their District Office regarding bullying and harassment within the brigade, naming the Senior Deputy Captain as the primary perpetrator. In this complaint, Member 5 disclosed that they had been continually criticised and sanctioned for parts of their personal life which fell outside of RFS jurisdiction. The brigade Vice President obtained this clarification directly from the Professional Standards Unit on Member 5’s behalf. The disclosure within the complaint also detailed an unauthorised letter provided by the brigade leadership to another party in the personal dispute, and outlined that the letter was being used to prejudice the Courts in several ongoing legal issues. Aside from an initial acknowledgement of receipt, Member 5 received no further communication regarding the serious allegations they had made.

Approximately a month after their complaint to District Office, Member 5 was subjected to a premeditated and vicious bullying attack during a brigade meeting. The attack began with the same member who conducted the previous verbal attack reading a prepared statement and exposing private and sensitive details of Member 5’s private life to twenty eight brigade members, and making unfounded and vexatious allegations of Member 5’s personal conduct outside of the brigade and Member 5’s mental health. The brigade leadership allowed this bullying attack to continue for approximately one hour, in the presence of Member 5. At the conclusion of the meeting, the brigade Captain approached Member 5 and instructed them “Everyone has had their say now. It’s over with. You are not to discuss it ever again.”

Within the next few days, at least five members of the brigade lodged formal reports with District Office regarding the bullying and other breaches of the Code of Conduct & Ethics which they witnessed at that meeting. Formal processes are still underway at the date of this submission, approximately five months after the reports were made, and those who made reports to District Office have been subjected to ongoing and escalating bullying behaviour themselves.

The brigade is divided, with only a basic level of operational capability.

Member 5 is no longer a member of the Service.

**PARLIAMENTARY SUBMISSION:**

**WORKPLACE BULLYING IN THE NSW RURAL FIRE SERVICE**

**3. Recommendations**

(a) Accountability at All Levels

The Service must acknowledge that the status of Volunteer is often seen as a reason or excuse to not be professional or accountable at a grass roots level.

The Service must ensure that recognition of a volunteer member's capacity and commitment are not permitted to negate the member's responsibility to be professional and accountable in every action and activity they undertake.

This can only be achieved by consistent management and timely resolution of breaches of discipline. In the case of bullying and harassment, a zero tolerance policy must not only be advocated, but must be adhered to without deviation.

(b) Monitoring of Brigade Management and Conduct

The Service should continue to allow and encourage autonomy under the jurisdiction of brigade constitutions and in accordance with applicable Service Standards. However, the introduction of policies which monitor and ensure adherence by brigades at a District or Regional level would be beneficial.

Mentoring of brigade leaders is currently provided by Group Leaders on an informal, individual and voluntary basis. Mentoring of brigade members is currently provided by other brigade members or brigade leaders. Identifying and enacting proactive support structures at District or Regional level would assist in reducing the incidence of inappropriate behaviours including bullying and harassment. It would also assist volunteer members in understanding their right to volunteer in a workplace free from bullying and harassment, and to be supported through the official processes if they are victims of these behaviours at any time.

(c) Relevant Training and Certification of Leadership Level Volunteers

The Service must introduce a mandatory requirement for training & certification of all brigade leaders in the Code of Conduct & Ethics as well as any other applicable Service Standards, including but not limited to the Grievance and Discipline Service Standards.

Certification should be a condition of eligibility to hold a brigade leadership position, as should maintaining currency of such certification.

**PARLIAMENTARY SUBMISSION:**

**WORKPLACE BULLYING IN THE NSW RURAL FIRE SERVICE**

(d) Relevant Training and Certification of All Volunteer Members

The Service must introduce a mandatory requirement for training & certification of all volunteer members in the Code of Conduct & Ethics as well as any other applicable Service Standards.

Certification should be a condition of participation in brigade activities, as should maintaining currency of such certification.

(e) Review and Amendment of Service Standards

The current Service Standards relating to bullying and harassment, including the associated disciplinary Service Standard, should be reviewed with a view to making amendments which ensure that bullying and harassment are recognised and eliminated decisively and without delay.

All reported incidents of bullying and harassment should be managed directly by the Professional Standards Unit, to avoid intentional or unintentional bias which may occur due to existing relationships at brigade and district level.

There is a clear need for an Immediate initial assessment of bullying and harassment claims, with clear and expected provision for interim action to protect the rights and the health of the victim while formal investigation and resolution of the situation is undertaken. The provision in Service Standard 1.1.21 - 2.1(b) - which allows for immediate stand down of a member who is alleged to have committed behaviour such as bullying – must become standard procedure rather than discretionary.

Immediate measured, monitored and ongoing support of the victims of bullying and harassment should be mandatory as a formal part of the investigation and associated disciplinary process.

The rights of the victim in bullying and harassment situations must be elevated to at least those which are currently afforded to defendant.

Equal access to information, evidence & outcomes for victims should be ensured.

There must be clear provision for immediate & decisive action to protect intrusion into a victim's personal life.

The timeframes for all aspects and stages of bullying and harassment reporting, investigation and finalisation must be shortened from the current practice as well as clearly defined expectations. Compliance with these timeframes must be monitored.

**PARLIAMENTARY SUBMISSION:**

**WORKPLACE BULLYING IN THE NSW RURAL FIRE SERVICE**

(f) Implementation of Formal Victim Support System

It must be stated that the RFS Critical Incident Support Service is invaluable, and that the Service should be commended on this program. However it must be accepted that as the CISS team have no authority over any member at any level, their support of members cannot and does not extend to protecting victims of bullying and harassment within their brigades.

For many volunteer members, our brigade is an extended family and an important part of our support network. Victims of bullying and harassment within their brigade should not have to isolate themselves from that support network to protect themselves from further harm while investigations and disciplinary processes are undertaken. The Service must recognise that where prompt preliminary assessments indicate that bullying and harassment have taken place, the victim is the one who should be supported and encouraged to remain within their brigade if they choose to do so, with the accused perpetrators being the ones to be removed and isolated until the matter is resolved. Clearly the Service has made provision for such action on a discretionary basis. Amending this provision to be mandatory would be a commendable and proactive stance in allowing a victim to avoid further exclusion, isolation and harm.

Members who choose to remain active in their brigades following bullying and harassment should be afforded the same duty of care which is provided to them after incurring a physical injury during their Service activities. A system of independently monitored and supported injury management plans and return to duty processes similar to those employed under WorkCover policies would have immeasurable benefit to victims.

**PARLIAMENTARY SUBMISSION:**

**WORKPLACE BULLYING IN THE NSW RURAL FIRE SERVICE**

**4. Annexures**

- (a) NSW Rural Fire Service, Service Standard 1.1.7 Code of Conduct & Ethics
- (b) NSW Rural Fire Service, Service Standard 1.1.2 Discipline
- (c) NSW Rural Fire Service, Service Standard 1.1.21 Stand Down/Removal from Membership & Notification of Criminal Charges & Convictions
- (d) NSW Rural Fire Service, Service Standard 1.1.3 Grievances