

Submission to the Select Committee on the Firefighters' Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017

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Hamilton – 4th July 2017

Introduction

Thank you for the opportunity to present my concerns and thoughts to the Select Committee.

On the surface the proposed changes that create Fire Rescue Victoria (FRV) do not appear, in the short term, to affect the Hamilton Area and the way Fire Brigades in this area operate. However the absence of detail about the new structures and how they will work, both now and in the future, in regard to both FRV and the CFA, raises several concerns that need to be addressed.

What impact will changes made now and in the near future have on rural areas, regional centres and outer metropolitan areas? What impact will changes in any of these areas have on the whole Victorian community?

My concerns and thoughts have been grouped under the term of reference to which they most nearly relate.

Impact on fire service delivery across Victoria

Flexibility of personnel who are both employed by the CFA and are volunteers

A number of key members of the Hamilton Fire Brigade are currently employed by the CFA and participate in Hamilton brigade activities as volunteers in their off duty time (which is to be applauded). Because the current duties of these members involves night and weekend work they have the flexibility to be able to log off work on some days to respond to brigade call outs. (This no doubt also happens in other areas)

If some or all of these members are transferred to FRV will they still have the flexibility to respond to call outs? Hamilton does not have sufficient call outs to justify permanent staff, but does depend on the commitment and willingness of our CFA employed members to log off work (if they can, in the same way other volunteers do) and respond to calls.

There are of course, times when the work demands of volunteer firefighters (including our CFA employed members) make it impossible for them to drop everything and respond to call outs during work hours. That at least one or two CFA employed members are almost always able to respond means all our calls are responded to in a timely manner.

Surge capacity

A significant strength of the CFA has been its capacity to respond when needed with the equipment and personnel to combat major emergencies. The large number of volunteer members in outer metropolitan brigades is an important part of the CFA's surge capacity.

While the volume of call outs in some CFA urban areas requires a mix of full time and volunteer personnel, care needs to be taken to ensure that trained experienced volunteers are still able to make a significant contribution to fire and rescue in their communities.

A structure in integrated stations that diminishes the role of volunteers and leads to their disengagement is likely to be detrimental to the capacity of the CFA to respond effectively to major events. Because of the breadth of experience that can be gained in outer metropolitan brigades (as opposed to small rural brigades with minimal turn outs) the retention of these experienced volunteers is essential.

Impact on fire service delivery across Victoria cont.

Incident control

Who will be in control at incidents? The current MFB and CFA procedures differ. Will permanent staff report to and take direction from experienced volunteer incident controllers?

Seconding FRV staff to CFA

Moving existing CFA staff to FRV and seconding them back may create a case of divided loyalties. Who are they responsible too? Does the CFA get to choose who they place in key roles or do they get who FRV decides to let them have?

For the present presumably, those who go across to FRV will be seconded back. But what happens in the future. Will the CFA be able to select the personnel it needs and wants? If so, this could create issues for the actual employer. If not, then the CFA could lose control of its own management and operational command structure.

Effect on volunteer engagement and participation in fire service delivery

This point probably relates to the first three terms of reference and possibly raises the question – how well thought out is the policy behind the proposed changes?

Appliance and equipment allocation to brigades

At present the Metropolitan Fire Brigade (MFB) is understandably geared and equipped towards structural firefighting. How will FSV stations in outer metro and regional areas be equipped? Will they be equipped with appliances that enable them to respond effectively to either or both structure and wildfire situations?

Appliance use

This point, and the one above, probably relates to the first three terms of reference and possibly raises the question – how well thought out is the policy behind the proposed changes?

Will employed personnel and volunteers in integrated stations use and be able to be on the same appliances together? Or, will there need to be one set for employed personnel and one set for volunteers? Any demarcation is likely to reduce opportunities for volunteer participation and possibly increase costs.

The implication, in some recent media material, that a response with less than two appliances crewed by paid personnel is an insult to dedicated experienced volunteers. It also implies a wish in some quarters to limit, if not eliminate, the involvement of volunteers in some areas.

The role of volunteers in integrated situations needs to be spelt out. It is essential that permanents and volunteers need to work together. At present most permanents and volunteers work well together. Unfortunately there are a few situations where this is not the case. Some permanents think they have been anointed, rather than appointed, and are therefore superior to the most experienced volunteers. Some volunteers resent that they are giving their time freely while some of the people they are working alongside are paid.

While these attitudes need to be overcome it is difficult to see how placing permanents and volunteers in different organisations will lead to a more positive working climate.

Without clear policies and procedures, a more open and transparent approach to the proposed changes, and strong leadership that fosters an inclusive culture, the negative attitudes of some paid personnel and volunteers toward each other will fester further. Nothing is more likely to create disharmony than uncertainty.

Effect on volunteer engagement and participation, etc. cont.

A rural and regional fire service

A number of comments from government ministers over recent months have stressed that the changes will not affect rural and regional areas. The lack of any reference to outer metro areas in these comments tends to imply that there will be change in the areas not mentioned.

It is hard to escape the conclusion that the unstated long term objective of the UFU, and the current government members that support them, is the replacement of volunteer stations in outer metro areas with stations staffed by permanents.

Expanding the FRV district in the future may become desirable. However if it results in employing a few more permanents at the expense of a large number of volunteers then the result will be a disaster for these communities and our State as a whole.

Short term and long term cost impact on fire service provision

Cost of rebranding

The cost of rebranding and other transition costs will clearly have some impact on the overall State budget, if not on the fire services allocations directly.

Reducing the role of volunteers

If any of the changes, now or in the future, reduces the role of volunteers and this leads, by either design or disenchantment, to an exodus of volunteers from the CFA, the cost could be enormous.

While reduced surge capacity was mentioned above, the need for a significant number of additional permanents (beyond current projections) to replace departing volunteers could have unaffordable budget consequences.

The CFA needs a strong permanent staff to work with and support, but not replace, volunteers. It can be argued that well trained experienced volunteers are as capable as paid firefighters in dealing with emergency situations. Some of the skills that volunteers bring to the fire services can add significantly to a brigades capability.

Underlying policy rationale.

A modern fire service

Comment has been made by some about the need for a modern fire service. If transferring MFB and CFA staff to a new body called Fire Rescue Victoria is needed to achieve this, then why not include DEWLP firefighters too?

Or a more radical proposition would be including all the fire and rescue personnel, both volunteer and paid, including the State Emergency Service (SES) in the one integrated organisation. If, as has been suggested, that an effective "professional" turnout needs full time paid personnel, why not train and turn out these same people for events that SES volunteers respond too.

While I am not suggesting such a radical step, it seems to make more sense than separating paid personnel and volunteers. Many years ago the CFA combined urban and rural brigades into one organisation. The latest proposal appears to be going backwards rather than forwards.

Underlying policy rationale cont.

Enterprise Bargaining Agreements (EBA)

What is preventing the CFA from developing and implementing an EBA that provides employees with the pay and conditions they deserve? Most volunteers have no objection to appropriate terms and conditions for CFA staff. Most volunteers are happy to accept a command structure based on skills and experience, but are less than impressed with an apparent structure that may give primacy to paid personnel irrespective of their experience.

If the current MFB management believe, as has been reported, that the MFB EBA is unworkable, why would a similar CFA or FRV EBA be any better.

If the primary reason for the change in structure is the creation of a more UFU friendly body that replaces the current MFB management and circumvents the conflict between the desire for union control of the CFA and the volunteer charter, then the question arises – are we creating a body where the tail will be wagging the dog? Consultation is desirable in any organisation, but it shouldn't create a right of veto that makes it difficult if not impossible for managers to manage.

If this is the reason for change then the underlying policy rationale is flawed.

Separating presumptive rights and fire reform

The presumptive rights parts of the bill seem to have bipartisan support, whereas the "reform" parts are contentious. The rationale for not introducing them as separate bills is also flawed. That is unless the reason is combining something everybody wants is the hope that the less acceptable parts will sneak through.

I would suggest the Committee should recommend separating the issues and providing adequate time for thorough consultation and planning of any reform that is actually needed.

If CFA personnel are provided with adequate pay and conditions in the short and medium term (which thinking volunteers have no objection too) then others matters do not need to be rushed.