



WERRIBEE FIRE BRIGADE



Assistant Clerk, Committees
 Department of Legislative Council
 Fire Services Bill Select Committee
 Parliament House
 Spring Street
 East Melbourne VIC 3002

5 July 2017

Proposed Firefighters Presumptive Rights Compensation and Fire Service Legislation Amendment (Reform) Bill 2017

We thank you for the opportunity to make a submission to your committee regarding the above Bill. We have grouped our questions and responses under the four Terms of Reference:

- Impact of Fire Service Delivery across Victoria
- Effect on Volunteer engagement and participation on fire service delivery
- Short term and long term cost on fire service revision
- Underlying policy rationale

Since the legislation was first made public, our brigade has been left with many unanswered concerns and we hope that this Parliamentary committee will be able to help clarify these points not only for our brigade but for many other CFA brigades that will be impacted by this legislation.

We have not commented directly on the effect on the MFESB in this proposed reform but rather the perceived impact this will have across the broader CFA and in particular those brigades that service the outer Metropolitan areas.

We also include for your reference a copy of our submission made to VFBV in July 2016, providing feedback on the proposed CFA – UFU Operational Staff Enterprise Agreement 2016.

Impact of Fire Service Delivery across Victoria

- Please detail how the CFA and MFB communities are better off under this new model compared to the existing model.
- A number of ministers have spoken publicly about the need to change having its origins from a fire review. We note that there has been a Royal Commission and multiple reviews over the past 10 years but none have recommended the structural changes that are currently being proposed, although a number identified cultural and behavioural issues within organisations that needed to be addressed.
- The proposed changes will create islands of FRV in country areas. How will this impact on service delivery, motivation and retention of volunteers in these areas?
- Legalities around chain of command – UFU / MFB / CFA?
- The CFA Board, VFBV, MFB and EMV appear to have been left out of the consultation. The only group that appears to be up to date with (or in advance of) the changes is the UFU. How has this been made possible?

Boundary changes

- Where is the independence of boundary changes, when it is not clear if CFA will be consulted and the impact this will have on brigades currently meeting service delivery standards?
- Looking into the future, where do boundary changes stop or will there be always ongoing boundary creep? Why would some areas need to change from volunteers to staff after a boundary change when the volunteers are successfully servicing the community within the current requirements? The current model is similar to the proposed FRV model, but reversed in that a volunteer brigade functions as the primary response in its primary area whilst surrounded by FRV who provide support.
- Boundary Review Committee – There appears to be no guarantee that volunteer service delivery will be maintained in an area as a primary response. How does a CFA brigade respond to calls in an FRV area? How do they maintain a primary response not a secondary or third tier response.

Conduct daily business

- The FRV model only allows for a 24/7 staff solution. By using only one model, the CFA lose the flexibility of having daytime firefighters covering a volunteer station that may only struggle during the day but be viable as a volunteer brigade at night time and on weekends. This requires further investigation and the ability of CFA to govern its own area of responsibility not be mandated to by another.
- Training options are limited for volunteers – e.g. No compartment / high-rise fire fighting is offered for volunteer brigades that have that risk in their assignment area. Many brigades are willing to take on this additional training and commitment but this will be eroded. It's not about staff supporting volunteers but both agencies being able to respond to the identified risk and being trained appropriately to do so. Be mindful that we, as a brigade, are still trying to work through current issues of response on boundaries with the MFESB, in particular rescue. The potential of a radial response and appropriate dispatch of appliance should be considered in this review and seriously been considered whether this bill is successful or not.

Existing ability to change

- CFA has been adaptive in the past – as areas have grown and volunteer stations have struggled to keep up with increased call numbers, the increase in integrated stations has followed. This has also allowed volunteers to be an integral part of response and maintains skills, local knowledge (which should never be underestimated) and experience. Many brigades have and do actively plan for the future and wish to be part of this (FOIPS for example)
- Daytime-only response by staff firefighters has been used successfully in the past. This is a positive for the community and also for the volunteers they support. The proposed EBA is inflexible in that the proposed model of 24/7 staff means various other models of delivery cannot be introduced to best serve the community. This leads to a long term financial impact of a 24 hour response compared with a model of day time staff and volunteer evening or weekend that works well in other areas of Australia.
- In 15 years, District 14 has gone from 1 integrated station to 9 integrated stations. This has come about with the forward planning and input of volunteers and staff with both working together.
- The mix of integrated stations and volunteer stations has worked well operationally for the CFA, providing a lower-cost than a fully-staffed station model like the MFB. Although some areas do have problems with this, it is not the case across the entire CFA. There is a cultural difference between staff and volunteers that has persisted for generations, and has been identified in previous reviews. This could be addressed in isolation as opposed to an entire restructure of all services. This would be a difficult matter to address and could possibly increase once both CFA and MFESB are joined. This by no means reflects on all staff, although in our experience this can be a significant issue

Secondment FRV to CFA

- CFA will lose the ability to choose who they have on board as operational staff under the proposed restructure. The question remains as to why it is legislated that this is to occur and the flow on effect this may well have with cultural matters already identified. If CFA is to be a standalone organisation, then let it be and allow CFA to be able to recruit, retain and train the appropriate staff for the position free from impact of FRV. In the short term this may well assist as both organisations develop (should the legislation pass) but long term ramifications could be significant.
- There is an unknown impact on District Mechanical Officers, Instructors and other specialist roles which can lead to a large impact on the volunteers' ability to be trained; respond and have appropriately maintained appliances.
- What happens if positions in certain areas (country or metropolitan) go unfilled because no one wants to fill them?
- CFA should have the freedom to recruit any person they deem is appropriate for a position. They should not be forced to accept people from FRV.
- Why isn't lateral entry offered for positions? Currently this is a significant industrial matter and can only occur (to our knowledge) once all options for someone who has completed a staff recruit course have been exhausted.
- CFA can't employ staff – only FRV can employ staff.

Response (Surge) Capacity

- Bushfire surge capacity from outer metro brigades will drop off. Our brigade has up to 70 firefighters that can be utilised to provide bushfire surge capacity. If the brigade moves across to a career station model, the number of available firefighters will drop dramatically given that the staff will handle the majority of calls and volunteer involvement and skills will reduce. As motivation drops, so does retention and the cycle begins. How can brigades recruit in this model? Traditionally many staff see volunteers as second rate and the poor cousins to staff. Volunteers choose to be volunteers and train to the highest standard available. If this is to decline so will the numbers available to respond.
- Response capacity is not only utilised at bushfire / long running 'campaign' fires but at other major / long-running incidents in the urban environment such as factory fires and chemical incidents.
- Response capacity also refers to vehicles. The Werribee brigade can utilise 3 CFA-supplied firefighting appliances, 2 brigade-owned crew transport vehicles and a brigade-owned bus to attend fires and incidents. Under a FRV model, the cost of maintaining additional appliances and brigade owned vehicles, given reduced volunteer numbers and limited volunteer callouts, will see a reduction over time in vehicles available.
- For example, Werribee can respond up to five firefighters on each appliance and additional members as required bringing a large skill set and experience to the fire ground / rescue incident. This could be limited under a changed model. Currently Werribee utilises a Heavy Pumper, Heavy Rescue, 3.4C Tanker – all the same vehicles as utilised at integrated stations. Is this to change??? If so, then who agrees to such a change?
- Surge capacity is not just for large prolonged incidents. A number of outer metropolitan CFA brigades can provide two or more appliances to an incident. If volunteers drop off to a point that impacts service delivery, then a fire requiring three appliances may need three individual FRV brigades responding as opposed to one Volunteer brigade responding with three appliances. A volunteer model can deliver this while a FRV model can't without taking appliances away from other areas and potentially impacting their responses.
- If the FRV's response is to have additional FRV appliances in the area, then for the rest of the year, FRV staff will be underutilised until the few occasions they are required for this type of fire. This would be a major cost to the community when it shouldn't be their burden to bear, given the volunteer model works.

FIRE

WERRIBEE

RESCUE

Effect on Volunteer engagement and participation on fire service delivery

There are a number of effects on Volunteer engagement and participation that will have a drastic impact on volunteer welfare.

Lack of consultation

- Lack of consultation /respect towards volunteers has led to rushed legislation and issues arising in the attempted passing of this legislation. The perception is that this legislation is a result of the inability to pass an EBA for career staff. Coupled with this the (possible) involvement of the UFU in the drafting of this legislation does not provide clarity nor reassurance to many within CFA.

Participation

- Volunteers will become a 2nd or 3rd tier response, not a 1st response, in a FRV area. Once volunteers stop responding to calls, their skills will drop and their participation rates will fall. The risk is that colocated CFA brigades will wither away to nothing, reducing response capacity to the community.
- Specialist skills, such as rescue or hazmat, currently held by volunteers will reduce as staff take over these specialist appliances.
- Outer metro area – volunteers will move away and CFA will lose response capacity as volunteers become disengaged. Historically this has occurred as staff have an increased presence or are allocated to an area. Volunteers then have a minor role / secondary role with limited chance of retaining specialist skills.
- This degrades the ability of CFA to respond to large events.

Chain of command

- Under the new structure, there will be ongoing issues with the chain of command with staff not recognising volunteers in certain roles. This currently occurs in the roles of Strike Team Leader and above. The failure of staff to recognise that volunteers hold such qualifications (which are the same modules as they do in most cases), can lead to a disorganised response and difficulty on the fire ground. This has been experienced by members at Werribee. Respect of such matters is a serious concern.
- There will be no recognition of the prior service of a volunteer. This currently occurs. Although on the fire ground it is not always the case, it is a concern for those entering a career stream.
- There will be a decreased involvement of CFA in relation to boundary changes – The legislation dealing with the independent panel on boundary changes has not noted that this panel will be consulting the CFA. There is no indication the current performance of a volunteer brigade will be considered by the independent panel. It does indicate supporting the CFA brigade, but how and who does this?
- Secondment of FRV staff back into CFA and industrial implications in future EBAs.
- In relation to integrated stations, how will co-location work given that the CFA have advised they will be dealing with this on a case-by-case basis?
- How does the new legislation work on the fire ground? Some career staff already have issues with volunteers. It is acknowledged that this is not true of all career staff. This can make response by some volunteers a concern as many limit their exposure by not responding. Likewise some volunteers have issue with staff. This has been identified in previous reviews.

Local knowledge

- Volunteer members are from the community. Local knowledge of fire behaviour will be lost when volunteer stations are replaced with FRV stations.

Experience

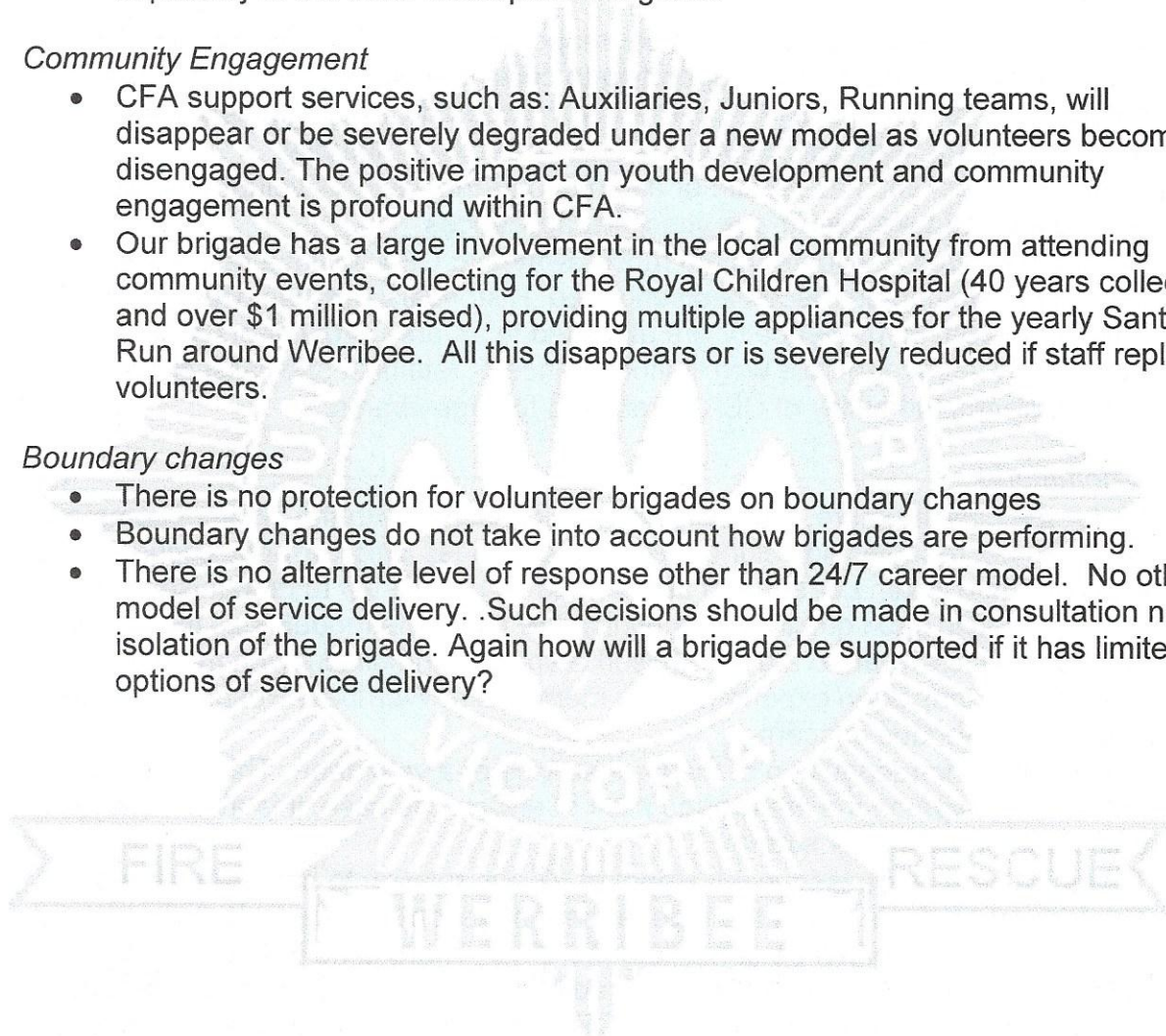
- Replacing volunteers with career staff removes many years of firefighting experience from the CFA. Our brigade has a combined 1,100 years of volunteer firefighting experience with our active membership that will drastically fall if FRV take over and volunteers leave.
- Speciality appliances taken over by FRV, e.g. Rescues currently at Volunteer stations. Experience will be lost.
- Boundary changes will lead to a large loss of volunteers and experience, especially in the outer metropolitan regions.

Community Engagement

- CFA support services, such as: Auxiliaries, Juniors, Running teams, will disappear or be severely degraded under a new model as volunteers become disengaged. The positive impact on youth development and community engagement is profound within CFA.
- Our brigade has a large involvement in the local community from attending community events, collecting for the Royal Children Hospital (40 years collecting and over \$1 million raised), providing multiple appliances for the yearly Santa Run around Werribee. All this disappears or is severely reduced if staff replace volunteers.

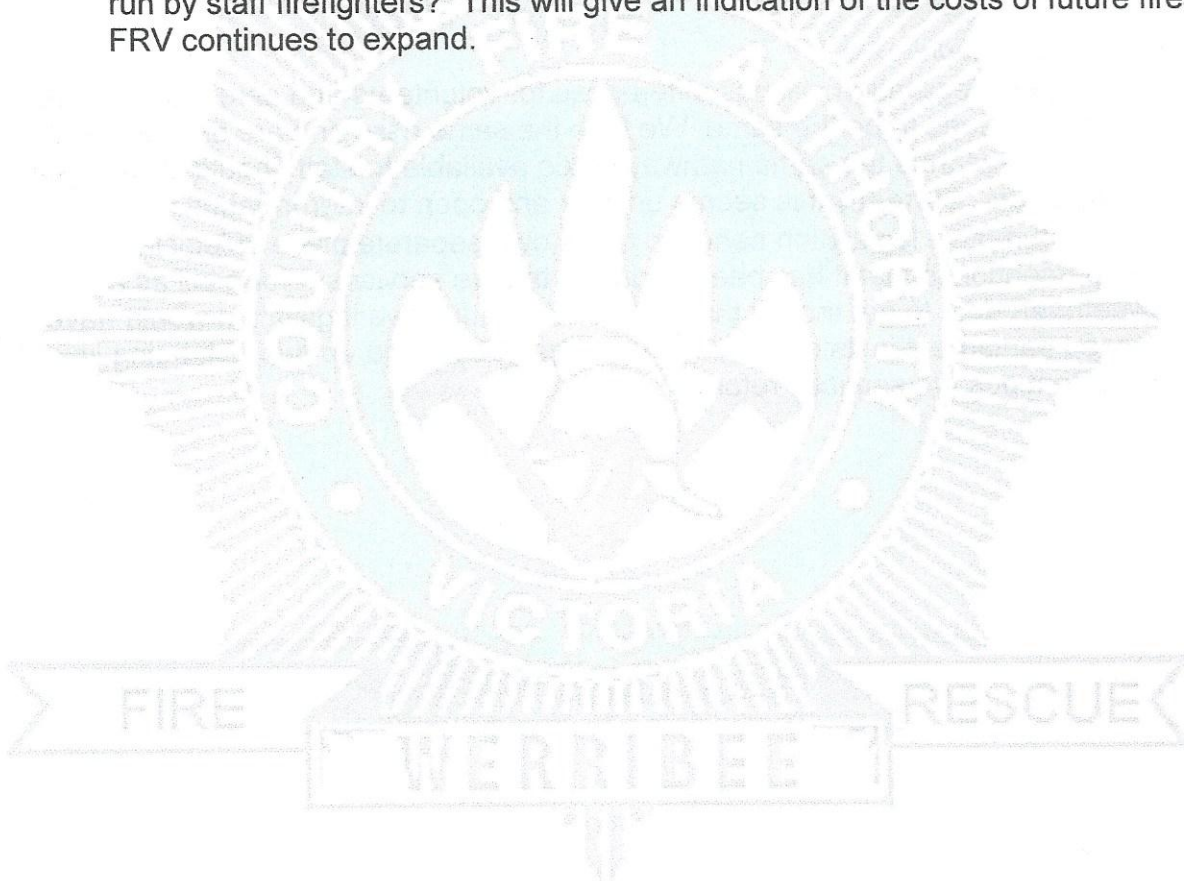
Boundary changes

- There is no protection for volunteer brigades on boundary changes
- Boundary changes do not take into account how brigades are performing.
- There is no alternate level of response other than 24/7 career model. No other model of service delivery. Such decisions should be made in consultation not isolation of the brigade. Again how will a brigade be supported if it has limited options of service delivery?



Short term and long term cost on fire service revision

- We note that \$44 million has been put aside to help volunteers, but an unknown portion of this will be needed on current integrated brigades. Will a set amount be made available to volunteer brigades or will they get what is left over once the integrated brigades have stopped submitting bills?
- There are future financial and budgeting implications with these changes that will lead to ongoing costs having a significant impact on future state budgets and therefore the taxpayers of Victoria.
- Where is the financial model? How many staff will be required to expand FRV? How much will staff cost in the long term?
- Where is the productivity of staff at stations like Portland who will need to move to 24/7 staffing but for limited calls?
- Volunteers provide a low cost, highly skilled source of as-needed capacity whereas staff will provide fixed capacity for an ongoing, increasing cost.
- There is a massive, as-yet-uncalculated, saving that the government has been receiving by utilising volunteer firefighters instead of staff firefighters. What would have been the cost to the taxpayers if the last campaign fire had been fully run by staff firefighters? This will give an indication of the costs of future fires if FRV continues to expand.



Underlying policy rationale

- It is of great concern that the Fire Services Reform was pushed through as a result of the EBA not being able to pass in its current state.
- There has been a clear lack of consultation with volunteers – both prior to the legislation and post the announcement. Post announcement there have been many sessions run that share the information and key statements of the reform. This differs greatly to consultation on the implementation of the reform. Our brigade has been active in seeking advice and raising concerns in this area.
- Why are CFA and MFB going down the path of instigating policy prior to it being legislated? Will they be forced to remove all their efforts if this bill is not passed, given that it will have no legal backing?
- There is a major concern in our brigade and across the CFA over the heavy union involvement in the drafting of the legislation and ongoing involvement.
- We express major concerns over the pressure placed on those in the fire services that disagree with what has gone on. Already we have seen the entire CFA Board replaced by the government and others in the CFA and our brigade come under increased coercion due to their opposition of the EBA and proposed legislation.

Presumptive Legislation

- Presumptive legislation still has differences for volunteers and career staff. The legislation needs to be the same. We take the same risks and are exposed to the same hazards thus the same pathway made available to staff should be available to volunteers. Currently this seems unclear and open to interpretation.
- The presumptive legislation needs to be its own separate piece of legislation. The perception is that it has been added to the fire services reform bill as a sweetheart deal to get the bill through. The presumptive legislation would have passed parliament in its own right. Now it has been held up due to it being linked to contentious fire services reform.

There appears to have been no need for a full structural reform to get through the EBA—the EBA could have got through if the UFU, fire services and government could work out the contentious issue that have held up its progress and met the obligations under the Fair Work Act. Our brigade supports a fair and equitable outcome for career firefighters across the state that allows a non-discriminatory approach and allows the services to govern and make decisions in their best interest while still servicing the community. The brigade has and enjoys a good working relationship with staff and has seen CFA benefit from this, be it in areas such as appliance design and PPC selection that have rolled out to volunteers.

The brigade is not against change, however change need to have a demonstrated outcome. This is not reflected in the proposed legislation.

Ultimately, we as a brigade can and will continue to function. How this is to be achieved under the proposed new model remains to be seen. The Werribee brigade has a fine tradition in planning for the future and training our members to the highest standard.


We work alongside all members of the emergency services community and do so with pride. The way forward is with an open mind, listening and hearing those that provide such services and looking at various ways of delivering to the community to meet expectations, not being locked into a model that may not be the best in delivering this nor be financially viable in the future.

This consultation allows us to have a positive impact on the future delivery of fire services in Victoria that recognises, respects and acknowledges that both career and volunteers can and do work together and should do so in a collaborative environment.

Select members of the Werribee Fire Brigade are available to provide testimony if required.

Once again, we thank you for the opportunity to make this submission on behalf of the Werribee Fire Brigade.


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