

7th July, 2017

Hon Gordon Kenneth Rich-Phillips MLC
Chairman
Fire Services Bill Select Committee

Dear Mr Rich-Phillips

We thank you for the opportunity for CFA Brigades and their associated community members and groups to be able to make submission and comment on the proposals by the current government to restructure Victoria's fire services.

The timelines for making submission have been quite limiting in providing us adequate time to put forth the views of our collective District, Group and Brigade memberships. With little over a week to respond it is difficult for us to be able to prepare a truly representative submission without the consent of all of our members, however within this short time period I have been able to gain full consent from the signatories listed in this submission.

Whilst we know the thoughts as submitted are reflective of a great many of our colleagues here in the Dandenong Ranges, without appropriate lead time to enable a more complete agreed signature list from the rest of District 13, this submission is only attributable to the Selby CFA Volunteers' signatories as provided.

Introduction

The proposed changes as outlined in the *Firefighter's Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017* (the Bill) are an affront to many of our states firefighters who have served the state willingly, diligently and without discrimination for many years.

Our main concerns are centred on the following, but are not limited to:

- The linking of presumptive legislation around cancer compensation for firefighters to a broader and more poorly defined agenda to 'reform' Victoria's fire services;
- The lack of an open and transparent consultative process with all firefighters ie those who will be affected, through their constituted management reporting structures as is a requirement under the CFA Act and Volunteer Charter;
- The misinformation being perpetuated by those in positions of authority who are responsible to manage and coordinate the states firefighting activities at a number of levels;
- The loss of opportunity for real consultation across the sector which could, if conducted meaningfully and facilitated by an independent body, rather than the agency and industry bodies representing them, realise a better model for true reform and modernisation of the state's fire services, leading to a better outcome for all Victorians.

In responding to the four identified terms of reference we submit the following for your consideration.

1 Impact on fire service delivery across Victoria

The full impact on fire service delivery across Victoria cannot be easily judged without an appropriate period of time for meaningful consultation to occur with all affected parties. The Select Committees Media Release states *“Select committees are established to allow Parliament to consider significant public policy issues in detail, and to seek comment from people with an interest in and expertise on the issues”*. With the short timeframes available for comment and the current political environment, we see great difficulty in seeing real and legitimate comment being made by those with expertise on the detail of the issues.

Many of our organisation’s (CFA) leaders, who have the expertise and duty of employment to be able to influence decision making, have briefed senior volunteers that the changes are a done deal and we should not spend too much time on the why, just get on board with the when and how. This has been very disconcerting for volunteers who now feel unable to provide valuable input to the process, being totally confused as to the apparent intent and obligation to comply with advice from our management.

2 Effect on volunteer engagement and participation in fire service delivery

CFA has previously celebrated its recognition at an international level for the integrated paid and volunteer fire service delivery model it has championed for many years. The fact now the same management appears to be driven in favour of changes they say themselves they were not consulted on, until hearing the announcements by government the same day and only hours earlier than the governments media releases, has raised a high degree of mistrust in the process by volunteers.

Volunteers we speak to have little to no concerns with working with and alongside paid staff, other than small pockets where individual interpersonal differences have been poorly managed by management. The effects of bullying in some quarters stand out as a significant problem but the current fire service organisations have existing tools and ability to deal with these small pockets where they exist. We believe the need to upend a world class working fire service model with little to no consultation with the fire agency heads themselves, prior to introduction of the Bill, is an unmitigated disaster in the making.

The rolling out of a paid staff only fire rescue service (FRV) into the outer metropolitan fringe and major regional centres is stated to bring many benefits including improved community safety to those areas. The model of creating a new, paid only fire service whereby the current CFA staff are employed by the new organisation, rebadged and put back into their original positions on secondment does not appear to improve community safety at any level.

The watering down of volunteer autonomy, whether it is in integrated stations or on the newly proposed integrated firegrounds, will lead in the long term to loss of volunteers in an already difficult time of retaining volunteers. This reduction in volunteer interest and involvement will not happen overnight and may take several years to fully realise. The end result however may be irrevocable in the longer term, possibly being too late to redress the situation. Careful analysis of volunteer engagement and participation needs a critical focus, not be left to chance or as a mere ‘hope’ for the future.

3 Short term and long term cost impact on fire service provision

It is difficult for the average citizen to be able to determine the long term cost impact of the changes to fire service provision, however we the undersigned are concerned that with the haste that the Bill has been introduced and the subsequent lack of consultation, could lead to this cost impact being overlooked as a key determining factor by the parliament. We would respectfully request the Select Committee commit considerable time and resources to seek this information from available and reliable sources.

Whilst the *Country Fire Authority/United Firefighters Union of Australia Operational Staff Enterprise Agreement 2016* (the EBA) is not directly the subject of this Inquiry one could only assume that, as the Minister has stated in a number of public briefings the Bill is much needed as a vehicle for the government to deliver on the outstanding EBA, that the cost of implementing the EBA may in some way represent the approximate cost impact of the Bill on fire service provision.

It was reported around the time of the standing down of previous Minister for Emergency Services Hon Jane Garrett that the EBA impact would represent around \$800 million dollars. This was in contrast to a reported figure of a mere \$160 million by the Premier, which was reported in the daily press at the time. The previous CFA CEO had quoted a higher figure of some \$1.2 billion, stating the Ministers figure did not include cost of additional station builds and vehicles for the anticipated future expanded service delivery.

As stated in a brief to members by VFBV on 21 May 2017 *“Apart from raising serious failure to consult with CFA volunteers in accordance with the CFA Act and Volunteer Charter, it beggars belief that such major reform could be contemplated for CFA without detailed assessment and advice about operational impacts, volunteer capacity impacts, cost impacts and future service delivery implications”*.

4 Underlying policy rationale.

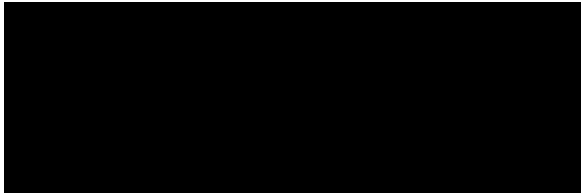
The Premier and Minister have inferred that the proposed structural reform has been recommended by previous reviews and they list; 2009 Victorian Bushfires Royal Commission; 2011 Jones Inquiry; 2015 Fire Services Review, 2014/15 Hazelwood Mine Fire Inquiry and the 2015/16 Parliamentary Inquiry into CFA Training College Fiskville. We do not believe that the recent major reviews have ever recommended that the CFA be split into a fully staffed service, and a 100% volunteer service. Additionally the 2009 Victorian Bushfires Royal Commission specifically stated in its final report that it considered the **CFA integrated service delivery should be maintained as a viable model**.

In the government's own *Report of the Victorian Fire Services Review - Drawing a line, building stronger services* by David O'Byrne (October 2015), the report actually calls for the strengthening of CFA's integrated model to preserve the vital surge capacity of volunteers. Also worthy of note is an article that appeared in today's Weekly Times newspaper (a copy attached as Appendix 1), the New Zealand Fire Service has just completed a process of review and consultation between volunteer and career (paid) firefighters leading to development of a single “integrated” fire service Fire Emergency New Zealand. The authors would seek that the Select Committee were provided significant background on this outcome whereby the NZ Department of Internal Affairs found that “internationally there is a trend towards greater integration”. Please follow link to Department of Internal Affairs [NZ] <https://www.dia.govt.nz/Fire-Services-Review>

In closing

It is our proposition that this Bill is not fit for the purpose it proclaims. It is short sighted and not in the longer term interests of Victoria. The government's own *Report of the Victorian Fire Services Review- Drawing a line, building stronger services* suggests other working models be investigated, but to date there is little evidence these models have been consulted at any level approaching what is required for us to achieve a modernisation of our states fire services as stated is the aim, within the preamble and media releases surrounding the *Firefighter's Presumptive Rights Compensation and Fire Services Legislation Amendment (Reform) Bill 2017*.

Yours sincerely



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CFA District 13

On Behalf of:

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Josh Medley [REDACTED]

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Ian Lewis [REDACTED]

Greg Lyons [REDACTED]

Appendix 1

CFA split: NZ merge message for Victorian fire services

PETER HUNT, The Weekly Times
July 5, 2017 12:00am

NEW Zealand volunteer and career firefighters have merged to form an integrated service, a move in stark contrast to Premier Daniel Andrews's bid to split Victoria's CFA.

In launching **Fire Emergency Services New Zealand**, Internal Affairs Minister Peter Dunne said it would bring 14,000 volunteer and career firefighters, 40 organisations and more than 600 brigades "into a single integrated service".

"Fire and Emergency New Zealand is being established with one over-riding goal — to ensure all our firefighters, urban and rural, career and volunteer, have the tools, support and mandate they need to meet the diverse needs of all our communities," Mr Dunne said.

The NZ integration started in 2012 and has gone through several rounds of public consultation to ensure volunteers and career firefighters supported the reforms.

Volunteer Fire Brigades Victoria chief executive Andrew Ford said the New Zealanders' consultation highlighted how rushed the Victorian process had been.

CFA volunteers learned of the State Government's fire service reforms on May 19 and the legislation was pushed through the Lower House last month.

The legislation strips the CFA of its 35 integrated stations and hands them to a "career-only" firefighting service, Fire Rescue Victoria, effectively breaking up the integrated service.

Mr Ford said while New Zealand was going forward, the State Government was trying to take Victoria's fire services backwards.

The NZ consultation included a 2015 fire services review that found "internationally, there is a trend towards greater integration".

NZ volunteers have been told all firefighters will have the equipment and training they need. They have also been assured assets built up through fundraising and community donations will continue to be used in the community that raised the funds.

NZ integration has also guaranteed all volunteer and career firefighters are able to retain their local leadership, first response roles and operational zones.

However, FENZ is reassessing who is responsible for some non-fire incidents, such as hazardous substances.

The NZ merger involves integrating volunteers and paid firefighters from the NZ Fire Service, the National Rural Fire Authority, 12 rural fire districts and 26 territorial rural fire authorities.