

Prue Purdey

From: John seymour [REDACTED]
Sent: Thursday, 6 July 2017 3:34 PM
To: LCSC
Subject: Fire Services Bill Select Committee

To members of the Fire Services Bill Select Committee,
 I am a CFA volunteer at an integrated station and wish to make the following personal submission. The Bill has been developed without the consultation required by sec 6 (g) (c) of the CFA Act, the obligations of the government in the CFA Charter and the undertakings by the Premier's signature on the Emergency Management Volunteer Charter. This lack of consultation with volunteers combined with lack of consultation with other stake holders has led to a flawed Bill with many negative consequences which are likely to lead to a less effective service delivery model.

Impact on fire service delivery across Victoria

The Bill does not modernise or improve fire service delivery. The dismantling of the CFA's integrated model comes with negatives which this bill does not have positives to outweigh them. As a volunteer at an integrated station, if there is a grass fire in a neighbouring area the Staff at Wangaratta are out the door in 90 seconds in Tanker 1 followed by the first crew of volunteers a few minutes later in Tanker 2 and then the second volunteer crew contacting the Staff to see if they want the volunteers to travel out to the fire, to changeover the crew on Tanker 1 so that the Staff can return to the station to man the Pumper in case a structure fire or rescue comes in, or for the volunteers to remain at the station to man the Pumper. This system works well with the community being the winner. If the Pumper and Tanker 1 become appliances to be owned and operated by FRV we would not be able to do a changeover on Tanker 1 or man the Pumper. Similarly the Brigade raised the money to buy a gas flare off unit which can be responded anywhere in the North East or North Central areas of Victoria. If a flare off job comes in one or two of the staff will respond with a couple of trained volunteers to deal with the incident and still leave the community covered for another incident by Staff backed up by volunteers. These are just a couple of examples of the benefits of the CFA's integrated model which will be lost if the proposed bill goes through.

These negative effects of the loss of the flexibility of the CFA model on fire service delivery are likely to be compound as career firefighters move to take on the extra roles of Emergency Medical Response and Road Accident Rescue and go further out of area to ensure at least two FRV trucks are dispatched to each fire incident in most of the area that FRV will respond to. This will lead to poorer coverage and response times for concurrent events. Currently if the staff go out of area the Rostered Duty Officer can recall staff to man the station, this level of protection will be lost if FRV staff cannot man CFA appliances.

Clause 19 and clause 21 of the CFA EBA approved by the Minister requires Memorandums of Understanding to reach consensus in the joint UFU consultative committee. If the UFU withhold agreement on a MOU developed between FRV and CFA on seconded Staff, then FRV would have to take the UFU to Fair Work Australia for a ruling. The CFA Chief Officer would be excluded from this hearing and if the ruling was not suitable for the CFA the whole process would have to be restarted. Combined with the current situation where the CFA have been unable to fill a large number of Operation Officer positions this means the CFA Chief Officer will have diminished power to select, deploy, manage or discipline seconded officers. The Bill could finish up limiting the CFA's ability to employ staff from lateral entry for Operation Manager, Operation Officer, Training Officer, Community Safety Facilitators and other roles. Lateral entry is an important source of staff especially for Training Officer Wildfire and Community Safety Facilitator roles. The secondment model proposed gives the UFU a large influence over the operation of the CFA if middle management roles of catchment officers servicing volunteer brigades have to come from FRV career firefighters.

Effect on volunteer engagement and participation in fire service delivery

There are dangers in the bill which are not clear yet as they depend on the implementation of the changes. The lack of clarity as to what will be the response turn out arrangements within the current integrated brigade areas and in nearby fully volunteer areas leads to concerns of volunteer engagement and participation in outer metro areas where there is a pool of highly skilled structural and wildfire firefighters

that give the CFA the ability to deploy huge numbers of firefighters and equipment across the state, not just on days like Black Saturday but on many days each summer when there are multiple incidents or ongoing fires.

There are also threats to volunteer engagement and participation within integrated brigades where the volunteer brigade who have contributed significantly to infrastructure will be downgraded to a co-tenant at a FRV facility. Clause 88 of the proposed CFA UFU EBA required agreement by the UFU before any changes could be made to workplaces. Some brigades will need to be housed in a separate facility in order to future proof the viability of the brigade to provide the community with a pool of highly trained structural firefighters to support the FRV firefighters or provide the service when the FRV staff are tied up at another incident. As time goes by and career firefighters move on incoming staff will have reduced or no exposure to the integrated model. There is likely to be different solutions required for different brigades.

Protection is needed to ensure that volunteers who have completed the considerable training to be qualified sector commanders, division commanders or level 3 incident controllers are not prevented from participating at their level of qualification by an inability of the CFA to negotiate an appropriate Memorandum of Understanding.

The role of catchment officer servicing volunteer brigades, currently filled by Operation Officers and proposed to be filled by seconded FRV Officers, needs to be reviewed to ensure that the UFU does not control the level of middle management overseeing all CFA brigades as well as the problems addressed earlier. The proposed EBA imposed strict limits on lateral entry for Operation Officer, Training Officer and other positions.

Short term and long term cost impact on fire service provision

The short term cost impact is likely to be far greater than the proposed \$100 million over four years. With implementation details appearing not to have been costed yet there are many potential expensive costs likely to be encountered. With the CFA Chief Officer stating that he will resolve the problem of volunteers not being able to man FRV appliances by providing an extra Pumper at integrated brigades the supply, housing and training for these Pumpers will take the majority of the \$44 million before spending any money on the infrastructure costs to make stations suitable for colocation or providing a station for relocation of volunteers at integrated brigades. There will be costs of duplication of equipment for FRV and CFA. For example at a currently integrated brigade are there going to be FRV and CFA owned Breathing Apparatus and spare cylinder cache to enable each service to own and maintain the required equipment? Will volunteer structural brigades across the District have ready access to filling stations for the cylinders?

Municipalities also appear to have not been consulted on the changes about collection of the Fire Services Levy. With the excision of the assignment areas of integrated brigades from the CFA areas to FRV some municipalities will have to collect two different levies within their boundaries. The excision of high Capital Improved Value areas from CFA coverage will need changes to the model to ensure sufficient funding for the CFA without an increase in the levy. This model fails to recognise that volunteer only brigades provide structural firefighting capability to the majority of towns and cities within the current CFA area.

Underlying policy rationale.

The stated policy of modernising the Fire Services is not met by the Bill as the negatives to Fire Service Delivery outweigh the positives. The changes diminish the authority of the CFA Chief Officer and the ability of the Fire Services to predeploy resources into areas of high risk. There are no new stations to cover areas of massive urban growth like the housing estates around Berwick. There are no extra above strength career firefighter positions to increase flexibility to deploy staff to concurrent or long term incidents.

Similarly the secondment model does not “enshrine the CFA as a volunteer only organisation”.

The claim that the Bill reflects findings of recent inquiries is untrue. None of them, including the 2009 Bushfires Royal Commission, have recommended dismantling the CFA’s integrated model, in fact the Royal Commission recognised the strengths of the integrated model.

Presumptive legislation

Despite claims by the Premier that it is the same as the Queensland model, the proposed legislation includes unfair requirements that are not applied to career firefighters in Victoria or to volunteers in Queensland. The Bill requires a determination of an expert opinion by an advisory committee considering Brigade and CFA records amongst other things to determine if volunteers are covered which is not a requirement for career firefighters. Not only is this unfair, it is also impractical as the CFA’s FIRS’s records only include information after 1996 and are quite often incomplete or inaccurate. Strike team duty is recorded as one

event even though it may have been for three shifts of up to 16 hours each and multiple shifts at a campaign fire are also treated as one event. These shifts include many hours of firefighting without the protection of Breathing Apparatus and may involve exposure to burning cars, sheds and houses as well as bushfire. The CFA's record system only records these events if they occurred since 1996 and multiple shifts would be recorded as one event, the same as an urban firefighter attending a wheelie bin fire with the protection of Breathing Apparatus. Rural brigades who may have a low number of exposures do not have the protection of Breathing Apparatus when attending car fires so are more likely to be exposed to the carcinogenic smoke than urban brigades who may have more attendances but greater protection giving them less exposure. The Bill even allows for the Authority to ignore a positive assessment of the volunteers service and shifting the coverage for volunteers from the CFA act to Workcover act is also problematic for volunteers. What is the scientific basis to the latency period of 10 years for the cancers as the Qld legislation does not have a cutoff period but the Vic legislation requires the firefighter to be diagnosed within ten years of ceasing to be employed or serving as a firefighter (for career and volunteers).

Career clause

"the injury occurs during a period in which the worker is employed as a career firefighter or within the 10 year period after the worker ceases to be employed or served as a firefighter; and"

Volunteer clause

"the injury occurs during a period in which the volunteer firefighter served as a firefighter or within the 10 year period after the volunteer firefighter ceases to serve as a firefighter; and".

Whilst we hope that presumptive legislation is a waste of time and never needed to be used, it is unfair to expect a volunteer to find evidence of fire attendances at a time they are undergoing treatment for cancer and possibly preparing for the imminent end of their life. I ask that you seek to amend the Bill to remove these inequitable and unfair requirements for volunteers and to maintain the coverage of volunteers under CFA regulations part 6.

Summary

For the above reasons the lack of consultation with stakeholders had led to a flawed Bill which does not achieve improved service delivery to the people of Victoria. Proper consultation with staff, management and volunteers and other stakeholders is the best way to continue to change to meet community needs. The Presumptive Legislation does not provide fair and equitable coverage for all firefighters.

John Seymour

Vol. 7901971

Get [Outlook for iOS](#)