

NOTES — UFU RESPONSE TO VFBV SUBMISSION ON FRV-TO-CFA SECONDMENTS

Peter Marshall, National & Victorian Branch Secretary, United Firefighters Union of Australia

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Opening

Chair, I first want to address directly the submission made by Volunteer Fire Brigades Victoria, which devotes nine pages to the FRV-to-CFA Secondment program.

I make the overarching point that this section of the VFBV's submissions is clearly outside the scope of the Inquiry's Terms of Reference and should not be given further consideration. If the committee is minded to consider the submissions on this topic by the VFBV, then I make the following points.

I want to be clear with the Committee about what that submission is actually seeking. It is not seeking improvements to the Secondment program. It is constructing a case for abolishing it. The Committee should understand that, and should test the evidence VFBV has put forward against the data actually held by the fire agencies themselves.

I seek to table a supplementary document with the Committee today that does exactly that. It sets out, point by point, where the VFBV submission departs from the data, where it relies on assertions without evidence, and where it misrepresents the legislative framework that governs the Secondment arrangement.

The key issues are as follows:

Point 1 — The Legal Framework: Parliament Has Already Decided The Question of Fire Services Reform

Parliament resolved the ongoing issue of an outdated fire services structure in 2019. The CFA is now, by statute, a fully volunteer firefighting service. FRV is a fully career firefighting service. As can be seen with one of my volunteer colleagues next to me, and by the many Open Mics held to date, our relationship is not adversarial. It is inclusive and cooperative. We are working side by side within the parameters of the Fire Services Reform.

- In June 2019, the Victorian Parliament passed amendments to the CFA Act recognising the CFA as a *fully volunteer firefighting service*. That is the language of the statute itself.
- The legislation expressly contemplates that career staff employed by FRV will be made available to the CFA under a Secondment Agreement. That is not a workaround. It is the model Parliament chose based on previous Inquiries.
- The roles filled by seconded personnel — Instructors, Practical Area Drill Operators, Commanders, Assistant Chief Fire Officers — are the same roles that were filled by career staff at the CFA before fire services reform. There has

been no change in what is provided to the CFA, to volunteers, or to the Victorian community.

KEY POINT: *The VFBV submission asks this Committee to recommend a course that is fundamentally inconsistent with the legislative framework Parliament adopted in 2019. The Committee should not entertain revisiting the decision leading up to Fire Services Reform – it was based on extensive evidence, Inquiries, including the 2017 Select Committee into the very legislation that led to correctly defining the two organisations and their primary roles.*

Point 2 — The “Inexperienced Command Staff” Claim is Contradicted by the Data

The VFBV says seconded command staff lack CFA background. The actual data says the overwhelming majority of them are former CFA employees.

The VFBV submission asserts, at page 27, that volunteers have reported that the “lack of suitably qualified and experienced CFA Command personnel seriously impacted CFA response to the 2026 bushfires.” It refers to “long-term cultural issues associated with command staff being loaned from another organisation that has no background or experience with volunteers.”

Those are serious claims. They are made without statistical evidence in the VFBV submission. The data held by the fire agencies tells a very different story.

- **66.2% of all command staff seconded to the CFA are former CFA employees.**
- **84.4% of ACFO roles** are filled by personnel who were employed by CFA prior to fire services reform.
- **87.5% of ACFO Regional Controller roles** — a role that exists *because* of the 2009 Bushfires Royal Commission — are filled by former CFA personnel.
- **100% of ACFO Manager Community Safety roles** are filled by former CFA personnel.
- **56% of Commander roles** are filled by former CFA personnel.

Many of these officers were CFA volunteers in their own time, outside of work and many also live in the Country Area of Victoria. They are not strangers to the CFA. They *are* the CFA, in a meaningful operational sense.

I would also note, with some surprise, that the VFBV submission makes no mention of the fact that the CFA itself has employed a non-fire person — a paramedic officer — to fill the senior fire command rank of CFA Deputy Chief Officer. If the concern is genuinely about command experience and operational backgrounds, that appointment warrants more scrutiny than any seconded Commander.

KEY POINT: *When VFBV says seconded command staff have no CFA background, the data says the opposite. Two-thirds of those officers came from the CFA. The Committee should disregard, respectfully, the VFBV claim as the factual evidence does not support their submission.*

Point 3 — The Vacancy Figures in the VFBV Submission are Wrong

The VFBV submission overstates vacancy numbers. It also misrepresents what the legislation actually provides.

VFBV asserts a “significant and critical shortage of required capability in CFA’s senior operational leadership.” Once again, the source of that data is unknown.

The data held by the fire agencies for the week commencing 5 January 2026 — the start of the period this Inquiry is examining — is as follows:

- VFBV says there were 11 vacant or unrelieved ACFO positions across the state. The correct figure is **4**.
- VFBV says there were 34 vacant or unrelieved Commander positions across the state. The correct figure is **25**.

I would also like to correct the establishment numbers. VFBV states FRV is obliged to provide 45 ACFO roles and 96 Commander roles. The correct numbers, as at the date of this hearing, are **50 ACFO roles and 107 Commander roles**. FRV’s obligation has *increased*, not stayed static.

Now to the trend. The agencies’ data shows a sustained and concerted effort to drive vacancies down since Fire Services Reform.

- **Pre-reform, March 2020:** 19 CFA Commander vacancies — eight of which were Long Term Vacancies, unrelieved for between three months and two years.
- **Two years post-reform, June 2022:** The improvement is substantial and irrefutable as to the benefits of fire services reform and the current secondment program. Just 1 vacancy in June 2022. Not 19 – which was the figure prior to fire services reform. The Committee should note that the CFA could simply not fill these positions over a lengthy period of time. Fire Services Reform and the secondment program has rectified that.
- **Across early 2026, the period this Inquiry is examining, the weekly fill rate of seconded positions ranged from 87.9% to 95%.** By April 2026, the fill rate sits at **92%**.

That is not a “shortage of required capability.” That is a Secondment Department working — and working well — to relieve vacancies that, prior to reform, simply existed indefinitely.

KEY POINT: *Never before has there been such a concerted effort to fill senior command roles in the CFA to support our volunteer colleagues. Any criticism of fire services reform on vacancies must be made against the pre-reform baseline. VFBV does not provide that baseline. The agencies’ data does, and it tells the opposite story.*

Point 4 — The “CFA Has No Mechanism to Fill Vacancies” Claim is Misleading

The VFBV submission states, at page 30, that “the legislation provides CFA with no mechanism to fill unfilled or vacant positions.” With respect, that is misleading and the Committee should not accept it.

The Secondment Agreement, provided for under s 25C of the *Fire Rescue Victoria Act 1958* (the **FRV Act**), provides the CFA with the sole power to request relief and personnel. It also provides the CFA with the sole power to agree to or reject particular relief and/or personnel. The status is as follows:

The Secondment Agreement provides for **42 days’ notice**. That is the period CFA is supposed to give FRV before the unrelieved period commences.

In practice:

- For positions that could be covered by Higher Duties arrangements, CFA provides a **median notification period of 26 days** — well short of the 42 days required.
- For roles that require internal advertisement, FRV is receiving a **median notification of 32 days** — again short of the 42 days.
- For Deputy Chief Officer positions in CFA, FRV is receiving notice generally **under a fortnight**. These are positions FRV is not even required to cover as CFA is able to directly employ Deputy Chief Officers in accordance with the CFA Act post-reform. Despite this, for whatever reason the CFA chooses to have these positions vacant, to ensure our volunteer colleagues remain supported, FRV provides this relief. That creates flow-on vacancies in the Commander and ACFO positions that *are* required to be filled.

The data is clear: where CFA gives sufficient notice, FRV’s fill rate is high. Where CFA gives short notice, vacancies appear. Those vacancies are then cited by VFBV as evidence of a failure of the Secondment system. In fact, one must question whether they are manufactured to create a case for change.

I want to give the Committee one final figure. As at 30 April 2026 — yesterday — FRV will have only **3 substantive ACFO vacancies** by the end of this week, due to a series of FRV-conducted ACFO promotions. FRV was on track to reduce that number to 2. The reason it sits at 3 is that the **CFA itself requested that the ACFO position in CFA District 27 not be filled substantively**.

KEY POINT: *When CFA chooses not to fill a position, that is not a failure of the Secondment system. That is a CFA decision. The Committee should be careful not to mistake the one for the other.*

Point 5 — The “Dual Commissioning” Claim is Legally Impossible

VFBV claims “dual commissioning” is occurring at an “alarming rate.” Dual commissioning cannot occur. It is prohibited by statute.

At page 33, the VFBV submission asserts that dual commissioning — the situation where two agencies hold operational command of the same employee at the same time — is occurring at an “alarming rate.” Once again, no statistical evidence is provided. No case studies are provided.

This is what the legislation actually says:

Section 25C(5) of the Fire Rescue Victoria Act states, and I quote: ***“The Chief Officer of the Country Fire Authority has the order and control of the work of an officer or employee of Fire Rescue Victoria who is made available to the Country Fire Authority under a secondment agreement.”***

That is clear. When a Commander or ACFO is on secondment to the CFA, the CFA Chief Officer holds command. The FRV Commissioner does not. Dual commissioning is not a grey area. It is legally impossible under the statute.

The UFU undertakes to contact VFBV after this hearing today to obtain the details of every instance of dual commissioning that VFBV asserts has occurred. If VFBV has not raised this matter formally with CFA, FRV or the Victorian Government before placing it in a submission to this Inquiry, that itself tells the Committee something about the rigour of this claim.

KEY POINT: *A Committee should not be asked to recommend the abolition of a statutory arrangement on the basis of an assertion that the arrangement is producing a legal outcome the statute itself prohibits.*

Point 6 — FRV funding

The VFBV has made a serious allegation. That FRV effectively profits from non-delivery by retaining Government funding for positions it fails to fill in the CFA. With respect to VFBV, this allegation is based on a fundamental misunderstanding of how FRV is funded, and the Committee should give it no weight.

FRV receives no separate or specially allocated funding for seconded positions. The \$72 million recorded by FRV as secondment expenditure in 2024-25 is not a discrete fund that sits waiting to be deployed or redirected. It is simply the ordinary cost of employing career firefighters, absorbed within FRV's general operational budget, for which FRV bears full legal and financial liability as employer.

We do not dismiss any operational issues. But the solution is not a funding reallocation of the kind VFBV proposes, which would distort the employment framework the 2020 Fire Services Reforms deliberately put in place. The appropriate path is continued collaboration between CFA and FRV to strengthen the mechanisms within the Secondment Agreement itself: improving fill rates, relief arrangements and workforce planning within the framework that exists.

Closing

Chair, my final statement to the Committee:

- We are extremely disappointed in the VFBV.

- It was not in the interest of volunteer or career firefighters to continue the acrimonious relationship full of disputation which existed prior to fire service reform.
- We have to ask the question. I table a letter I sent to Adam Barnett of the VFBV seeking to commence an open dialogue between UFU and VFBV to resolve concerns. That offer by the UFU resulted in less than a handful of meetings, at the initiative of the UFU, but has otherwise not progressed in any meaningful way by VFBV.