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5th July 2017

The Secretary
Legislative Council Select Committee
Parliament House, Spring Street
EAST MELBOURNE VIC 3002

RE: The Firefighters Presumptive Rights Compensation and Fire Service Legislation Amendment (Reform) Bill 2017'

Dear Committee Members,

Thank you for the opportunity to provide feedback to the committee on *The Firefighters Presumptive Rights Compensation and Fire Service Legislation Amendment (Reform) Bill 2017'* and to provide context to your terms of reference being:

- impact on fire service delivery across Victoria
- effect on volunteer engagement and participation in fire service delivery
- short term and long term cost impact on fire service provision
- underlying policy rationale.

I provide the response below on behalf of myself as a serving member of an integrated station in outer metropolitan Melbourne, as one who will be drastically affected by these changes and as one who is deeply concerned for the community we serve.

I have been a member of the Eltham Fire Brigade for over 15 years and have served my community in a variety of community safety and operational roles over that time. I feel strongly about the changes which are being proposed and the way in which the changes have been delivered.

When I joined the Eltham Fire Brigade in 2002, I joined an integrated service. Since 1972, the members of the Eltham Fire Brigade recognized that as a suburb with a peripatetic workforce, fire service delivery to the community of Eltham had become more difficult to provide in a purely volunteer capacity. At that time, it was not simple to have staff appointed to the station and it took many years of requests and in the end the resignation of senior members of the brigade in protest to have an impact sufficient to have staff appointed. In 1984, we finally did receive staff and since that time both staff and volunteer have worked side by side, trained side by side and served the community side by side in a harmonious and respectful manner.

When I joined the brigade, we had one Fire Officer and a Fire Fighter during the day, and just one Fire Officer during the night shift. We have seen this grow over many years to the compliment of staff we have at Eltham in our new, \$10M station today.

The staff and volunteers have in the main worked extremely well together. As in any organisation, there are the occasional bumps in the road and personality clashes, however amongst all the CFA integrated stations, Eltham has always been a showcase for positive volunteer/staff interaction and the community has benefited hugely from this.

Indeed, many of the staff have said over the years that amongst the reasons that they joined the CFA rather than any other fire service is the very model of integration that we have had until this point.

It would be fair to say that the past 2-3 years have been more difficult than some in as far as the negotiations between the CFA, the Government and the UFU over the most recently proposed EBA have been unnecessarily volatile and the relationship between some staff and volunteers has been adversely affected by the tensions surrounding the EBA. The lack of the ability to find a satisfactory resolution between the parties involved has driven a wedge between staff and volunteers in a way that some, including myself feel has hurt the relationship between staff and volunteers.

These tensions are not caused by the lack of support by volunteers of the staff work claims, as the volunteers have in the past fully supported the pay and conditions claims by staff. A variety of other issues that have been argued for, primarily by the UFU, would have had material adverse impacts on volunteers. The lack of willingness to address these issues in a positive framework have created the stalemate which was reached in late 2016 and which has precipitated the proposed changes to the fire services in a way which will, undoubtedly deeply wound all involved – career and volunteer alike.

It is this upheaval in and of itself that will have the greatest impact. The negativity being created will drive many from the fire services and that is one of the greatest damages which will be inflicted.

It is important to note, that the changes being proposed are (probably) intended generally to be mainly cosmetic. When you look at the proposed models on the surface, it appears to simply be creating a separation which reflects urban and rural firefighting requirements. The problem is that that assumption is fundamentally flawed on many levels. The flaws are deep seated and are there because there has been a complete, total and fundamental lack of consultation in drawing up the Fire Services reform bill. The bill has been drafted by people who have not consulted staff, not consulted volunteers and who clearly have not worked in any integrated fire station. This is shown to be the case by the complete lack of detail surrounding the effect of the changes to start with, a complete lack of understanding of the work culture differences between MFB and CFA and even how CFA Integrated stations operate and the dismissive “it will all be OK” attitude of those seeking to spruik and promote the changes.

From the CFA standpoint, consultation with volunteers is meant to have been enshrined in the Volunteer Charter, which I am certain that the committee has read, and yet no

consultation with volunteers nor with the volunteer representative body, the VFBV, occurred prior to Minister Merlino's announcement of the reforms. No consultation whatsoever. None.

So – what will be the “impact on fire service delivery across Victoria” if this legislation is passed? I think this is a very difficult question to answer operationally, mainly because no one has thought any of it through and there have been no plans and no consultation undertaken with the stakeholders to ascertain the response of the impact.

There must be a substantial body of work undertaken with all stakeholders to identify how any proposed changes would impact.

If the committee wishes to purely look at the legislation as it stands to try and evaluate its impact on fire service delivery, I would make the following observations:

- The lack of a clear understanding as to how any integrated CFA/FRV station would operate would substantially degrade response for the community
- The lack of understanding as to resource allocation including for training, firefighting appliances and community resources would operate would substantially degrade response for the community
- The lack of ability for FRV / CFA to have an integrated structured relationship would substantially degrade response for the community
- The differences in work culture between MFB and CFA at a staff level would substantially degrade response for the community
- The disenfranchisement that volunteers at integrated stations feel would cause many to leave which would substantially degrade response for the community
- The damage to the fire services brand as a whole would cause problems in recruitment for both staff and volunteer ranks for many years which would substantially degrade response for the community

This leads into the second term of reference regarding the effect on volunteer engagement and participation in fire service delivery.

If passed, the proposed legislation will cause disenfranchised volunteers to seek other avenues of community engagement, or the withdrawal of those volunteer services altogether. Indeed, the problems which have occurred over the past 2 years have created a very dour environment in which volunteer recruitment has been substantially retarded both due to the uncertainty of a future and simply the desire of individuals to “not get involved”.

Volunteers are a hardy bunch generally. We do what we do for the community. Many of the responsibilities of community engagement however will be split rather than shared and again volunteers will be cast aside and devalued in their contribution. Volunteers who are affected directly, such as myself, are already looking at trying to understand what our future role may look like. This is particularly challenging as we have not been consulted and do not know how things will look once changed. If only we were actively engaged in the process and had some sense of ownership of our own destiny, some of this feeling of disenfranchisement could be ameliorated.

It is also important to look at the short and long term costs of the reform package.

Some of the short term financial costs which are substantive are; rebranding, reissue of PPC, communications infrastructure changes, equipment duplication, potential to require the build or refit of fire stations to facilitate housing volunteer brigades who are unable to work in a dual homed FRV station, education, retraining and many more costs will run into the tens of millions if not hundreds of millions of dollars.

There are intangible costs also of which account needs to be taken.

The destruction of the MFB, and over 125 years of history is truly regrettable. The loss of identity for career staff in both the MFB and CFA staff will take a substantial toll mentally and emotionally. The loss of the comradery at integrated stations between career staff and volunteers as the wedge between is driven home by this legislation will drastically impact many.

It is difficult to predict how many may simply leave, however the short term exodus of firefighters will impact fire service delivery. Many hundreds if not thousands of years of experience will be lost to both organisations and this can never be replaced. It will take generations to repair the damage.

Again, many of the issues of firefighters, both career and volunteer could be addressed with proper planning and consultation but this needs to be done BEFORE any legislation is passed so that a true impact assessment can be conducted and an appetite for change can be molded and shaped into a future fire service of which we can all be proud to be a part.

It is still reasonable to say that there is an underlying need for change. The shape of Melbourne today is very different to that of 125 years ago and the historical boundaries which were once appropriate may now no longer be so. The shape and makeup of the fire services may well need to change, however the change itself should be driven by consultation and need. Risk management and resourcing rather than political expediency and back room union deals.

In 2010, the Eltham Fire Brigade was promised \$10M in funding towards the provision of a new, integrated fire station which would serve the community of Eltham and grow with it. The new station was moved into in December 2015 and formally opened in November 2016. With the changes proposed, the Eltham Fire Brigade will have this state of the art facility consumed by FRV and countless hours of work and effort by volunteers and staff alike in securing this property will be dishonoured.

The terms of reference for the committee unfortunately do not directly address a key issue within that which has thus far been proposed. That is the inclusion of the firefighter presumptive legislation on cancer within the fire services reform bill.

The linking of the changes to the fire services with the presumptive cancer legislation is inexcusable. These two issues must be separated if any good faith is to be maintained or gained.

The cancer legislation however is also fundamentally flawed as it is.

I ask you to examine the expert opinion of Jack Rush QC in this regard and how the legislation as it stands creates a two-tiered response to cancer of firefighters. One for career staff and one for volunteers. You can read the document at http://www.vfbv.com.au/index.php/component/k2/item/download/502_8661ab9d6893fae87074756c30a30d0f if you have not already done so.

In essence, the two tiered response as put together reaffirms the government's commitment to create an "us and them" within the fire services. The impediments placed in front of volunteers and the requirements for non experts to make decisions in respect of the presumption of cause of illness in the case of volunteers flies directly in the face of the premier's own statements and commitments to the people of Victoria, and indeed the firefighters of Victoria.

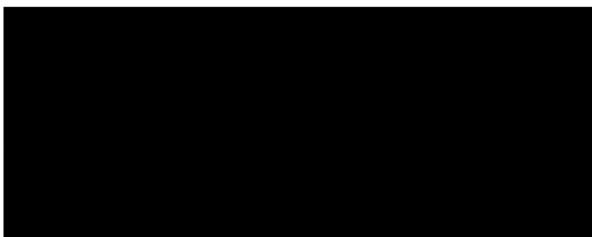
The presumptive legislation promised by the Andrews government has not been delivered on time as promised and has been tied into an ill-conceived reform package cobbled together by ill-informed individuals with no consultation and no implementation plan. The presumptive legislation must be decoupled from fire services reform and provide for equality of treatment of volunteers and career staff alike.

In summary then, I urge the committee to recommend that the senate:

- Separate the fire services reform bill from presumptive cancer legislation
- Rewrite the presumptive cancer legislation to be fair and equitable to both career staff and volunteers alike, in line with the Queensland legislation
- Reconsider and reconsult on the fire services reform bill. Consult before pushing legislation through - people I think are OK with change here, there does need to be some, but it needs to be done inclusively and respectfully. It is neither of these things in its current form.
- Provide certainty and stability to the fire services in a timely fashion so that we can approach the coming summer fire season in a positive, unified frame of reference.

Protecting life and property in our community is too important to get wrong.

Yours sincerely,



CFA Volunteer