



# VOLUNTEER FIRE BRIGADES VICTORIA

## News Note

3<sup>rd</sup> February 2020

### FIRE SERVICES REFORM - UPDATE #3

This News Note supplements the previous two updates provided on the 11<sup>th</sup> September 2019, 1<sup>st</sup> November 2019 and our updates via Firewise and newsletters.

#### Presumptive Legislation

The Presumptive Rights Compensation part of the Bill became active immediately following the Bills Royal Assent on the 2<sup>nd</sup> July 2019.

VFBV continues to seek information and clarity around the application process, the assessment process and how results will be reported. This has been slower than expected.

VFBV continues to progress the following issues:

- A clear application process that provides targeted support for the sick firefighter. VFBV continues to raise its concerns around the poor application process, confusing forms and lack of information pack and targeted support for sick firefighters presenting to the process.
- VFBV has raised its concerns with the level of assessment being conducted by the Advisory Panel for volunteer claims. The commitment provided by Government and Parliamentarians was for an easy “tick and flick” type process to simply determine if a volunteer was operational or not. Early indications are the Advisory Panel is requesting very detailed information about the activity levels of volunteer applications (which do not apply to career firefighters) to assess the “reasonably extent necessary” portion of the legislation. We will continue to investigate and monitor.
- We are in discussions with Government and Worksafe about how to report on the results of cases presented to the Advisory Panel. Early indications are the majority of cases have been supported. We are seeking a process for public reporting of results, while maintaining individual confidentiality.

Government are facilitating additional meetings between VFBV and Worksafe to resolve these issues over the coming weeks, and we will update members on progress.

#### Strategic Governance

The VFBV Reference Group continues to monitor the strategic governance layer. Members of the group have raised concerns with the slower than expected progress and lack of detail that has been available for consultation. The group is seeking better reporting of actions underway by the Agency Coordination & Transition Group, as well as the working parties in order to better understand current progress. Anxiety is building that timelines are becoming very tight and very little time will be left to openly consult and engage before the deadlines for decisions.

Despite slow progress, our assessment is this is largely due to the under-estimation of the complexity of some of the arrangements that will need to be in place to support aspects of reform, as well as operational workload that has impacted agency resources to progress certain work parcels. VFBV does not underestimate the difficulty in trying to align the expectations of all the different stakeholders and is working constructively with EMV and Government to find solutions to better support open engagement and consultation, however we continue to express the feelings of members that very little information is actually available to discuss and engage on.

VFBV will continue to advocate for enough time to consult with volunteers on issues prior to decisions being made, and arrangements that facilitate this approach.

## **Engagement**

VFBV continues to express its position that strong engagement and communication with the field is required to keep members engaged and involved in discussions, and the lack of communications and field engagement is significantly impacting on morale.

In positive news, CFA have responded by advising they are now scheduling targeted engagement sessions for each affected Integrated Brigade and any Group that contains an Integrated Brigade in their catchment. The sessions will occur between the 3<sup>rd</sup> February and the 3<sup>rd</sup> March. These sessions will cover;

- an overall Fire Services reform update.
- a workshop on the future CFA.
- a question and answer session.

VFBV supports these engagement activities and encourages volunteers to be involved. CFA has provided a schedule of current visits which are attached to this News Note. We will continue to help promote the dates and times as we become aware of them. If members could please provide feedback to State Councillors and VFBV Support Officers as to how these sessions go and if you are receiving the information you need and opportunity for feedback and comment.

## **Appliance Allocation**

VFBV has been requested to provide feedback on a draft set of principles for appliance allocation between CFA and FRV. These principles only apply to appliances located at Integrated Brigades and the two staff only CFA Brigades. In principle, VFBV has indicated support for;

- Any primary appliance which is currently crewed under Schedule 1 of the EBA is to be transferred to FRV. (This reflects current practice at the majority of Integrated Brigades.)
- If an appliance does not have fulltime crew allocated to it, then it will remain with CFA. (This supports the Unions ban on cross-crewing of appliances.)
- All Brigade owned vehicles at integrated locations will remain with CFA
- All ground observing vehicles and forward command vehicles will be retained by CFA

VFBV has requested that each Brigade be individually engaged to assess what equipment is stowed on each appliance being transferred from CFA to FRV. Where equipment has been purchased by Brigades or through volunteer grants that are above standard stowage and are currently on an appliance to be transferred to FRV, VFBV has advocated for a discussion to occur between the Brigade and the career staff to determine the fairest way to allocate the equipment. We have suggested that Brigades should have the option of choosing to donate the equipment, agree to a formal sharing arrangement, or seek replacement/reimbursement. VFBV has requested that the senior volunteer at each integrated brigade should be provided a formal opportunity to dispute any allocation – prior to Ministerial sign-off.

CFA has indicated its support for the BA Vans at Ballarat, Bendigo, Corio and Frankston to also be transferred to FRV. VFBV has indicated that it does not support this position until we have had an opportunity to engage with each of the Brigades affected. This work is currently underway.

If members wish to provide any comment or feedback on these draft principles, if you could please discuss with your local State Councillor or VFBV Support Officer so that your feedback can be considered. Districts Councils will also be encouraged to provide opportunities for discussion at upcoming meetings.

In related news, CFA has provided preliminary information on its proposal to explore a different support arrangement for the supply and refilling of BA cylinders. VFBV has requested additional information in order to establish formal communication and consultation with the field. As soon as this information has been received, VFBV District Councils will be notified and volunteer feedback requested.

### **Building and Equipment Allocation Statements**

EMV has indicated that it wishes to commence the process to identify the building and equipment allocation statement that needs to be prepared for presentation to the Minister.

VFBV has requested a respectful and inclusive process be established that will ensure:

- that volunteers have an opportunity to be present during station visits when asset registers are being reviewed or discussed
- that volunteers have an opportunity to dispute any assets proposed to be transferred to FRV prior to Ministerial sign-off
- that an appeal process be established to resolve any instances where volunteers disagree with CFA's determination and that any issues remaining unresolved be communicated to the Minister prior to sign-off

VFBV is also advocating through the Reference Group that integrated Brigades be directly engaged as soon as possible to discuss a Tenancy Agreement. Under the legislation, current CFA Integrated Brigades will be transferred to FRV, with CFA becoming the tenant at those locations where a CFA Brigade will be co-located within what will become a FRV building. It is VFBV's view that these arrangements need to be documented and agreed well before the July 2020 deadline, in order to allow enough time for genuine discussions and consultation to occur.

Agreement should be reached on arrangements for:

- Continued volunteer access to stations and station amenities
- FOB access to all appropriate shared area's and facilities
- Arrangements to share access or the use of designated equipment
- How volunteer amenities and spaces will be maintained
- Commitments to ensure volunteer areas, equipment, storage and access are preserved during future station modifications
- Commitment on engine room layout and reserved area's for appliances

During discussions with many Brigades, it has become clear that a brigade's comfort level with the proposed reforms are significantly influenced by how they see current arrangements working, and their assumption that things are likely to continue as they are now.

VFBV encourages brigades to document the principles that Brigades feel are important to how they currently interact with integrated brigades. If things have worked well, it is important to document those arrangements so that;

- a) they are understood and shared with new personnel or shift changes and;
- b) principles can be articulated for inclusion in future doctrine or memorandums of understanding to ensure these arrangements continue in the future

### **Fire Equipment Maintenance**

VFBV has received enquiries from FEM brigades following CFA's communique to Integrated Brigades last week indicating that FEM boundaries and arrangements remain unknown.

VFBV has been a strong advocate for the continuation of FEM activity for CFA brigades operating in the FRV District.

VFBV was successful in having amendments introduced to the legislation that amended the original 2017 version of the Bill. In the original Bill the power to conduct FEM activities which is provided under the CFA Act s20AA(2)(b) was not included. This power was added via amendment to section 77 which adds a new section

20AB into the CFA Act which outlines what powers a CFA Brigade located in the FRV district can exercise. The amendment adds power s20AA(2)(b) back into the legislation for brigades located within FRV Districts.

It is VFBV's position based on extensive historical discussion with Government and Minister on the issue of FEM, that arrangements for CFA FEM to operate within the FRV District will remain unchanged to how it works now. It is VFBV's understanding that the reason for present confusion is that technically the CFA must obtain written consent of the Minister before it can exercise this power. While this is correct, VFBV has no reason to believe that this consent will be withheld, and believes this has not yet occurred simply because the Minister is not able to provide that consent until FRV actually exists.

VFBV will continue to monitor and is pursuing written confirmation of these arrangements.

### **Fire Rescue Victoria Boundary Maps**

On Friday last week, VFBV advised members that VFBV has been provided maps from EMV showing the planned Fire Rescue Victoria boundaries, and requesting VFBV comment. These maps were included in the original 2017 legislation, but require updating to reflect the current boundaries and several staff locations that did not exist at the time of the original 2017 legislation.

The maps are required to define the new FRV District, due to the way the legislation operates. At present, the Metropolitan Fire District is gazetted though maps provided to the Central Planning Office and lodged as part of the MFB Act, with the CFA legislation then determining that any area outside this gazetted metropolitan fire district is defined as 'the country area of Victoria' for the purposes of defining CFA areas.

The new legislation operates on a similar basis. FRV areas must be gazetted through plans lodged and appended to the FRV Act, and then all areas outside those are defined as the country area of Victoria.

VFBV has been advised by CFA that;

- These maps mirror CFA's Assignment areas for each of the current integrated locations
- Any changes that have occurred to CFA assignment areas since the legislation was first drafted has been through CFA's internal approval process and consultation stages with affected Brigades, including Brigade signoff
- The largest changes will be to those integrated brigades that didn't exist back in 2017 – and maps for these locations are therefore new – but again modelled on current CFA response boundaries – with the exception of staff only locations which have operated on a hub and spoke support basis.

VFBV has advised EMV that it will seek consultation on the maps with impacted brigades prior to making comment. This upholds VFBV's principle that local Brigades will know their areas better than anyone, and the only way for the maps to be verified is to provide those affected brigades an opportunity to comment.

VFBV has committed to consulting with impacted Brigades prior to providing feedback and is now awaiting confirmation that the maps are current and available. Brigades should only need to look at a map if their current response boundary currently abuts a CFA integrated brigade.

We are told there has been no change to the MFB boundary.

With the exception of the new maps for Latrobe and Lucas – given all other areas have been based on current assignment areas this process should be fairly unremarkable. CFA has also committed to providing the maps for consultation, and we'll advise as soon as they are ready.

## Upcoming Consultation

CFA has indicated it is preparing for targeted consultation with integrated Brigades around:

- What a viable co-located Brigade will look like and how can they be supported to remain effective and sustainable
- The appropriate Brigade classification and Brigade Operational Skills Profiles for a CFA Brigade operating within an FRV area without a primary area
- Future Community Safety and Community Education roles within the FRV District
- Election of Brigade Captains for former Integrated Brigades
- What support is required for the brigade during the transition period

VFBV continues to encourage volunteers to participate in these sessions, as well as encouraging volunteers to continue discussions amongst themselves to document and discuss how you want the future to look.

VFBV will continue to monitor and is available to provide any support or assistance required. VFBV Support Officers and State Councillors are staying in regular contact with each integrated brigade 1<sup>st</sup> Lieutenants to offer any assistance or support requested. Several District Councils have also arranged targeted engagement with their integrated brigades to help workshop and discuss ideas on future operating models.

If Brigades require any additional contact or support, members are encouraged to contact a VFBV Support Officer who will arrange appropriate escalation from either the local level or State to further support the brigade.

### Consultative Pathways Reminder

VFBV facilitates numerous regular state and local consultation forums and engagement activities to ensure that the views of volunteers are known and represented. Through a state-wide network of twenty-one District Councils and elected volunteer representatives, VFBV maintains direct links with grass roots volunteers over their issues, needs and concerns.

District Council members play a key role in being a direct connection between CFA and volunteers, as well as providing advice at a District/Regional level on a wide range of issues affecting volunteers. The District Council will take forward issues and opportunities to help influence policies at the local levels. Members are reminded to stay engaged and connected with your local District Councils, and for members to explore local solutions for local problems.

The role of District Councils is to:

- Provide a forum for affiliated brigades to express volunteer concerns/views.
- Help brigades resolve matters of concern at the local level.
- Provide volunteer leadership and represent volunteers at CFA District and Regional level.
- Provide a conduit for communication and information flow between the Association Board, State Council and brigades/groups.
- Refer matters that cannot be resolved at the local level to the State Council or CEO.

