



VOLUNTEER FIRE BRIGADES VICTORIA

Address: 9/24 Lakeside Drive, Burwood East, 3151
 Email: vfbv@vfbv.com.au
 Telephone: 9886 1141
 Chief Executive Officer: Adam Barnett

Post: PO Box 453, Mt Waverley, 3149
 Website: www.vfbv.com.au
 Fax: 9886 1618
 State President: Samantha Collins



JOINT COMMITTEE EOI

We are now accepting expressions of interest from volunteers to nominate to the CFA/VFBV Joint Committee for the 2025 calendar year.

If you feel you can contribute and have the time, are passionate about one of the eight streams and want to be an integral part of our Joint Committee process – then please visit our website or talk to your local VFBV State Councillor or VFBV Support Officer for a nomination form. Nominations are due 25th November 2024.

We are seeking volunteers from broad and diverse backgrounds to participate in our consultative structures. Young members, women and members of culturally diverse backgrounds are highly encouraged to nominate. We also want to attract volunteers from as broad a range of brigade types and risk profiles as possible. If you would like to learn more about what the role entails and how to get involved, please contact your local VFBV Support Officer, State Councillor or Executive Officer Mark Dryden.

VOL SURVEY

The 2024-25 annual VFBV Volunteer Survey is now open.

The survey is an annual

SOP FEEDBACK

VFBV encourages all senior volunteers to make themselves familiar with the proposed changes and provide feedback ASAP.

Please visit the VFBV website to access drafts and change logs to help guide your feedback

BOARD ELECTIONS

Following the October AGM, the VFBV Board has held its annual elections. Samantha Collins has been re-elected State President, Howard Smith has been elected as State Vice President, and Libby Hay has been re-elected as Treasurer.

The Board also welcomed Kelvin Bateman to the Board, who was appointed following the retirement of Greg Walcott, who was presented with VFBV Life Membership at this year's AGM.

Kelvin is Captain of Dunrobin-Nangeela Fire Brigade in District 4, and is also a Deputy Group Officer with the Casterton Group. Kelvin is passionate about improving volunteer amenities and has been a strong advocate for new trucks, fit for purpose fire stations which can house current vehicle typology and improvements to volunteer health and safety.

State Council also held elections for the two ex-officio members who are appointed by State Council for a one-year term to the Board, with Graeme Jilbert (District 18) re-elected, and Andy Cusack AFSM (District 4) elected as a State Council nominee following Howard Smith's appointment to the Board.

snapshot of volunteer opinion, using questions on issues chosen by CFA volunteers. All responses are confidential and de-identified results go straight to decision makers. By taking part in the survey you help us make a difference in CFA.

The survey measures volunteer opinions on what is important to them and how well CFA is performing according to what they are experiencing.

The gap between the measurement of importance and performance is referred to as the Volunteer Welfare and Efficiency Level (VolWEL) outcome. This measure helps to identify volunteer dissatisfaction and where priority attention should be directed by CFA and Government.

Scan the QR code below or visit the VFBV website to take part in the survey today. Paper copies of the survey are also available by calling the VFBV office on (03) 9886 1141.



VESEP

The Minister for Emergency Services the Hon Jaclyn Symes has announced the successful projects for the Volunteer Emergency Services Equipment Program (VESEP) 2023/24.

VFBV would like to congratulate the 179 brigades and groups that have been successful in this round of VESEP.

CFA brigades and groups will share in \$11 million dollars' worth of co-funding for projects and initiatives from the annual grants program

This month I wish to shine a light on work that largely goes unseen and unrecognised, but that none the less makes a really big difference to those who need to avail themselves of this support from VFBV. A little like insurance, people often do not realise how important this support is until they need it the most. And while we hope no-one will ever need it, the sad reality is some of our members will be diagnosed with cancer, thought to be a direct result of their cumulative exposures over the years as a volunteer firefighter.

Victorian law currently recognises 15 presumptive cancers that have been scientifically proven to be associated with the carcinogens and toxins that firefighters are exposed to when fighting fires. VFBV continues to advocate for the expansion of the scheme. Other jurisdictions have revised their schemes with updated medical evidence and added additional cancers. QLD for example cover 22 cancers, while Tasmania covers 21. You will find a comparison table of all Australian States and Territories on our website.

The Victorian legislation covers CFA volunteer firefighters, FRV career firefighters, Forest firefighters employed by FFMVic and fire agency vehicle and equipment maintenance employees.

Under the presumptive scheme, a firefighter is generally not required to prove the cancer was caused by their firefighting provided it is one of the 15 cancers listed under the legislation and that the minimum eligibility/qualifying requirement is met for the specific cancer. The qualifying period (years of service as a firefighter) ranges from 5 years to 25 years depending on the type of cancer.

It is called a rebuttable presumption, meaning that while the firefighter is not required to prove the cancer was caused by their firefighting and therefore it is presumed, the insurer is allowed to rebut

which helps fund much needed new and upgrades to operational equipment, vehicles and appliances and minor facility improvements for brigades and groups in every district across the state.

To any brigade or group who was unsuccessful in this year's allocation, it is recommended you contact your District office to ascertain what improvements could be made to your application and prepare your submission early for the next round of grants.

Congratulations to all the successful brigades and groups.

CANCER SUPPORT

by Adam Barnett, VFBV Chief Executive Officer

that presumption and pursue an alternate cause, however the onus is shifted to the insurer to have to prove what they think the other causes are.

However, the Victorian legislation contains a quirk that is not found in the majority of other Australian state and territory presumptive schemes.

Under the Victorian legislation, the presumption only applies if the "injury" (which is usually the date of diagnosis for cancer) occurs during the period you are considered a firefighter, or within 10 years after you cease to serve as a firefighter.

As members would recall, presumptive rights compensation was very hard fought for over a long period of time by both career and volunteer firefighters.

The Victorian legislation was controversial in the sense that it was tied to other controversial reforms to the fire services that had nothing to do with presumptive rights, but also because it created an additional hoop that Victorian volunteer firefighters need to progress through before their claim is even considered, which does not exist in any other State or Territory.

This extra hoop is by way of a special "Advisory Committee" which is established by the Minister - whose purpose is to provide an 'expert opinion' on whether a volunteer firefighter has attended fires to the extent reasonably necessary to fulfil the purposes of service as a firefighter under the presumptive legislation.

And while VFBV and other parties raised serious concerns around this element of the legislation pointing to the fact that no other State or Territory uses this approach - the government at the time refused all requests for amendment.

For these reasons, VFBV has been monitoring very closely each case that has progressed through the presumptive rights scheme to understand the impact of the advisory committee and whether it was having any negative impacts or unintended consequences.

Earlier this year, a volunteer was in fact rejected from presumptive rights based on the opinion of the advisory panel that they had not attended fires to the extent 'reasonably necessary'.

What made this case unique, was the advisory panel had interpreted the requirement for the date of diagnosis to fall within 10 years of their 'firefighting' service as a minimum eligibility requirement, and since, in the opinion of the committee, that this member was now in a 'non operational' role and CFA had not recorded any attendance to a fire in the last 10 years that they no longer qualified.

What made this decision so shocking, was the fact that CFA's records were incomplete, none of his recent turnouts were recorded because he had been incorrectly classified in RMS as non-operational, and this supposed 'non-operation' role routinely was deployed to the

fireground. Even worse, this was a highly decorated firefighter, with close to 50 years of service, and who had attended hundreds if not thousands of incidents over their lifetime including extensive deployments during Black Saturday and Ash Wednesday. The very person presumptive rights was expected to cover.

This new inappropriate interpretation of the 10-year requirement to a current serving member is further highlighted when you consider the minimum qualifying periods for some of the cancers. For example, primary site oesophageal cancer requires a qualifying period of 25 years. Under this new interpretation, despite a current volunteer having met the 25 year requirement attending fires, if they hadn't been to what the advisory committee determine to be a sufficient number in the volunteer's last 10 years of service (for example years 25 - 35 of their service) despite attending thousands of fires prior - then this member's entire service history could be ignored.

All this despite cancer not magically appearing on an exact timeline. For the scheme to assume it does is deeply flawed, and we believe tying the sunset clause with the attendance criteria is an unintended consequence of the construction of the legislation which simply added volunteers to the scheme as an afterthought. To think a long serving firefighter could be excluded from a system simply based on their last 10 years in a lifetime of service is just plain wrong.

We do not believe this was the intent of the 10-year 'sunset' period. And while we didn't agree with it existing in the first place, it was always described to us as meaning the presumption would end 10 years after a firefighter left the service or retired. But to think it being used to exclude a current serving volunteer with decades of service to their community is very distressing. This magical 10-year period does not apply in most other State's or Territories either.

Fortunately, in this case, we were able to demonstrate significant errors which allowed for this member's case to be reevaluated. However, this and other recent cases have highlighted some recurring issues that are now forming a pattern, and that we are now seeking to educate members on.

For example, the accuracy of CFA's service records and incident attendance continues to be a significant barrier. As a result, we highly recommend that members request their records from CFA before they submit a claim, to ensure you have the time to correct those records and fill in any gaps.

CFA will also not supply any other records from other services. So if you have service history with another fire service, either within Victoria or elsewhere, it is important you request those records from the respective agency first, so we can help you com-



bine them with your CFA records.

It is also important to consider any significant events that might be missing from your service history. This is where brigade records may be more accurate than those stored on RMS or FIRS, especially historical records.

My main advice for anyone who is pursuing a presumptive legislation claim is to ensure you get in touch with VFBV so we can assist you with the process. The Work-Safe process can be very daunting for a volunteer, and the various forms and paperwork can be very confusing for CFA volunteers in particular, as some sections require you to document your private employer, whereas other sections assume that CFA is the employer in terms of your firefighting.

We now have extensive experience assisting volunteers through this process and can help you with all the relevant forms and processes.

We are also engaged in constructive discussions with government on some of the issues confronting volunteers as they navigate the presumptive scheme, and I remain hopeful that common sense amendments may be considered. We'll keep working on ensuring the system is working as intended and will keep you apprised of progress.

NEW CEO

In mid-October, CFA announced the appointment of Greg Leach AFSM as the new CFA Chief Executive Officer. Greg is well known to VFBV from his time with CFA where he originally joined as a volunteer in 1978, before applying to be a career firefighter. Greg went on to serve in senior roles within CFA, before broadening his horizons with senior roles with Ambulance Victoria and the MFB. He recently served as Commissioner for QFES in QLD, before returning to Victoria last year where he was appointed as the CEO for SES Vic.

On behalf of volunteers and VFBV I welcome Greg home, and look forward to working closely with him and Chief Officer Heffernan over the coming years as we continue to strengthen Victoria's most trusted and respected community fire service.

I would also like to extend my thanks and admiration for Robyn Harris who has acted as CFA's interim CEO following the departure of Natalie MacDonald back in July. I have enjoyed working with Robyn and thank her most sincerely for her service. The interim gig is always a tough ask, but I am confident CFA has been well served under her leadership.

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