

**Government Response to the  
Report of the Victorian Fire Services Review:  
*Drawing a line, building stronger services***

**March 2016**



## MINISTER'S FOREWORD

The Government welcomes the important work carried out by Mr David O'Byrne in undertaking the review into the fire services and producing his report, *Drawing a line, building stronger services*. The Government has accepted the majority of the report's recommendations.

In the introduction to his report Mr O'Byrne observes that firefighters are "the embodiment of commitment to the community". The Government strongly endorses the contribution of our firefighters to the Victorian community, whether they are fighting fires, providing road accident and specialist rescue or offering advice and education.

The fire services have implemented many of the recommendations of the Bushfires Royal Commission that came in the aftermath of the terrible Black Saturday bushfires of 2009, and the floods of the following year. The professionalism and expertise of our paid and volunteer firefighters is demonstrated regularly in the most difficult of emergency situations. However, the report identifies a range of areas in which our fire services need to modernise to provide our fire services personnel and the communities they serve with all the benefits of a modern operating environment.

I thank Mr O'Byrne, his team and the numerous fire services, union and volunteer representatives who contributed to the development of this important report. Modernising our fire services will take considerable commitment from the many and diverse stakeholders involved in this sector.

The experience of the 2015-16 summer season underscores the importance of our fire services and why we need to take on board, and respond to, Mr O'Byrne's findings. Together we will pursue our shared goal of drawing a line under conduct that hinders our fire services from advancing their mission of preserving life and property. We will also work hard to improve the way our fire services pursue their separate and shared responsibilities and how they use their resources. I look forward to working together to build stronger fire services for Victoria's future.

**Jane Garrett MP**  
Minister for Emergency Services

## EXECUTIVE SUMMARY

In July 2015 the Minister for Emergency Services commissioned Mr David O'Byrne to review and make recommendations concerning the resourcing, operations, management and culture of Victoria's Metropolitan Fire and Emergency Services Board (MFB) and Country Fire Authority (CFA) (collectively, 'the fire services'). At Mr O'Byrne's request the Minister extended the report period to late October 2015 to allow for a more thorough analysis of the complex issues involved.

In conducting the review, Mr O'Byrne consulted members of the CFA and MFB and related stakeholders through interviews and on site meetings, and considered 180 written submissions. His recommendations appropriately give priority to optimum service to the community and optimum support for the operational arms of the fire services. They provide a road map for our fire services to continue to realise their potential.

Victoria's fire services operate in complex, swiftly evolving environments. Victoria's landscape is varied; the population is growing, diversifying and relocating into unfamiliar areas at an accelerated rate. Changes in climate, land use and community expectations all demand adaptation by our emergency services. Since the devastating 2009 Black Saturday bushfires and 2010-11 floods Victoria's emergency services have achieved significant improvements in systems and collaborative operation. The positive effects of these reforms have been evident in the outstanding handling of fires during the 2015-16 fire season.

Yet the Government is concerned that this progress has occurred against the background of a workplace culture which is not as supportive, healthy or inclusive as it could be. It is not hard to see the implications of this culture for the welfare of our fire services personnel, let alone the communities they serve, if workplace issues are not addressed. The report identifies much that needs to be done in the areas of strategic planning, management practices, fostering a better working environment and progressing respectful inter-service collaboration.

The report acknowledges that work in many of these areas has commenced through the Government's *Emergency Management Strategic Action Plan 2015-2018*. The Government also recognises that much recent work undertaken by the Emergency Management Commissioner, the Fire Services Agencies Interoperability Committee and under a range of recent initiatives is also clearly aligned with the report's recommendations. In response to the recommendations, the Government will undertake immediate, fire services-focused action, complementing and building on existing initiatives, to give our fire services personnel the modern, effective workplaces they deserve.

The Government accepts all the report's recommendations with the exception of recommendations 13 and 14, which propose the reinstatement of the position of Chief Fire Officer as the head of each fire service and the establishment of a single governing board for the CFA and MFB. The Government has already indicated that these organisations would not be amalgamated at any level. In addition, the complexity and size of these community organisations requires both executive business leadership and operational leadership.

Recognising cross-over in the issues the report raises, the recommendations, and the actions the Government proposes to take, the responses are grouped into three themes: people and culture; working better together; and the effective management of resources. These three themes recognise the close relationship between the

issues raised in the review and that the response in many cases will also be closely interconnected.

The actions proposed in response to the recommendations range from improved and additional training, targeted reviews of legislation and operational practices, and active and facilitated collaboration on complex issues of service delivery.

## RESPONSE TO THE RECOMMENDATIONS

The Government has accepted all the recommendations in the report, with the exception of recommendations 13 and 14, which relate to merging the role of Chief Executive Officer and Chief Officer into a single position and establishing a single governing board for the CFA and MFB. The Government has already indicated that these organisations would not be amalgamated at any level. In addition, the complexity and size of these community organisations requires both executive business leadership and operational leadership.

This section of the Government's response details the actions that will be taken to implement those recommendations that have been accepted.

### ***People and culture in the fire services***

The Government reiterates its admiration for the dedication and willingness of the men and women of Victoria's fire services to put their lives on the line to protect the community. Yet, while many outstanding individuals serve in our fire services, the report found that culturally, Victoria's fire services often fail to welcome diversity, foster innovation, support work-life balance, provide ongoing training, recognise skills or encourage collegiate, respectful workplace relationships. The report found repeated evidence of bullying, harassment and discrimination in Victoria's fire services. The Government is deeply concerned by these findings and does not accept that those wishing to serve our community in this fundamental way should encounter or endure these conditions.

The Government's first action on receipt of the report was to request the Victorian Equal Opportunity and Human Rights Commission (VEOHRC) to conduct a review under section 151 of the *Equal Opportunity Act 2010* and section 41(c) of the *Charter of Human Rights and Responsibilities Act 2006*. VEOHRC has been asked to investigate and report specifically on workplace behaviour (specifically issues that may contribute to an environment of bullying and harassment), the lack of gender diversity in the fire services and existing support services for staff who have been bullied or harassed. Secondly, VEOHRC has been asked to recommend strategies and plans to remedy immediate problems and build a better working environment. The Government anticipates that these findings will assist in identifying the most effective flexible employment arrangements to meet the fire services' goal of a diverse and inclusive workforce. It is anticipated that VEOHRC will provide a comprehensive report to the Government in the first half of 2017. Meanwhile, immediate support for staff affected by issues raised in the fire services review is available via dedicated referral pathways and existing employee assistance programs.

The Government will commence a range of initiatives to support the wellbeing of fire services personnel, including through actions aimed at skills development and recognition. The report identified a need for holistic support of fire services personnel's wellbeing. While many individual fitness and wellbeing options exist, an overarching strategic approach, integrated in personnel's service, is missing. The development of a strategic framework to support and ensure ongoing fitness of fire services personnel throughout their service will commence immediately.

Women are very under represented in our paid fire fighter ranks under 3.5% per cent of the workforce. A modern fire services workforce must be much more reflective of the diversity that exists in the community they serve. The Government will continue to work closely with the MFB and CFA to ensure its recruitment programs as well as its employment conditions and workplace environment are supporting and attracting

women as well as people from diverse cultures into paid fire fighter roles. The Government will also continue its work with the CFA to provide the best support we can for all volunteers and especially women.

A significant theme in the report is leadership capability and capacity, particularly at middle management level. The Emergency Management Commissioner will work closely with the fire services to ensure they provide immediate support to middle and senior management in developing leadership, communication, relationship and team-building skills. These leadership programs will interface with promotional processes, supporting an enhanced merit-based process for promotions. Training initiatives will complement the fire services' continued work to implement the State Fire and Emergency Services Training Framework, which aligns with the CFA's Fire and Emergency Management Training Strategy. In doing so, opportunities for greater integration of training between the fire services will be pursued.

Recognising the increasing professionalisation of the fire services, the Government will initiate national consultation on the establishment of a Firefighters Registration Board through relevant intergovernmental forums. This will both implement a recommendation from the review and meet a commitment made before the 2014 state election.

*2d. The Review recommends that the fire services introduce a broader scope of working arrangements, including job-sharing and part-time options, for persons returning from parental leave.*

**Action:** The Government will await the findings of fire services equity and diversity review being conducted by the VEOHRC to identify what flexible employment arrangements would best meet the fire services' goal of a diverse and inclusive workforce.

**Timeframe:** For consideration following completion of the fire services equity and diversity review (see recommendations 6 and 7).

*4. The Review recommends that:*

- a. the MFB develop a comprehensive training strategy with the guidance of the Chief Officer*
- b. the fire services' training strategies and accompanying training programs be informed by consultation with paid and volunteer fire fighters*
- c. the training strategies be informed by consultation between the fire services to ensure there is alignment across the fire services to the extent possible and that opportunities for joint training and sharing of training resources are maximised*
- d. the fire services investigate flexible training delivery models in different locations, including a broader use of paid instructors, volunteer trainers and assessors, and third party providers*
- e. the training strategies and programs be communicated across the organisations so that training priorities and pathways are well understood.*

**Action:** The fire services will implement the State Fire and Emergency Services Training Framework, in alignment with the CFA's Fire and Emergency Management Training Strategy.

Other opportunities for greater integration of training have been identified and will be pursued, including the potential to establish a shared (neutral) Registered Training Organisation for the fire services.

Timeframe: 4-5 years.

*6. The Review recommends that the fire services take the lead in advancing the sector's collective effort to increase diversity in the sector, through making a genuine and public commitment to understanding and addressing harassment and discriminatory practices and behaviours in their organisations, and launching a process for doing so.*

*7. The Review recommends that brigade leaders and their immediate supervisors be provided with clear processes and tools to deal professionally, expeditiously and compassionately with instances of bullying and poor behaviour, and be supported in doing so. A clear, alternative mechanism should be established, and communicated to all members, for when matters cannot be handled locally.*

Action: The Government is committed to providing firefighters with a safe workplace where diversity is valued and bullying, harassment and discriminatory practices are properly addressed. The Government has therefore requested that VEOHRC conduct an independent review under section 151 of the *Equal Opportunity Act 2010* and section 41(c) of the *Charter of Human Rights and Responsibilities Act 2006* to investigate and report on:

- support services for staff who have been bullied or harassed
- workplace behaviour, specifically issues that may contribute to an environment of bullying and harassment
- the lack of gender diversity in the fire services.

VEOHRC has been asked to make recommendations on strategies and plans that will lead to a better working environment, and to consult widely during its review activities.

Timeframe: Report expected to be received in the first half of 2017.

*8. The Review recommends that committed and sustained effort be made by the senior leadership of the fire services to reset its relationship with firefighters and their representative bodies, through adopting a genuine, collaborative and consultative approach in place of the adversarial win/lose dialogue. The immediate focus must be on restoring a cohesive work culture and addressing firefighter operational and safety concerns.*

Action: A program of initiatives is being developed to build more cohesive and collaborative working relationships between the fire services and their key stakeholders, including: the VHREOC review, leadership training and workplace behaviour education. Additionally, a new annual Ministerial Consultative Forum for fire services and key stakeholders will be established and the inaugural meeting will occur within 3 months.

Timeframe: To commence immediately.

9. The Review recommends that the Victorian government consider leading a national process for establishing a Firefighters Registration Board that:

- a. defines the competencies required to be registered as a firefighter at different operational levels or with particular specialist skills
- b. assesses whether applicants, irrespective of their organisational background, have the necessary skills, experience and qualifications, including through recognition of prior learning, to be registered at a nominated level of competency
- c. enables lateral entry into a fire service at a particular rank through formal recognition of competence at the commensurate level
- d. develops a training curriculum for attaining and maintaining skills to achieve and retain registration at the relevant level
- e. administers a process for deregistration where appropriate.

Action: As a national leader in training and recognition of firefighters' professional skills, Victoria will initiate national consultation on the establishment of a Firefighters Registration Board through the Council of Australian Government's Law, Crime and Community Safety Council.

Timeframe: 5 years.

10. The Review recommends that the fire services introduce an ongoing, holistic health and wellbeing program that includes fitness and wellness components, applies from the moment of recruitment, and is based on supporting firefighters to maintain their levels of fitness for duty.

Action: The fire services and EMV will develop a strategic framework for the introduction of holistic health and well being programs that support firefighters from the point of recruitment and throughout their careers. A particular focus will be on firefighters maintaining fitness levels to enable them to perform their jobs safely and efficiently.

Timeframe: Strategic framework to be developed immediately.

11. The Review recommends that the fire services' senior management identify regular opportunities, formal and informal, to touch base with and genuinely listen to the views and concerns of operational members, particularly through station visits.

Action: Linked to Recommendation 8.  
The fire services will undertake facilitated leadership development activities, including relationship building for middle and senior managers to give them greater capability to engage with firefighters



	and representative bodies.
Timeframe:	To commence immediately.

*17a. The Review recommends that the fire services invest in their mid-level operational leadership, strengthening its capacity to lead brigades and manage stations.*

Action:	A leadership program will be developed for middle managers that will interface with promotional programs and internal and external leadership programs delivered by and for the CFA and MFB.
Timeframe:	2 years.

*17b. The Review recommends that in the MFB, a position at the Commander or Senior Station Officer level be made accountable for overall performance of a station.*

Action:	A station management structure will be established using existing rank structures.
Timeframe:	2 years.

*17c. The Review recommends that in the CFA, the process for selecting brigade captains be reviewed to better ensure that persons with the right combination of leadership and technical skills are chosen to undertake the role.*

Action:	A selection process will be developed to enhance the current approach to focus on the necessary leadership and technical skills needed for the role.
Timeframe:	2 years.

*17d. The Review recommends that a single management structure be established for specialist operations.*

Action:	Effective utilisation of similar skills in specialist operations will be achieved through consistency of approach and a focus on interoperability.
Timeframe:	2 years.

## **Fire services working better together**

The Government endorses Mr O'Byrne's recognition of the proud traditions of the CFA and the MFB. Preserving the distinct identities of Victoria's two iconic fire services, while increasing their capacity to collaborate instantly and seamlessly – through interoperability and integration - is a key objective of the report's recommendations.

In response, the Fire Services Agencies Interoperability Committee and the leadership of the fire services will explore further avenues to enhance the capacity to work together, such as through shared training strategies and programs, and collaborative procurement, to develop a broader model that provides a solid grounding and purpose for service delivery. Emergency Management Victoria (EMV) will work with the fire services to identify the most effective way to expand existing synergies between their core business systems, such as through sharing or mirroring technology and administrative processes. The CFA will review their positive experiences of integrated brigades to develop a best practice model for future brigade integration.

At the same time, the Department of Environment, Land, Water and Planning (DELWP) will review aspects of the *Forests Act 1958* that may present a barrier to working together, and a detailed review will be undertaken by the Department of Justice and Regulation of the legislation governing the fire services to identify reforms which would streamline the legislative framework for inter-service collaboration and provide a modern governance framework.

The fire services, with the EMC and the Interoperability Committee, will also build on work already underway with individual communities to provide for their unique fire protection needs.

Drawing on findings by the planned audit in response to Recommendation 16 (see below) of existing synergies between core business systems, EMV will work with the fire services to identify the most effective way to expand their application, such as through sharing or mirroring technology and administrative processes. The Interoperability Committee and the leadership of the fire services will explore further possibilities for enhancing the capacity to work together, such as shared training strategies and programs, and collaborative procurement.

### **1. The Review recommends that the Fire Services Agencies Interoperability Committee:**

- a. *continue its work to standardise appliances, equipment, training, systems and operating procedures for the fire services as appropriate, as well as develop a common rank structure for paid fire fighters*
- b. *following a transitional period of bilateral consultation between the EMC and the VFBV, be expanded to include a VFBV representative*
- c. *extend participation to other sector organisations, where relevant, to ensure broader alignment across the sector and enhance efficiencies and cost savings.*

**Action:** The Interoperability Committee will implement this recommendation.

**Timeframe:** 6 months

2b. The Review recommends that the CFA and DELWP continue to identify opportunities to strengthen their organisational bonds through joint initiatives.

Action:	<p>In late 2015, the Government released the "Safer Together" policy which is predicated on closer organisational bonds between DELWP and CFA.</p> <p>The planned burning program is a key initiative with regard to public and private land. 'Joined up' burns to reduce hazard on private and public land are planned and implemented by the CFA and DELWP.</p>
Timeframe:	Underway in 2015/16 and program continuing in 2016/17.

2c. The Review recommends that the government review the provisions in the Forests Act 1958 that limit, based on distance, the ability of DELWP and its partner organisations to support a sector-wide approach to responding to emergencies.

Action:	<p>DELWP will conduct a review of the application of section 65(1) of the Forests Act 1958 to private land (the Fire Protected Area or 'marginal mile') to:</p> <p>(1) identify any barriers to a sector wide approach to responding to emergencies and</p> <p>(2) make recommendations to address any identified barriers.</p>
Timeframe:	12 months.

3. The Review recommends that the Emergency Management Act 2013 be reviewed to:

- a. enable the EMC to deliver a comprehensive set of standards to support integration and interoperability within the emergency management sector
- b. eliminate any barriers, or the potential for workarounds, to the fire services, and other agencies, implementing the EMC's standards.

Action:	<p>EMV has already undertaken significant work on performance standards for responder agencies that set objectives and minimum requirements for the emergency management functions they collectively undertake and clarify how these functions contribute to the shared vision of 'safer and more resilient communities'. The new Emergency Management Performance Standards, which replace the interim standards, were released on 1 January 2016, with reporting to commence on 1 July 2016.</p> <p>The Government will review the <i>Emergency Management Act 2013</i> to determine whether the scope of provisions relating to the EMC standards should be expanded.</p>
Timeframe:	Underway. If legislative review is recommended, it is expected to be completed in 2-3 years.

5. The Review recommends that the CFA develops a leading practice model for integrating brigades, drawing on the successful processes adopted to date. The model should cover the initiation and planning of integration, implementation, and continued support. The leaders of integrated brigades should be selected for leadership, management and technical skills and provided with ongoing high-level assistance.

Action: The CFA will lead a short review of integrated brigades with a view to applying best practice across existing and planned integrated brigades. This may lead to new or altered ways of managing integrated fire brigades.

Timeframe: To be rolled out alongside the Government's commitment to recruit 450 new firefighters.

15. The Review recommends that the fire services legislation be reviewed and replaced with a single contemporary Act that facilitates improved interoperability between the fire services and with the broader emergency management sector. The legislative review should also consider and remove any ambiguity between the responsibilities of the EMC and the fire services.

Action: The Government will undertake a legislatively review to improve interoperability across the fire services and the emergency management sector.

Timeframe: 4 years.

20. The Review recommends that the CFA and MFB align or share their core business systems and processes wherever possible and modernise their business intelligence systems to better understand their individual and joint organisational capability and capacity.

Action: EMV will work with the fire services to facilitate audits of current systems with the aim of identifying the best options for sharing arrangements.

Timeframe: 4-5 years.

## **Resource management and operational effectiveness**

All public sector organisations, including the fire services, are obliged to manage their resources prudently and in line with government requirements. The report finds that there is scope for both organisations, and the CFA in particular, to improve their resource, project and financial management. There is also potential for better coordination in areas such as requests for funding and asset management.

EMV will commission a comprehensive independent audit of corporate management practices in the fire services, with a view to helping them identify the most effective strategic management models for the future.

People at all levels of the fire services have innovative ideas for improving the way they deliver their services, at both the macro and micro level. EMV will work to identify a sector-wide system for encouraging, recognising and capturing innovative ideas which provides a pathway for assessing and implementing them at station, brigade or organisational level.

In relation to service delivery models, EMV will work with the fire services to tailor service delivery models to local community environments, including by drawing in representatives from across the emergency services. The EMC, with the input of the Interoperability Committee, will lead this work.

*2a. The Review recommends that the fire services introduce new service delivery models to better meet community needs in a given location; including joint operations in the gMA, day staffing, and hub and spoke integration. The fire services should consult with both volunteer and paid fire fighters and their representative bodies on the most appropriate model to adopt in a given area, with the ultimate decision to be made by the Chief Officers.*

Action:	EMV and the fire services is already undertaking planning to ensure that the needs of communities in specific locations are being met and what new service delivery models may look like.
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Timeframe:	4-5 years.
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*12. The Review recommends that the fire services establish a simple system for receiving and responding to proposed innovations from membership and sharing them across the organisation. Where any safety and procedural compliance concerns are satisfied, new initiatives that can improve service delivery should be encouraged and supported at all levels of the organisation.*

Action:	EMV will work with the fire services to identify and implement a sector-wide system for encouraging and recognising innovation.
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Timeframe:	Pilot in place in 12 months; fully operational in 2 years.
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16. The Review recommends that a comprehensive audit be undertaken of the fire services' financial, project and resource management.

Action: EMV will commission a comprehensive independent audit. The results of the audit will contribute to the efficient, effective and co-ordinated investment in infrastructure, capability and resources management across the fire services.

Timeframe: Audit is underway; expected to be completed by September 2016.

18. The Review recommends that a model be developed for firefighters at the rank of Leading Firefighter or Station Officer to be deployed to provide administrative, technical, community engagement and, when required, operational support to volunteer brigades.

Action: The intent of the recommendation to bolster support for volunteer brigades is supported. Further consideration on the best means to deliver that support is required.

Timeframe: 12 months.

19. The Review recommends that the fire services establish transparent and sufficiently long-range strategies and plans, based on consultation with firefighters, regarding:

- a. a program of station builds and replacements
- b. a program of station management
- c. a program of vehicle replacement
- d. a program of vehicle servicing

The plans should also be discussed with other emergency management organisations so as to align and support broader sector needs to the extent possible.

Action: The MFB and CFA Boards will maintain rolling updated plans that are regularly reported to government through EMV

Timeframe: Ongoing

## **GLOSSARY**

CFA	Country Fire Authority
DELWP	Department of Environment, Land, Water and Planning
DJR	Department of Justice and Regulation
EMC	Emergency Management Commissioner
EMV	Emergency Management Victoria
MFB	Metropolitan Fire Brigade
VEOHRC	Victorian Equal Opportunity and Human Rights Commission
VFBV	Volunteer Fire Brigades Victoria

