

March | 2010



VFBV Response to Counsel Assisting's Submission on Systemic Issues – Training Incident Controllers

2009 Bushfires Royal Commission Submission

Volunteer Fire Brigades Victoria makes the following submission to the 2009 Victorian Bushfires Royal Commission, in response to the submissions of Counsel Assisting titled "Systemic Issues – Training of Incident Controllers, Resourcing of Incident Management Teams and Incident Control Centres and Preparedness."

2009 VICTORIAN BUSHFIRES ROYAL COMMISSION**Letters Patent issued 16 February 2009**

Date of document: 25 March 2009

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**RESPONSE TO COUNSEL ASSISTING'S SUBMISSIONS ON SYSTEMIC
ISSUES (SUBM.500.001.0001)**

VFBV makes this submission in response to the submissions of Counsel Assisting the 2009 Victorian Bushfires Royal Commission ("the Commission") titled "Systematic Issues - Training of Incident Controllers, Resourcing of Incident Management Teams and Incident Control Centres and Preparedness" ("the Submission").

VFBV supports the key findings and recommendations set out in the Submission. That said, VFBV wishes to highlight matters arising from the key findings that it considers particularly significant and comment further on the practical implementation of some of the recommendations.

VFBV will deal with each issue in turn, according to the headings used in the Submission.

Qualifications, experience and training

1. VFBV reiterates the shortcomings identified by Counsel Assisting in relation to the lack of clarity, objectivity and transparency in the current system of endorsement and assessment for key roles within Incident Management Teams ("IMT"), particularly in relation to Level 3 Incident Controllers and Operations Officers. More specifically, VFBV is concerned about the lack of a clear pathway for advancement of volunteers who acquire the necessary skills to fulfil key IMT roles. The lack of any substantive, objective and measurable selection criteria for advancement is a real disincentive to skilled volunteers, as noted by Counsel Assisting at paragraph 2.26. VFBV affirms this conclusion. The Country Fire Authority ("the CFA") has not taken steps to remedy these issues, notwithstanding that VFBV has formally raised its concerns with the CFA on several occasions, in person and in writing.

2. Moreover, the CFA and DSE did not consult with VFBV in the development of the 2006 draft Role Standards for Level 3 Incident Controllers¹ and Operations Officers². The CFA and DSE did not notify VFBV that the standards were being drafted. There can be no doubt that the development of the standards would have benefited from consultation with VFBV and input from experienced volunteers who have performed these IMT roles over many years.
3. This lack of consultation has negative practical consequences. For example, some of the management skills required to perform these roles have in all likelihood been omitted from the standards as a direct result of the failure of the CFA and DSE to consider the volunteers' perspective. The majority of the workforce deployed to arrest a major fire is comprised of volunteers. Consequently, the key attributes of an effective Incident Controller include knowledge of and experience in managing volunteer staff and an understanding of the volunteer culture. That is to say, an Incident Controller should appreciate the cultural peculiarities associated with activating, organising and directing a volunteer workforce that is not motivated by the same factors as a paid workforce.
4. Further, the technical skills for a Level 3 Incident Controller must include an understanding of and experience in managing fast moving fires such as those experienced in the Western District in 1977, on Ash Wednesday in 1983 and on Black Saturday in 2009. The requisite technical skills must also include an understanding of the impact of bushfires burning at the urban-rural interface, with an almost singular focus on protecting life and property. These skills are unique and specific, and quite different to those associated with managing remote forest fires.
5. VFBV generally agrees with the attributes considered as essential for performing the Level 3 Incident Controller. However, VFBV is concerned that there is no agreed role progression pathway in connection with IMT or command and control roles. Within CFA there is also no associated training pathway to allow volunteers to acquire the necessary competencies for accreditation using a training delivery method and at times that are convenient to them.

Incident controller - best available person for the job

6. VFBV has previously stated that it supports the concept of the appointment of the best available person to perform IMT roles. However, VFBV is also concerned that this process may lead to a set *pecking order* amongst IMT personnel, which is then left undisturbed. VFBV cautions against a system that allows the same staff to be habitually installed into key IMT roles, without regular review.

¹ Level 3 Incident Controller Draft Role Standard DSE.HDD.0074.0284

² Level 3 Operations Officer Draft Role Standard DSE.HDD.0074.0329

7. This outcome would afford little opportunity for experiential learning and succession planning for those who are not at the top of the list but who have the skills and experience necessary to perform IMT roles. In the long term, this will not only disadvantage volunteers but will also work against building organisational capability and capacity.
8. Whilst IMT staff should be determined by reference to the best person for the job, rather than whether a candidate is a paid staff member or a volunteer, the system adopted needs to ensure that the *pecking order* is regularly reviewed and potential successors are developed, mentored and utilised where appropriate. This proposition is consistent with the key findings and recommendations of Counsel Assisting in relation to volunteer issues set out at paragraphs 7.54 and 7.55 of the Submission.

Uniform standards for training, accreditation and endorsement

9. VFBV is concerned that the recommendations of Counsel Assisting to bring forward the dates for the introduction of uniform standards will result in programs being implemented with little or no regard to the ability of volunteers to participate at short notice i.e. before the next fire season. As CFA does not presently have all the programs and associated curriculum to bring volunteers and employees up to speed, volunteers may be disadvantaged.
10. VFBV recommends that if it is necessary to implement a gap process to re-accredit existing personnel in accordance with revised agreed standards prior to the 2010 - 2011 fire season, every avenue is pursued to accommodate the needs of volunteers.

The elite list

11. VFBV has expressed concern to the CFA in relation to the process and selection criteria used to arrive at the 'elite list' and the broader Level 3 Incident Controller list. These discussions are ongoing, however the CFA has not provided a response to this query to date. There are presently numerous volunteers with extensive Level 3 Incident Controller experience who are not on the elite list, such as Mr Allan Small. The CFA has not advised these individuals specifically, or VFBV more generally, of the reasons why these individuals are not on the elite list. There is no apparent pathway for these individuals to advance onto the list. The CFA has not disclosed how it selected individuals for inclusion on the elite list or the selection criteria applied. As a direct consequence, senior volunteers with Level 3 Incident Controller experience have withdrawn their preparedness to perform Level 3 roles in the future. VFBV does not support an elite list in these circumstances.
12. Further, the identification and availability of the best person for the job is not achieved simply through adequate planning. It also requires the development of a system to identify, manage and develop current resources *and* the effective use of that system in pre-planning stages.

13. Since 2007, VFBV has advocated for the CFA to adopt a robust, comprehensive and dynamic human resource and workforce management system that will allow personnel to signify their availability to perform roles on a regular basis and which is linked to their skills and competencies. We have referred to this proposal in our Submission on Fire-fighter Safety.
14. Such a system will allow the Chief Officer of the CFA and others to choose their team members with reference to their skills and experience whilst sharing the workload across appropriately qualified volunteers, so as to ensure that those volunteers obtain necessary experience. It should also assist in overcoming the tendency of CFA to confine the deployment of resources to those from a particular Area³ rather than by reference to a resource tracking system that records availability of resources across the state at any given point in time.
15. The introduction of such a system will, to a large extent, also overcome the issues raised by Counsel Assisting in relation to locating and identifying available Level 3 Incident Controllers, as set out at paragraph 3.51 to 3.57 and 4.90 of the Submission.

Limited training opportunities for volunteers

16. VFBV supports the key findings and recommendations of Counsel Assisting in relation to volunteer issues, as set out at paragraphs 7.53 to 7.55 of the Submission.
17. VFBV has already raised areas of concern in relation to training opportunities for volunteers and it is not intended to revisit those matters. They are adequately set out in the statements and evidence of Mr Small⁴ and Mr Monti⁵ and our submissions, including VFBV's recent submission in relation to Fire-fighter Safety.
18. However, VFBV particularly notes that despite a concerted effort the CFA has been unable to overcome barriers to the use of sessional instructors. This issue has now remained unresolved for several years. These barriers remain notwithstanding that the current arrangements clearly limit training opportunities for CFA volunteers. VFBV encourages the Commission to find that CFA's inability to facilitate the engagement of sessional instructors reduces accessibility to training for volunteers.

Volunteers

19. VFBV reiterates its view that the pool of qualified and competent volunteers is underutilised. The solution to this problem lies in a pro-active approach to identifying, training and utilising volunteers to ensure that the pool of volunteers grows in accordance with the increasing need of the community. This will also ensure that the valuable life skills of volunteers are harnessed to add a further important dimension to the standard and experience of future fire managers.

³ Counsel Assisting Submission pg 71 paragraph 4.90

⁴ Exhibit 552 – Statement of Allan Small WIT.7529.001.0001

⁵ Exhibit 553 – Statement of Allan Monti WIT.7530.001.0001

20. VFBV acknowledges the initial effort of CFA's Chief Officer⁶ to encourage greater use of volunteers in IMTs. However, as noted by Mr Small, there is still evidence to suggest that the Chief Officer's instructions are not being addressed. VFBV believes that a more assertive approach is required and looks to amended arrangements in the future that will ensure volunteers are developed and used in accordance with their skills and knowledge.
21. Currently no substantial effort is made to nurture and encourage the continuing development of existing volunteers who are already endorsed to perform senior roles such as Level 3 Incident Controllers. These people have extended their commitment beyond reasonable expectations and should be recognised and supported accordingly. VFBV believes that these people should be singled out for particular recognition and support and afforded every opportunity to maintain and enhance their skills.
22. VFBV supports the introduction of a formal system of mentoring that equally adopts the philosophy of the best available person for the job when assigning mentors and assessors, whether they are volunteers or paid employees.
23. VFBV endorses the evidence of Deputy Chief Officer Haynes⁷ that it might be possible to introduce incentives for those undertaking Level 3 roles. Financial incentives do not hold appeal to volunteers. Rather, volunteers are motivated by incentives such as relevant and accessible training by expert instructors including volunteers, recognition of competent volunteers and the utilisation of trained volunteers.

New Command and Control Arrangements for Bushfire

24. We have noted the introduction of new arrangements along the lines recommended by the Chief Commissioner of Police but with some modifications. As Counsel Assisting states at paragraph 4.25 of the Submission, a primary objective of the new arrangements is to establish a clear regime for command and control of all Level 3 bushfires at all levels: Incident, Area and State. This model includes the appointment of Area of Operations Controllers.
25. VFBV agrees with the comments of Counsel Assisting at paragraph 4.34 of the Submission that there remain areas of potential confusion regarding the application of this model and the continuing relationship between the agencies, particularly at a region and district level during level 3 fire events. VFBV sets out in its submission titled "*Proposal for a Single Control Agency and Line of Control for Bushfire Management in Victoria*"⁸ suggestions which it believes will assist in resolving this ambiguity.

⁶ Counsel Assisting Submission pg 109-110 paragraph 7.48 & 7.49

⁷ Haynes – T12019

⁸ Dated October 2009