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Senator Heffernan  
Chair  
Senate Select Committee on Agricultural and Related Industries  
PO Box 6100  
Parliament House  
Canberra ACT 2600

25 September 2009

Dear Senator,

**RE: Inquiry into Bush Fires in Australia**



The Volunteer Fire Fighters Association, New South Wales (VFFA) is the only association solely representing the voice of volunteer fire fighters in the NSW Rural Fire Service and the Association wish to thank you for the opportunity to make a submission to the National Inquiry into Bush Fires in Australia.

In this submission, the VFFA would like to take this opportunity to raise the following comments with respect to the Senate Committee's Term of Reference.

- a. **factors contributing to the causes and risks of bushfires across Australia, including natural resource management policies, hazard reduction and agricultural land maintenance;**

#### **Bushfire Suppression Arrangements in NSW**

The VFFA believe that the NSW Rural Fire Service (RFS) must be the lead agency responsible for overall control of bush fire suppression in NSW outside NSW Fire Brigade (NSWFB) district.

The bushfire fighting arrangements in NSW currently recognise the RFS, NSWFB, National Parks and Wildlife Service (NPWS) and State Forests as fire authorities under the NSW Rural Fires Act 1997 (RF Act). These agencies are independent of each other and can operate unilaterally until the declaration of a bushfire emergency under section 44 of the RF Act.

The NPWS and State Forests have a dual responsibility of public land management (NPWS protection of heritage and conservation values and State Forests, silviculture) and fire prevention / suppression. The VFFA is of the view that the land management agencies retain fire authority status under the RF Act and continue to undertake bushfire mitigation and suppression on public lands, however these agencies should be



under the command and control of the RFS for all bushfire mitigation and suppression activities on their lands.

Under a declared bushfire emergency (section 44 RF Act), the incident controller appointment may be drawn from the RFS, NSWFB, NPWS and State Forests under local bushfire emergency plans.

The VFFA submits to the senate inquiry that RFS must be the fire boss for all bushfires in NSW with all incident controllers drawn from the ranks of the RFS.

### Recommendation

1. That the RFS is designated the senior fire authority for all bush fires from class 1 (small fire) to a declared bushfire emergency under section 44 of the Rural Fires Act, across all land tenures in NSW, except NSWFB Brigade District.
  - a) All NSW land management agencies would be legally required to support the RFS in the mitigation and suppression of bushfires in NSW. The Rural Fires Act must be amended to reflect this structural change in command and control.
  - b. **the extent and effectiveness of bushfire mitigation strategies and practices, including application of resources for agricultural land, national parks, state forests, other Crown land, open space areas adjacent to development and private property and the impact of hazard reduction strategies;**

### Bushfire Mitigation

Hazard reduction by prescribed burning has been identified as a key management tool to reduce the intensity and spread of bushfires in national bushfire enquiries since the 1939 Stretton Royal Commission. In this regard the VFFA supports:

- a) strategic and targeted hazard reduction by prescribed burning to reduce forest fuel levels and bushfire threat to human life (including fire fighter safety), property and the environment in areas identified as high bushfire risk
- b) bushfire risk management planning approach based on the 'Canobolas' Model in NSW.
- c) integrated hazard reduction by prescribed burning and complementary methods such as slashing, grazing and cultivation.
- d) the provision of adequate recurrent state and commonwealth funding to rural fire agencies, land management agencies and local government for the creation and maintenance of asset protection zones and fire trails in high bushfire risk areas on a planned and sustained basis.
- e) ongoing relevant research on fire behaviour, prevention and management and the effects of fire on biodiversity through the Bushfire Cooperative Research



Centre, that provides for the inclusion of science based findings into bushfire planning and suppression across Australia.

- c. **the identification of measures that can be undertaken by government, industry and the community and the effectiveness of these measures in protecting agricultural industries, service industries, small business, tourism and water catchments;**

#### **Rural Fire Service Funding.**

Currently the NSW RFS is funded, in part, by the emergency services levy. This model is flawed because it discourages the sort of behaviour desired by the state. The best means of ensuring people recover from the impact of fires is to encourage the maximum number of residents in the state to self insure.

The emergency services actually discourages this by taxing those who take out insurance against loss in fire. Two far better methods of funding the RFS would be by using general revenue or a levy on local government rates. The former method is unlikely to be used given the present financial situation in NSW but the latter could be used if it was identified on a rate notice as an emergency services levy. The clear advantage of this system is that the burden of funding is spread across the whole community instead of being met by only those who choose to self insure.

#### **Bush Fire Warning Systems**

A significant body of evidence and recommendations on warning and information systems has been considered by the Victorian Royal Commission into the Black Saturday bushfires.

The VFFA supports the introduction of nationally developed telephone based automatic bushfire warning system (SMS text) across Australia at a strategic level and endorses the introduction of strategically located town sirens in local communities with a significant bushfire risk in NSW to provide warnings and to capture the public's attention. The VFFA is of the view that the introduction of town sirens is a relatively low cost option that can be actioned expeditiously in NSW.

It is envisaged that the town sirens could serve as a warning system for other natural disasters including floods and severe storms.

#### **Recommendations**

1. That the NSW Government expedite the installation of strategically located town sirens in local communities with a significant bushfire risk in NSW to provide warnings of impending bushfire danger.
  2. That the RFS support the installation of town siren infrastructure with appropriate community consultation and education
- d. **any alternative or developmental bushfire prevention and mitigation approaches which can be implemented;**



## **Bushfire Risk Management Planning**

The VFFA supports the adoption of the NSW Risk Management Planning approach adopted by the NSW RFS and based on the Canobolas Model as a model for the State and Australia.

The Canobolas Model arose in the aftermath of the "Goobang Fire" in the Goobang National Park fire in the Central West of NSW in 2001/2002 fire season in which shortcomings in the local bushfire risk management plan were identified.

The Canobolas Model is a bushfire risk management plan that provides a tenure blind broad landscape approach to bushfire management. The plan works by dividing the landscape into different zones, allocating risk and identifying a range of treatments option including hazard reduction by prescribed burning. The goal of the plan was to protect life and property as well as the natural environment and cultural heritage across a broad landscape.

There was extensive community consultation and the incorporation of local knowledge into the plan. Community consultation involved "gum tree" meetings involving 2500 people in more than 80 meetings mostly through local brigades. All stakeholders in the plan had equal ownership of the risk management planning process.

The VFFA understands that the Canobolas Model has been successful in meeting hazard reduction targets and benchmarks since its inception.

### **Recommendation**

1. That the Canobolas Model is adopted as an example of best practice bushfire risk management model for Australia.
- e. the adequacy and funding of fire-fighting resources both paid and voluntary and the usefulness of and impact on on-farm labour;**

### **Radio Communications**

The VFFA notes the ongoing problem with inadequate communications (interoperability) across fire fighting agencies and with land management agencies.

NSW volunteer rural fire-fighters working with NPWS and State Forests units are unable to communicate by radio at a tactical level on the fire ground. This has been an ongoing source of frustration to fire-fighters on the fire ground for many years. Ironically, the RFS and the land management agencies both use portable radios on the fire ground in the VHF band, however they operate at different frequencies in the VHF band. Inadequate communications does compromise the operational effectiveness of the agencies working together and the safety of volunteer rural fire-fighters on the fire ground.

The RFS and land management agencies need to develop and implement agreed communications plans and compatible radio systems for strategic command and tactical communication on the fire ground.



For strategic communication at command level, RFS PMR radios should be supplied and installed in all NPWS and State Forests vehicles. For tactical communication on the fire ground portable fire ground radios in the VHF band with common frequencies should be supplied to all fire fighting and land management agencies.

With regard to fire ground communications with interstate fire fighting agencies, the VFFA draws to the attention of the Senate Inquiry attention the *“Report on Communication Issues”* by Brian Parry and Associates Pty Ltd (25 September 2003) to the The House of Representatives Select Committee into Recent Australian Bushfires in 2003 in which a key recommendation was the utilisation of the UHF CB network for communications at the fire ground level between interstate fire agencies.

For tactical fire ground communication between interstate fire fighting agencies all vehicles be installed with UHF CB radios.

A further key recommendation of the report was the development of a national emergency radio network and the VFFA requests that this Senate Inquiry review the progress made by the Australian Communications Authority and the Australasian Fire Authorities Council towards the achievement of this goal.

### **Recommendations**

1. For strategic communication at command level, RFS PMR radios should be supplied and installed in all NPWS and State Forests vehicles
2. That the use of fire ground portable radios operating at common frequencies in the VHF band be adopted for tactical communications at the fire ground level between NSW rural fire agencies and land management agencies in NSW
3. That the senate inquiry review the key recommendation of the *“Report on Communication Issues”* by Brian Parry and Associates Pty Ltd (25 September 2003) to the The House of Representatives Select Committee’s report into *Recent Australian Bushfires in 2003* being the development of a national strategic emergency radio system and the progress made by the Australian Communications Authority and the Australasian Fire Authorities Council towards attaining this goal
4. That bush fire agencies across Australia adopt the utilisation of the UHF CB network for compatible communications at the fire ground level during interstate deployments.

### **Water Tanks for Fire fighting Purposes**

The VFFA supports the strategic installation of both above ground and groundwater (dams) water tanks (40000 litre minimum capacity) on public lands such as crown lands, national parks and state forests in high risk bushfire zones without access to reticulated water supply. The water tanks would act as water resource for fire fighting and hazard reduction burning. The VFFA contend that adequate water storage is essential for quick turn around by fire fighting appliances during prescribed burning and bushfire suppression



## **Recommendation**

1. That strategically located concrete (or similar quality) water tanks of a minimum volume of 40000 litres be installed on public lands in high risk bushfire zones without access to reticulated water supply and, maintained by the land owner.

## **National Standardisation of Rural Fire fighting Plant and Equipment**

The VFFA supports the ongoing standardisation of rural fire fighting trucks and equipment across Australia.

The VFFA is of the view that the nationwide standardisation of rural fire fighting trucks and equipment is an imperative for the following reasons:

- a) Recognition of the significant increase in interstate assistance and collaboration of rural fire suppression agencies in responding to bushfire emergencies in recent years eg Sydney 1994, Canberra 2003, Black Saturday 2009.
- b) Occupational health and safety considerations. Interstate volunteer rural fire-fighters required to operate unfamiliar fire tankers and equipment including communications systems, pumping systems, couplings and fittings eg Country Fire Service, Country Fire Authority and Rural Fire Service.

## **Recommendations**

- 1 The Australasian Fire Authorities Council co ordinate the development and implementation of uniform national standards for rural fire fighting trucks and equipment for adoption by state rural fire agencies.
- 2 That rural fire fighting agencies across Australia adopt uniform national standards for rural fire fighting trucks and equipment.

## **National Standards for the Procurement of Rural Fire fighting Plant and Equipment**

The VFFA believes significant economies of scale and savings could be achieved through a national agreed approach to the procurement of rural fire fighting trucks and equipment enabling limited state financial resources to be stretched further with efficiency savings redirected by state rural fire agencies into other vital areas such as fire prevention.

Coordinating the procurement of fire fighting trucks and equipment across Australia at a national level would boost the leverage available in dealing with manufacturers of fire fighting plant and equipment thus in theory driving down procurement costs.

A national procurement strategy would also enhance the standardisation of trucks and equipment across rural fire agencies in Australia.

## **Recommendations**



1. Rural fire fighting agencies across Australia adopt a standardised national fleet management strategy for the procurement of rural fire fighting trucks and equipment.
2. The Australasian Fire Authorities Council co ordinate the development and implementation of a standardised national fleet management strategy for the procurement of rural fire fighting trucks and equipment.
3. The Australasian Fire Authorities Council coordinate through a national procurement committee, negotiations with fire fighting trucks and equipment manufacturers regarding discounts on plant and equipment purchased through the national scheme.
4. That a National Spare parts centre be setup adjacent to a major airport to form a central store for the fast distribution of spare parts to all national areas. This will significantly reduce the overall capital cost of spares parts, lots of which are duplicated and currently being held in smaller State stores located around the country.

**g. the role of volunteers;**

**Volunteer Recruitment and Retention**

The NSW Rural Fire Service (NSWRFS) currently boasts a volunteer membership of 70,000 members made up of active fire fighters, communication and catering personnel and other support roles.

There has been much debate recently within political circles and the media as to the exact numbers of active fire fighters available to attend fires within NSW with figures quoted, ranging from 28,000 to 45,000 active fire fighters. Whilst the exact figure is unknown, it is a fact that presently less than 30,000 members are registered as being trained in basic bushfire training, which is a prerequisite for being an active fire fighter in the NSWRFS.

Nonetheless, the VFFA is aware that a significant portion of active fire fighters of the baby boomer generation who will reach retirement age over the next 10 years. This situation coupled with an aging population, shifting demographics with many young people leaving rural areas and moving to the city pursuing further education and employment may potentially diminish the number of active fire fighters in the NSWRFS who are available to fight fires in the future.

The VFFA therefore supports the introduction of a range of "incentives" to encourage young people to join the NSWRFS as active fire fighters as well as retain experienced fire fighters to lead and mentor the next generation of active fire fighters.

The VFFA is an advocate of incentives that could attract and retain volunteer fire fighters and support them in the performance of their duties. However this does not extend to direct financial compensation which could be deemed a form of payment for services, or any other matter which conflicts with the ethos of volunteerism in Australia today.



Incentives that could be considered to recruit and retain active fire fighters could include:-

- Tax relief for PAYE and self employed volunteers of the NSWRFs,
- Reimbursement for out of pocket expenses associated with the maintenance of existing fire fighting equipment and the purchase of new fire fighting equipment,
- Reimbursement for costs incurred while travelling to and from meetings, training and incidents,
- Reimbursement of telephone costs associated with fire fighting,
- Rebate on drivers licence fees, e-tag fees, private health insurance fees, TAFE and university fees, council rates, electricity and water bills, public transport costs, car and home insurance policies.
- The establishment by the commonwealth government of a volunteer support fund to assist volunteer fire fighters who may suffer financial hardship as a result of being away from their normal employment fighting a bushfire during a protracted bushfire emergency that exceeds 7 days. For example, a self employed volunteer fire fighter and other fire fighters whose employer is unable or unwilling to support their absence from work.

## Recommendation

1. That the commonwealth and state government consider the introduction of a range of incentives to attract young people to join the NSWRFs as well as retain the services of experienced active fire fighters to lead and mentor the next generation of active fire fighters.
  - a. Such incentives could include tax relief, reimbursement of expenses incurred while participating in fire services activities and the establishment of a volunteer support fund to assist volunteer fire fighters who may suffer financial hardship as a result of being away from their normal employment fighting a bushfire during a protracted bushfire emergency that exceeds 7 days. For example, self employed volunteers.

## Volunteer Welfare

The VFFA is aware of a "Volunteer Welfare Fund" operating in Victoria by the Volunteer Fire Brigades Victoria Association to provide for the ongoing health and welfare of volunteer members and their families who are experiencing significant financial hardship. The VFFA understands that the welfare fund operates by providing small emergency relief welfare grants to volunteers on a needs basis to assist a volunteer fire fighter to maintain their involvement as a volunteer in the CFA.

The VFFA understands that the Victorian Government committed a one off capital injection of \$2 million in 2008 to establish a self sustaining welfare fund for all CFA volunteers with oversight provided by a welfare management committee. Brigades have the option of paying an annual subscription fee to retain membership of the welfare fund to sustain the welfare fund into the future.

The VFFA recognises that the financial burdens that beset CFA volunteers like the loss of employment, family illness and death, workplace injury and drought are not unique to Victoria and the adoption of a state based volunteer fire fighter welfare fund within NSW and other states of Australia has merit.



## Recommendation

1. That the Commonwealth and State Governments consider the establishment of a volunteer rural fire fighter welfare fund modelled on the Victorian volunteer welfare fund across Australia

### Volunteer Discipline and Grievances Procedures.

The VFFA understands that all rural fire fighting agencies in Australia have internal volunteer grievance and discipline procedures.

The VFFA is concerned that in NSW volunteer rural fire-fighters who are subject to disciplinary action and who lodge grievances against paid staff have no option than to place faith in a system that is owned, controlled and arbitrated by the RFS.

Under the *NSW Rural Fires Regulation 1997* a member of a rural fire brigade can be guilty of a breach of discipline if they are negligent, careless, inefficient or incompetent in the discharge of their duties. Hence the grounds for bringing disciplinary charges against a volunteer rural fire fighter are very broad, poorly defined and wide open to interpretation.

Disciplinary proceedings are managed initially at brigade level with provisions to escalate discipline proceedings to volunteer discipline committees at the District level and to the RFS head office at State level. Of concern to the VFFA is that there is no requirement under RFS service standards for district discipline committees to have formal training in disciplinary matters however they should be provided with support by salaried qualified RFS staff.

Grievances lodged by volunteer fire-fighters against RFS staff are managed at District level with provisions for escalation to the Region and State level of the RFS.

Volunteer rural fire-fighters who are subject to an unfavourable disciplinary finding may seek a review of a discipline decision made at the District level by the RFS District Manager and appeal an unfavourable discipline finding to the RFS Commissioner.

An unfavourable disciplinary finding against a volunteer rural fighter has the potential to harm their personal reputation, integrity and mental well being particularly if it involves demotion, suspension and dismissal from the RFS.

Given the serious nature of disciplinary matters and the potential personal effects on a volunteer, it is imperative that volunteer rural fighters are afforded support and privacy services available to full time fire-fighters employed by the NSW Fire Brigade.

The VFFA have identified several problems with the volunteer rural fire fighter disciplinary and grievance procedures in NSW that are in need of reform:

1. Volunteer rural fire-fighters have no access to an independent qualified industrial officer where they can go to seek assistance, legal advice and representation.



- a. The VFFA is concerned that under the present system volunteer rural fire-fighters, without the support of a trained industrial officer (independent of the RFS) are vulnerable to self incrimination and prejudicing their defence in disciplinary proceedings brought against them by the RFS.
2. A volunteer rural fire fighter's only right of appeal against an unfavourable discipline finding is to the RFS Commissioner. The decision of the RFS Commissioner is final.
    - a. The VFFA is concerned that there is no third party right of appeal to an independent body with a volunteer charter (external to the RFS bureaucracy) to review:
      - i. an unfavourable discipline finding against a volunteer rural fire fighter.
      - ii. a favourable discipline finding towards paid staff.
      - iii. the evidence, case management, rationale for the decision and fairness, partiality, equity and natural justice in the proceedings.
  3. Grievances lodged against staff at District, Zone and Team level are adjudicated by senior operations managerial staff at Region and State level.
    - a. The VFFA is concerned about the independence in a process where senior management within the operations section of the RFS, manages and adjudicates grievances brought by volunteer rural fire-fighters against its own operational staff.
  4. The training, qualifications and experience of volunteers presiding on district discipline committees.
    - a. The VFFA is concerned that there is no requirement in the RFS service standards for volunteers on district discipline committees to have training in mediation, conflict resolution, negotiation, arbitration and conciliation.
  5. The training, qualifications and experience of paid RFS operations staff engaged in the case management of grievances brought by volunteers against paid RFS staff.
    - a. The VFFA remains unclear whether paid RFS operations staff possess appropriate training, qualifications, expertise and relevant industry experience in conflict resolution, mediation, negotiation, arbitration, conciliation and the principles of collaborative law.

## Recommendations

1. Volunteer rural fire-fighters subject to disciplinary charges be afforded the same level of support services available to full time fire fighters employed by the NSW Fire Brigade eg access to assistance, advice and representation by a professional industrial officer (or volunteer advocate), who is independent of the RFS.
  - a. It is envisaged that the provision of professional industrial support services to volunteer rural fire-fighters would be funded by the state government , and contracted to an external accredited provider of the volunteers choice. Also strict privacy provisions should be enforced in all cases.
2. Mandatory formal training is provided to all volunteers who participate on district disciplinary committees in mediation, conflict resolution, negotiation arbitration and conciliation and principals of collaborative law.
3. RFS Staff who case manage and adjudicate on discipline and grievances involving volunteers and staff have appropriate training, qualifications and



experience in mediation, conflict resolution, negotiation arbitration and conciliation and principals of collaborative law.

4. Discipline and grievances that escalate to the RFS bureaucracy are case managed by a specific internal integrity unit that is fully independent of the operations arm of the RFS and reports directly to the RFS Commissioner.
5. Provision is made for a third party appeal to an independent body with a volunteer charter to review:
  - i. unfavourable discipline findings against volunteer rural fire-fighters involving serious punitive action i.e. suspension and dismissal.
  - ii. favourable discipline findings for matters involving serious grievance and discipline allegations made by volunteer rural fire-fighters against paid staff.
6. The decision of the independent body must have the powers and authority to impose legally binding decisions on the RFS.
  - a. Existing organisations that could provide an independent third party review of discipline and grievance matters (subject to legislative and structural reform) include:
    - i. NSW Industrial Relations Commission
    - ii. NSW Ombudsman
    - iii. NSW Community Justice Centres
  - b. The establishment of a *volunteer tribunal* similar in concept to the NSW residential tenancy tribunal with the terms of reference of the tribunal extended to all emergency service volunteer organisations in NSW.

### **Volunteer Representation on Management and Committee.**

The RFS prior to the introduction of a State run Rural Fire Service was manned by a purely volunteer group of members who were largely autonomous brigades and came together as the need arose. Following some disastrous fires in the Blue Mountains where communications between brigades became a major issue the Government of the day decided to set up the Rural Fire Service to "assist the volunteer brigades to form a cohesive fire fighting force". The size of the RFS has grown enormously from very small beginning to a burgeoning bureaucratic Public Service monster that it is today. To arrest this situation and to return the RFS to its rightful owners "The Volunteers", it is suggested that elected volunteer directors be recruited who would form a management board to oversee the workings and direction of RFS.

The suggestion is that the Chairman of the board be appointed by relevant State Minister, thus giving the board a conduit directly to the Minister and Government and four volunteer board members elected from each of the four State Region plus the CEO (currently the Commissioner). This then would provide a governing body of six directors with the possibility of a State elected Volunteer Representative.

By adopting this principle would provide the volunteers with a positive input into administration and operation of the RFS so that it would become a separate independent and autonomous arm of Government rather than just another Government department as it is today.

Whilst this suggestion is in its embryo stage it is not without precedent; The National Roads and Motorist Association and the Australian Broadcasting Commission are but two prime examples of such organisations and the RFS would flourish by following such a restructure.



The VFFA notes that there are a number of committees that have oversight of bushfire planning, operations and management in NSW. These include:

1. RFS Advisory Council – State
2. Bush Fire Coordinating Committee – State
3. Bush Fire Management Committees – District/Zone/Team

The VFFA contends that the composition of the state committees and the District Bush Fire Management Committees are well represented by government and non government agencies and under represented by rank and file volunteer rural fire fighters (below the rank of Group Captain) resulting in:

- a) marginal participation by rank and file volunteer rural fire-fighters on the committees
- b) a lack of continuity between the activities of the committees and the rank and file rural fire-fighters

The VFFA is of the view that rank and file volunteer rural fire-fighters should be better represented as important stakeholders on these committees as they make up the bulk of the RFS membership.

In respect of the Bushfire Coordinating Committee and the Rural Fire Service Advisory Council the VFFA advocates that a minimum representation of 1 volunteer drawn from each rural fire region of NSW below the rank of Group Captain be represented on the committees. In addition, two (2) youth representatives under the age of twenty five (25) should be represented on the abovementioned committees to represent the views of young volunteers in the future direction of the RFS.

The selection process for volunteer representation on the local bushfire management committees would be initially by brigade nomination of candidates at District level with the successful candidates selected through popular vote by the brigades.

The selection process for volunteer representation on the state committees would be initially by brigade nomination of candidates at District level with the successful candidates selected by popular vote by the brigades and then by formal interview at regional level to represent the region.

Youth representation on local committees would be through an expression of interest and formal interview at the local level. Youth representation on state committees would be through an expression of interest and a formal interview process by an RFS/volunteer interviewing committee..

Amendments would be required to the Rural Fires Act and Regulation to change membership eligibility criteria to facilitate the membership and participation of rank and file volunteer rural fire fighters and young people on the local and state committees.

## **Recommendation**



1. The composition of the NSW RFS State and District bushfire committees are reformed to include greater representation of rank and file volunteer rural fire fighters (below the rank of Group Captain) and youth representation from volunteer members of the RFS.

## **Workers Compensation**

The VFFA is concerned that the workers compensation scheme in NSW for injured volunteer fire-fighters who are self employed, unemployed, students and retired members is inadequate.

The current income calculation method for self employed volunteers relies upon the claimant providing details of their "average weekly earnings including taxation returns and business activities" to Workcover NSW to facilitate the calculation of a suitable weekly compensation wage. In the absence of records, Workcover can make the decision of what constitutes a weekly compensation wage without any right of appeal. Clearly injured volunteer fire-fighters without a reliable income would be disadvantaged by the existing workers compensation scheme.

Further, the workers compensation scheme in NSW provides for the determination of a weekly compensation wage for a person to manage an injured volunteer's enterprise such as a farm whilst the volunteer recovers from their injuries. As each enterprise is unique and in the absence of holistic industrial awards and guidelines, the plausibility of undervaluing the farming enterprise is real and would place the viability of a farmers enterprise at significant financial disadvantage also the injured party has no right of appeal to whatever "workcover" determine.

The VFFA advocates a simple system of volunteer compensation for self employed volunteers (and volunteers who fall into the other above mentioned categories) that should provide a fair compensation payment based on the Commonwealth "Average Weekly Wage" determined by the Commonwealth Bureau of Census and Statistics and be managed solely by an RFS compensation officer and the injured party's doctor.

The VFFA notes that the current workers compensation scheme for injured volunteer fire-fighters in NSW is grossly deficient in the provision of:

- a) On going compensation for a long term disability and a reoccurring / intermittent physical or mental disability associated with an injury incurred whilst volunteering.
- b) Compensation for loss of entitlements including superannuation, annual and maternity / paternity leave
- c) Compensation for loss of future career earning capacity and industrial award increases.
- d) Long term welfare and chaplaincy services for injured volunteer rural fire fighters in NSW.

## **Recommendations**



1. The workers compensation scheme in NSW for volunteer rural fire-fighters is reformed to provide self employed, unemployed, students and retiree volunteers a fair compensation payment based on the Commonwealth "Average Weekly Wage" determined by the Commonwealth Bureau of Census and Statistics.
2. The workers compensation scheme in NSW for volunteer rural firefighters is reformed to provide for an on going compensation for long term disabilities and reoccurring / intermittent physical or mental disabilities directly resulting from injury incurred whilst volunteer fire fighting.
3. The RFS collaborate with relevant industry groups such as the National Farmers Federation to develop guidelines / standards for determining a fair weekly compensation wage for temporary staff employed to manage a business such as a farm enterprise during the recovery period of the incapacitated volunteer fire fighter.
4. The workers compensation scheme in NSW for volunteer rural fire-fighters is reformed to provide compensation for loss of employment entitlements including superannuation, leave, loss of future career earning capacity and industrial award increases.
5. The workers compensation scheme in NSW for volunteer rural fire-fighters is reformed to provide for on going welfare and chaplaincy services for injured volunteer rural fire fighters with long term disabilities and reoccurring / intermittent physical or mental disabilities.
6. That a comprehensive workers compensation package in plain English be developed and included in volunteer recruitment packs for the information of potential recruits and probationary volunteer rural fire-fighters.

### **Training – Recognition of Prior Learning**

Recognition of Prior Learning (RPL) is available to volunteer rural fire fighters in NSW in lieu of completing a formal RFS training course to obtain an accredited qualification.

Unfortunately RPL is a rigorous complex process mired in red tape which requires evidence of formal qualifications and competencies against defined standards, and places the obligation upon the volunteer rural fire fighter to produce the evidence.

Consequently many volunteer rural fire-fighters view the RPL process as too difficult and are often motivated or persuaded to complete a formal RFS training course in lieu of RPL. This is reflected in the poor uptake of RPL by volunteer rural fire-fighters across NSW.

RPL should be about offering volunteer rural fire-fighters the opportunity to display their industrial skills and knowledge against a job task however this requires a change in the current training paradigm from a reliance on formal education evidence to a skills base acquired through employment and industry experience. For example chainsaws skills, experience and training acquired by professional arborists and forestry timber workers



should be recognised by the RFS as equivalent to internal RFS chainsaw training courses..

For RPL to be an effective and preferred choice of volunteer rural fire-fighters, more emphasis and recognition must be placed on the skills acquired by volunteers in life and work which could be equivalent to a formal RFS qualification.

The provision of RPL competency mentoring and skill refinement at brigade level prior to a formal competency assessment at District level is supported by the VFFA.

There is significant scope within the RFS mainstream training programs such as crew leader, group leader and specialist programs i.e. chainsaws, aviation, catering, OHS and rural fire driving to recognise established industry certified training courses.

The VFFA understands that the Country Fire Service of South Australia has acknowledged the potential and value of industry specific qualifications and experience and are moving to internalise the recognition and acceptance of industry acquired training and qualifications in CFS volunteer rural fire fighter training courses and RPL.

### **Recommendation**

1. That the Commonwealth government through the Australasian Fire Authorities Council, and state Vocational Education and Training Accreditation Boards (VETAB) engage with key industry groups to identify equivalent or part equivalent industry training and qualifications and develop standards / guidelines for the incorporation and recognition of industry training and qualifications in rural fire fighter training programs and in the 'Recognition of Prior Learning' process across Australia

### **Volunteer Passports**

The VFFA supports the concept of a government funded "volunteer skills passport" being championed by Volunteering Australia for the volunteer sector.

The idea of a volunteer passport was proposed at the national 2020 Summit and the VFFA is of the view that the proposal has merit given the increased mobility of the Australian population with volunteer rural fire-fighters no exception to this trend.

The VFFA understands that a volunteer passport would include the personal and training records of a volunteer and, the portability of the passport would enable volunteers to join interstate volunteer rural fire agencies without rigorous vetting or the need to repeat police checks.

The introduction of a volunteer skills passport may enhance the recruitment of young people to the RFS as the proposal has been mooted by the Federal Government as an opportunity for gap-year students to acquire a skills record from their volunteer community work to use as credit towards university entry or to reduce HECS debts



## Recommendation

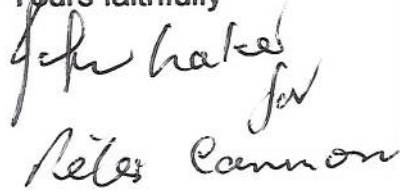
1. That the Council of Australian Governments work with state and territories and Volunteering Australia to develop and implement a national volunteer skills passport for adoption by state rural fire fighting agencies.

## Conclusion

The VFFA wish to thank the Senate Committee for the opportunity to provide this submission and trusts that the information is beneficial to the inquiry. Should the opportunity arise, the VFFA would consider it a privilege to attend a public hearing in support of our submission.

Please contact me if you would like any further information or clarification.

Yours faithfully

A handwritten signature in black ink that reads "Peter Cannon". The signature is written in a cursive style with a large initial "P" and a long, sweeping underline.

Peter Cannon  
President

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