



VOLUNTEER FIRE BRIGADES VICTORIA

News Note

Tuesday, 16 November 2010

VFBV Special State Council Meeting *– a report to Volunteers*

Around 400 VFBV members – Board, State Councillors, District and Group representatives as well as a number of local brigade representatives - met last Saturday afternoon at Moonee Valley Race Course as the first Special State Council Meeting of VFBV.

The meeting had been called by the VFBV Board in response to the call from districts, brigades and members for a meeting to discuss the following widespread CFA volunteer concerns:

- A growing failure of CFA leadership to genuinely respect, engage and listen to volunteers whether at local or state level;
- Treatment of Volunteers and the failure of the CFA and Government to abide by the Volunteer Charter;
- The negative effects on volunteers of CFA's recent industrial deal; and,
- The failure to give priority to volunteer needs and requirements to do the important work for which we have all volunteered.

The purpose of the meeting was to receive up to date reports on the actions taken up to the meeting, progress to address these concerns including responses from the Government, Opposition and CFA, and to discuss the next steps we should take including our short and long term strategies as an association of volunteers.

The President's Address to the Meeting:

The following is an extract from the opening address by our President Hans van Hamond which set the tone for the next 4 hours of meeting:

In our contributions today it is important that we are clear on what we really want, what is appropriate for Government to do and what are the responsibilities of CFA.

*What we want – what our very motivation is – can be very simply expressed as ‘**Maintaining and building an even stronger volunteer based CFA for Victoria**’.*

Repeatedly over the years we have made clear that we do not think that Government should intervene in the day to day administration and operations of the CFA.

CFA is a statutory authority created in law to provide fire and emergency services and the CFA Act creates its powers and responsibilities to do the job and sets accountabilities and requirements for its operations and performance.

The role of Government is to:

- *ensure CFA does its job under the Act (that is, meets the requirements, duties and obligations set in law by the Parliament);*
- *ensures funding is available to do that job,*
- *hold CFA accountable for its performance and operations including to Parliament and the public; and,*
- *set general policies within which the CFA Board and Management must act.*

As we have witnessed in the last few months, Government sometimes fails to ensure that policies and commitments are followed.

The failure to abide by the terms of the Volunteer Charter is a prime example of such policy failure, and the consequences of that failure have been serious.

But it is the CFA Board and their Management that are responsible for day to day administration and operations and setting resource priorities to fulfil the obligations and objectives set out in the CFA Act.

*In a real and practical sense, **it is CFA that is supposed to work with volunteers** – engage us, consult us, listen to us, make sure as a priority we are trained, equipped, supported and utilised **all in the name of delivering the best practical protection for Victorian communities covered by CFA.***

The complaints, concerns and anger our members express is that CFA has failed to meet its responsibilities and give the right priority to its volunteers. Volunteers are deeply disappointed and angered that volunteers are taken for granted and that CFA leadership accord a much higher priority to looking after the interests of some paid staff and their union.

In setting their priorities, the CFA Board and Management often seem to forget that volunteers make up over 97% of CFA’s workforce and paid operational staff about 1% of the workforce.

Simply put, without volunteers, there is no effective CFA service to Victorian communities.

Lest anyone thinks that this is an attack on paid staff, let's be very clear ...

– we respect our paid colleagues and the work they do supporting and where necessary supplementing volunteers. VFBV does not seek and never has sought to interfere with their lawful pay and conditions negotiations with CFA.

But we are determined to have our say and be listened to on any matters that affect volunteers.

VFBV Strategy and Response: Legislation

The key point of Hans' address, and the central issue repeatedly raised by districts, is that our experience over recent years shows we can no longer rely on what was the traditional approach of the CFA Board and management to co-operatively engage, listen to and respond to volunteer needs and concerns. Nor can we rely on the CFA Volunteer Charter in its current form, which is really a set of promises with moral and not legal force.

The replacement or elevation of the CFA Volunteer Charter and its guarantees of volunteer rights to the point of becoming legally enforceable has been a key strategic objective of the VFBV Board.

Additionally, the VFBV Board's strategy has also been to achieve legal recognition by incorporation in the CFA Act that CFA is a volunteer based fire and emergency service, that its services are predominantly provided by volunteers and establishing a legally binding requirement that CFA must take all practical steps to maintain and build volunteer capacity.

These legislative changes can only be made through Parliament by the Government of the day. As a result of negotiation with both the Government and the Opposition, the VFBV Board was able to report to the meeting that the major political parties have committed to these legislative changes.

As part of the CFA Act, the CFA Board and Management are bound to observe and enact them.

VFBV Strategy and Response: Dealing with impediments to CFA volunteerism

The VFBV Board's strategy also covers immediate objectives to deal with any direct negative effects, or flow on effects, of the recent industrial deal. The obvious starting point for this is a full impact analysis and then the development and implementation of practical ways to overcome, or at least in the short term, mitigate the impact on volunteers.

The Government, the Opposition and the CFA have now committed to working with VFBV on this part of our strategy.

Under the Government's commitment, a co-operative working group consisting of CFA, VFBV and (importantly) Government will be established and empowered to, amongst other things, identify, examine and initiate responses to any impediments to volunteering, particularly in regard to volunteer recruitment, training, resourcing and utilisation. This will include impediments arising from industrial deals as well as any other impediments identified.

Significantly, the Government has also committed to ensuring that CFA will implement the Brigade Support and Resource Continuum as requested by VFBV.

The Opposition's commitment is to establish an independent inquiry into the impact of industrial agreements on CFA volunteers and develop an action plan to deal with those impacts.

The reality of either approach is that the Operational Staff's Agreement between CFA and UFU is a registered binding Agreement. Consequently, each of its clauses are binding on CFA (except if any of them are found to be unlawful and therefore unenforceable). Legal and industrial interpretation on the meaning and application of clauses of the Agreement which appear to negatively impact volunteers is a matter to be further investigated by VFBV. Other forms of mitigation, such as expansion of resources for volunteer training and support are also being pursued, and CFA CEO Mick Bourke's correspondence, received by VFBV late on Friday before the Saturday meeting, commits CFA to address this specific issue.

For its part, and after a number of very recent meetings, the CFA Chairman Kerry Murphy has given the following specific undertakings (in writing from CFA CEO Mick Bourke) on the eve of our Special State Council Meeting:

- New career manning at stations being an outcome of needs established by the Chief Officer, and that if for instance, day manning is all that is required than that would occur; and 24 hour manning would only follow if proven necessary at some later date;
- The number of BASO's not being reduced;
- Improving the numbers, availability and responsiveness of instructors for volunteer training;
- Working with VFBV on the roles and duties of the forthcoming Volunteer Support Officers; and
- Consulting with VFBV in a manner aligned to the Volunteer Charter.

The application of the following three commitments means that brigade volunteers will play a primary role in working with the Chief Officer to determine and implement brigade support based on need and not based on any industrial side deals.

Those commitments are:

- CFA's commitment that any allocation of paid staffing to volunteer brigades, including the type of rosters (daytime or 24/7), will be based on need as determined by the Chief Officer;
- the commitments of the Government, Opposition and CFA regarding adherence to the CFA Volunteer Charter and its requirement for meaningful consultation; and,
- the Government's commitment to ensure that the continuum approach to volunteer brigade support (that is, the exhaustion of other support options before proceeding to paid staff appointments) is followed by CFA.

VFBV Strategy and Response: Ensuring an Effective Voice for Volunteers

Another key element of VFBV's strategy is to ensure that CFA volunteers have an effective voice, both through the work of VFBV and through commitments of Government and CFA to genuinely engage with VFBV on behalf of volunteers.

The Government has committed to ensuring VFBV is appropriately funded by the CFA to undertake its role, including its role as the representative body for CFA volunteers for consultation and working with the CFA and/or Government, the promotion of volunteerism and the training of volunteer leaders and support for VFBV to undertake a volunteer promotion and recruitment campaign.

The Government has also reinforced its view that it is a duty of the CFA to represent the rights and interest of volunteers in dealing with external parties.

VFBV Longer term strategy:

The VFBV long term strategy is to pursue with other volunteer organisations new legislative approaches to protect and promote volunteerism. This includes a Commonwealth Act of Parliament which we have given the working title of *The Volunteer Respect Act*. Such an Act would set in law volunteer rights, including the right to be consulted on any matter that may have an impact on them before relevant decisions and actions are taken, and obligations on all levels of government, their departments and agencies, to formally assess and consider in their decisions the effects of their decisions on volunteers.

It is intended that this Act would have equal standing to the Fair Work Australia industrial legislation. This is a long term undertaking, but the very process of its development will act as a platform to build support for volunteer rights amongst both lawmakers, community leaders, media and the public. A team led by VFBV Board member Frank Zeigler is developing this strategy which will be detailed in later communication.

This overall approach by the VFBV Board was endorsed by the Special State Council meeting after several hours of reports, questions and discussion.

VFBV Members' commitment:

From all of our recent experience and responses from the Government, Opposition and CFA one very important thing is clear – it is the work of volunteers around the state talking to local MPs and candidates and the communication of our issues and concerns through local and statewide media (whether by media releases, interviews, talk-back radio or letters to the editor) that have enabled the recent giant strides we have made in having our issues addressed.

But we still have a long way to go and there is much to be done.

We have to hold our members of parliament accountable to honour their commitments and make sure they aren't watered down.

We have to engage CFA leadership, management and staff and ultimately win them to our cause so that they not only work to support us because they have to at law but because they want to.

And, most importantly, we have to engage with the public, especially in our local communities, and build their awareness and understanding of who we are and the professional service we provide as volunteers.

With commitment, continued unity of purpose and an ongoing engagement with CFA leadership, MPs, media and the public we can continue to drive our objective of volunteer rights, prevention of industrial interference and our proper role as the backbone of CFA, to maintain and build CFA volunteerism and thereby protect our communities and fellow citizens.

Ends...