



## RFBAQ 6 Strategies

### 1. Rural Fire Brigade Volunteers included as Fire Service Officers under QFES Legislation.

Under the Fire and Emergency Services Act 1990, current as at 01/07/2014 the word 'volunteer' is not to be found once in the 266 pages.

This Act sees Urban firefighters, Auxiliary firefighters, Rural Fire Service paid staff and Rural Fire volunteers from other states supporting Queensland as Fire Service Officers but excludes Queensland Rural Firefighters.

This and other minor changes to legislation would see volunteers and Rural Fire Brigade volunteers acknowledged for the service to the community that they provide.

### 2. Emergency Management Fire & Rescue Levy (EMFRL) to be distributed to brigades as per RFBAQ policy.

The RFBAQ sees the EMFRL as an opportunity to take the lead in being able to support the RFB's, as Queensland is the only State in Australia that does not as yet have a workable and sustainable funding model for volunteer Rural Fire Brigades.

Our proposed model would see the discontinuation of the Rural Fire Levy as collected by Local Government under the Local Government Act. And an acknowledged for the works that it has achieved for RFB's across Queensland, and all RFB levy income now come from the EMFRL.

That for the RFB's who have been in receipt of the previous Rural Fire Levy, a portion of the EMFRL levy be distributed directly to RFB's by the Local Government with the balance of the EMFRL then being returned as directed in the Regulation.

For the approximately 1,000 RFB's who have not previously received any levy, a portion of each new levy be managed by the proposed District Fire Management Group\* (\*Malone Review into the Rural Fire Service) through establishment of a local RFB co-operative account. For RFB's that do not have bank accounts, the District Fire Management Group would manage an auditable bank account for RFB's to be able to draw upon for equipment and necessary support.

The above proposed amendments to the distribution of the EMFRL would also see that RFB funding increase in line with the increases in the Regulation as set by Parliament.

With consideration and adoption of the RFBAQ proposal, a precedent in Queensland would be set for providing a basis for supporting the 36,000 Queensland volunteer firefighters in an ongoing, equitable system that is accountable, transparent and recognises that while volunteers are unpaid, their time is priceless.

### 3. Volunteer Respect Act.

A Volunteer Respect Act would provide the legal framework that is necessary to ensure that emergency volunteers keep volunteering well into the 21st century.

It would guarantee emergency volunteers certain legal rights and protections as we go about our duties, consultation on issues that affect us, the resources to get the job done, recognition of skills, and protection for employers and others who support us.



It would give clear direction to State and Federal Governments on all matters, Acts, Legislation, regulations, deeds, contracts and enterprise agreements that at present have negative impacts on volunteers' rights; the work that volunteers can do; and the opportunity for volunteers to have a genuine and equal say on matters that affect us.

#### **4. Conditions of Service MOU for Rural Fire Brigade volunteers.**

As volunteer firefighters are not covered by an award, they do not receive support to the same level as paid staff and SES volunteers (i.e. out of pocket expenses, working hours, accommodation and provision of meals). We would like to work to establish a set of agreed support conditions for RFB volunteers. Recognising that while volunteers are unpaid, they deserve the same conditions of service as paid staff.

#### **5. Implementation of Malone Review into the Rural Fire Service Queensland in keeping with the intent of Malone Review.**

The Malone review has not yet been implemented fully and the recommendations that are being implemented are not fully in line with the recommendations. The Malone review is a holistic document that will better prepare and defend communities if rolled out completely in line with the intent of the report.

#### **6. Clear workable definition of the legal status of brigades reflecting Crown Law advice 2011.**

The question over who 'owns' a Rural Fire Brigade was publicly raised by the Queensland Audit Office (QAO) in their 2010 submission to the Queensland Parliament Review into the Management of Rural Fire Services in Queensland.

In this submission, the Auditor General queries the level of departmental control that can be exercised over Rural Fire Brigades in Queensland.

Recommendation 1 of the Queensland Parliamentary Review into the Management of Rural Fire Services in Queensland 2011 is 'that the Minister for Police, Corrective Services and Emergency Services undertake a comprehensive legal review in order to clarify the legal position of RFBs and their members'.

Crown Law advice was sought into this question, with advice being provided to the department on 01/11/2011 clearly stating that Rural Fire Brigades are not a part of the Queensland Fire and Rescue Service. And that legally, brigades cannot enter into a contract nor can brigades buy or own property.

The RFBAQ in submissions to the Malone Review raised the question of legal advice arising from the Parliamentary Review and in the RFBAQ submission to Malone stated; 'The RFBAQ has requested the findings of the clarification of the legal position of RFB's in Queensland and their relation to the Department of Community Safety. The RFBAQ has been informed by the QFRS that Government legal advice has been sought from Crown Law, and that the Department has subsequently taken legal advice on the Crown Law advice and that that advice is now strictly confidential.'

This advice was held in confidence by the Queensland Fire and Rescue Service until demanded by the Malone Review in late 2012.

There has been no action to date to bring the Rural Fire Brigade manual in line with the advice from Crown Law.