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FOR THE AUSTRALIAN CAPITAL TERRITORY

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Submission Cover Sheet

Review of ACT emergency services
responses to the 2019-20 bushfire season

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A Samara

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Covering letter

Standing Committee on Justice and Community Safety
Review of ACT emergency services responses to the 2019-20 bushfire season

I am writing to provide the attached submission to the review of ACT emergency services responses to the 2019-20 bushfire season.

I have been a volunteer with the ACT Rural Fire Service for nearly two decades with operational experience across the ACT as well as deployments to Queensland, New South Wales and Victoria. In addition to operational roles, I have been actively involved in training, community education and administration.

I have sought advice from other members of the service in preparing this submission. However, the final submission reflects my personal views alone.

Anura Samara

**SUBMISSION TO THE REVIEW OF ACT EMERGENCY
SERVICES RESPONSES TO THE 2019-20 BUSHFIRE
SEASON**

June 2020

Anura Samara

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1. OPENING REMARKS

1.1. Introduction

1. For many Canberrans, the 2019-20 bushfire season was extraordinary as it was the first time in more than 15 years that they saw fires burning on their doorstep.
2. For volunteers in the ACT Rural Fire Service, it was extraordinary for other reasons: the lack of investment in the capability of the ACTRFS, the effective sidelining of the ACTRFS and its volunteers in favour of other agencies, the extraordinary demands made on Brigades to provide crews only for them to not be used operationally, and the way that the expertise of senior and experienced volunteers was disregarded have all resulted in a demoralised service with little faith in the ability of the Emergency Services Agency to address these issues.
3. The community needs to recognise that the fires burning on the borders of and within the ACT were ultimately extinguished by the weather; the fact that they did not progress further should not be taken as a measure of the success of the ACT's firefighting efforts.
4. My comments are not intended to reflect on former and current paid staff of ACTRFS. Rather they reflect the challenges they face in terms of resources, priorities and planning within the broader Emergency Services Agency.

1.2. About me

5. I joined the ACTRFS in 2001. Since then, I have been involved in fighting the 2001 and 2003 fires in Canberra, multi-day deployments to Queensland, New South Wales and Victoria (including on the first ACT deployment during the Black Saturday fires in 2009) as well as single-day strike teams into the surrounding regions of NSW.
6. I have been heavily involved in delivering training to new recruits, advanced firefighters and crew leaders as well as administrative roles within the Brigade. I have also represented the ACTRFS at several national volunteering conferences.
7. As with many others in the service, volunteering with the ACTRFS is a family affair – my wife is a former active firefighter and remains a member, my son is a current firefighter and my daughter is a new recruit.

1.3. Experience in other jurisdictions

8. Many of us have had experience fighting fires in other jurisdictions both during the 2019-20 fire season and in prior seasons.
9. These experiences outside the ACT stand in stark contrast to our experience in the ACT:
 - outside the ACT, we have been allocated significant responsibilities by interstate agencies for the operational management of fires (up to Divisional Commander role) but within the ACT we have been sidelined, been given minor roles and subjected to highly centralised decision-making,
 - outside the ACT, we have seen other agencies clearly communicate objectives and strategies with volunteers but within the ACT we have turned out for shifts to find no tasking at all, or taskings that have changed multiple times.

10. These differences are not about the operational needs of responding to the fires we had in the ACT; after the initial response, firefighting operations were managed by an established Incident Management Team. They are about how the ESA and ACTRFS prepared for the season, how they recognise, build and maintain their volunteers and the interactions between the various agencies involved.

1.4. Commitment of volunteers

11. Volunteers have already provided a wealth of input to internal processes including After Action Reviews and debriefs, workshops, reports on conferences and individual submissions. Our experience has been that these contributions have been universally ignored.
12. I recommend that the Committee request these documents to provide a fuller view of the issues that impact on volunteers.

1.5. Basis for this submission

13. This submission is based on my own direct experiences as a firefighter together with input from other members. Although that input may be considered to be hearsay, I have included it to ensure that the review hears from those members who are unable or unwilling to make their own submission. Volunteers have lacked a voice in major decisions that affect the service and are demoralised and it's therefore unsurprising if many members choose to not make their own submissions.

1.6. Conventions used in this document

14. I will use the commonly recognised acronyms used within the service throughout the document. A full glossary is at the end of the document.
15. Text within shaded boxes is commentary based on my own experience. It doesn't form part of the submission but provides context around the issues I raise.
16. Recommendations are numbered and appear in bold text.

2. ACTRFS CAPABILITIES

2.1. What is the ACTRFS here for?

18. Under Section 30(3)(d) of the ACT *Emergencies Act 2004*, the Chief Officer of the ACT Rural Fire Service is responsible for “... *fire response in rural areas*”. Section 52(2) similar assigns this responsibility to the service as a whole.
19. Part 5.3 of the Act requires the ESA Commissioner to draft and the relevant Minister to make a strategic bushfire management plan (SBMP), with the plan addressing not only planning for but also response to bushfires [Section 74(1)(c)].
20. Under Section 36(1) of the Act, “*The chief officer of an emergency service must advise the commissioner on the capability of the service.*”. Furthermore, section 76(1) requires that “*[after] the Minister makes the strategic bushfire management plan, the commissioner must conduct an assessment, based on the plan, of available resources and capabilities for bushfire prevention and preparedness*”.
21. The SBMP refers to the “*ACT Strategic Bushfire Capability Framework articulates the resources needed to respond to various levels of bushfire risk*”. Despite members asking for a capability statement¹, this has never been provided and it’s unclear whether the ACTRFS’s planning around training, equipment, vehicles and station locations is based on this framework. A capability framework which purports to define the capability required should show how the underpinning resources required to produce that capability will be developed and maintained.
22. As a result, the provision of training, equipment and volunteer support has been disjointed with a decline in operational capability that has seen other agencies step in to take the ACTRFS’s primary roles.
23. Of more concern is that the capability required is clearly increasing; we have already seen the impact of climate change on fire behaviour around the country with a need not just firefighting capability locally but the ability to share resources quickly between jurisdictions.

RECOMMENDATION 1. That the Review assess whether the legislative requirement for capability assessments were made before the start of the 2019-20 bushfire season.

RECOMMENDATION 2. That the Review assess whether capability assessments were appropriate given the long-range fire weather predictions for the 2019-20 bushfire season.

RECOMMENDATION 3. That the ACTRFS publish the ACT Strategic Bushfire Capability Framework for all members to access.

¹ In 2018, a number of forums were hosted by the previous ESA Commissioner where members explicitly asked for a capability statement. The lack of a response suggests that none exists.

2.2. Planning

24. In his introduction to the SBMP, the Minister says that the SBMP “*draws on continuing research into ... the effects of climate change*”.²
25. The SBMP goes on to recognise that climate change increases the risk of lightning ignited bushfires, leads to more days of elevated fire danger and makes it harder to complete prescribed burning programs³.
26. The SBMP has a section called “Adaptive Management and Climate Change” that identifies the need to monitor climate change research, and support continuous improvement based on research, modelling, monitoring, evaluation and lessons learned.
27. The SBMP was published in September 2019. This was well after climate scientists, former emergency response leaders and others were already talking about the seriousness of the forthcoming fire season⁴. The SBMP – either the previous version or the current one – did not effectively prepare the ESA or ACTRFS for the 2019-20 bushfire season. For example:
 - the section titled “*Effective firefighting operations by skilled and supported personnel*”⁵ makes no reference to climate change and doesn’t convey a sense of urgency around the need to quickly scale up for the season ahead,
 - while the section titled “*The necessary equipment and resources to respond to and extinguish bushfires*”⁶ does talk about the need to consider future risks, including a hotter and drier climate and the need for continuous response to changing conditions. Again, there is no recognition in the SBMP that current practices need to urgently change.

2.3. Training

*There were occasions when the ACTRFS struggled to fill specific roles for shifts. This was **not** due to a lack of members, but the limited number of members with the competencies and experience to fill every role while also managing fatigue across multiple shifts. This reflects not the composition of the service at the start of the year, but the failure to invest in competencies over a number of years as building competencies requires training and experience.*

Historically, training provided for ACTRFS volunteers has been disjointed. Training opportunities often arise at short notice and can be cancelled with no follow-up opportunities available. Throughout my career my attitude has always been to nominate for every training course offered simply because you never know when the next opportunity may arise – will it be next month, next year or never again?

28. An effective firefighting capability depends on having the right people with the right competencies, experience and availability to fill specific roles in a shift. This means capability is not simply determined by raw numbers.

² Minister’s Foreword, Strategic Bushfire Management Plan 2019-2020,

³ Future Challenges, Strategic Bushfire Management Plan 2019-2020, p11

⁴ See for example: Australian Seasonal Bushfire Outlook: August 2019, Bushfire and Natural Hazards CRC. Emergency Chiefs: Australia unprepared for worsening extremes, Emergency Leaders for Climate Action, April 2019

⁵ Firefighting Operations, Strategic Bushfire Management Plan 2019-2020, pp40-43

⁶ Firefighting Operations, Strategic Bushfire Management Plan 2019-2020, pp44-46

29. For example, a heavy tanker for a single shift requires a crew of 5 members with:
 - a Crew Leader with the relevant Crew Leader and Advanced Firefighter competencies,
 - a driver with the relevant Advanced Firefighter and 4 Wheel Driving competencies,
 - at least one qualified chainsaw operator, and
 - members holding the relevant First Aid competency.
30. Similarly, a strike team of several tankers needs a Strike Team Leader who holds the Crew Leader competency together with experience in managing an incident.
31. Allowing for availability (due to work and family commitments, illness etc), a single vehicle for just one shift means a Brigade needs more than these numbers alone; when this is extended across sometimes three shifts in every 24 hour period over weeks, Brigades need a depth of well-trained, motivated members to ensure this capability is available when required.
32. There is no defined ‘career path’ for volunteers. When recruits join the service, we can’t show them how they will be able progress from a new recruit to an advanced firefighter and crew leader, or on to other specialised roles in incident management and aviation, within any defined timeframe.
33. Even worse, we are unable to plan to have a defined firefighting capability at any stage in the future. While we know how many members we have today and can work to recruit more every year, we have no ability to turn this into the capability we need to crew firefighting shifts.
34. Many ACTRFS courses rely heavily on volunteers to deliver course content and assess competencies. This imposes an additional burden on volunteers who need to prepare instructional materials in their own time and then be available to deliver the courses. With no clear plan, this can be hard to schedule and some courses have suffered due to the lack of available instructors and/or assessors. This is not to say that volunteers aren’t committed to delivering training and building the next generation of firefighters; the issue is a lack of structure and planning that leaves members frustrated and unable to fully contribute.
35. The ACTRFS needs a training plan that is linked to the defined capability it needs to deliver. This plan would take a long-term view, focusing not only on the capability required today but the capability required in five years’ time⁷. This plan would take into account the current cohort of recruits to plan the full range of courses that need to be delivered each year.
36. The training plan would then identify the training resources required (funding, venues, trainer and assessors, equipment, documentation) to provide long lead times in planning.
37. In this way, the training plan would provide certainty for:
 - Recruits—in terms of knowing what courses will be available,
 - Instructors—in terms of planning for and delivery of courses,
 - ACTRFS—in terms of knowing how the training delivers a firefighting capability, and
 - ESA—in terms of establishing a training budget that supports the capabilities needed.
38. In addition, the plan also needs to include training for additional competencies such as driver and chainsaw training to ensure the full range of required competencies are available to crew a vehicle.

⁷ Five years is generally the minimum time before a firefighter could be considered for a Crew Leader role.

39. Some of the training offered for ACTRFS members is combined with training for other ESA paid personnel and as a result is offered only on working days. This increases the burden and financial impact on volunteers and their employers to be released from the normal employment.

RECOMMENDATION 4. That the ACTRFS develop, maintain and publish a training plan that aligns with the Capability Plan (see Recommendation 1).

RECOMMENDATION 5. That the ACTRFS improves its record-keeping on training, including an accessible database of competencies.

40. The ESA Commissioner has made a notifiable instrument under the Act which makes provision for joint management of emergencies and operational areas⁸. The *Concept of Operations* includes a requirement in Section 14 for a “*training exercise involving all agencies (including staff and volunteers) involved in bush and grass firefighting in the ACT will be held at least once per year*”.
41. In my experience, a joint exercise has only been held once. While there are clear benefits to a joint training exercise, of more concern is that the ESA is failing to meet its declared responsibilities. Recommendation 16 addresses this.
42. Hazard reduction burns are a critical element in the training of firefighters. They are often the first exposure for recruits to fires in an operational environment, and also provide learning opportunities for crew leaders and officers. The *Concept of Operations* also states in Section 14 that “*where possible the fire fighting agencies will utilise hazard reduction burning opportunities to train and exercise its staff and volunteers in coordinated fire fighting techniques ...*”.
43. The experience of volunteers is that opportunities to participate in HR burns has been steadily declining over recent years⁹. While PCS has an annual program of HR burns, these have generally not been open to participation by volunteers; when opportunities have arisen, requests have come at the last minute when it’s hard for volunteers to make arrangements to be available.

RECOMMENDATION 6. That the ESA define a minimum level of participation by ACTRFS volunteers in HR burns, consistent with the legislated *Concept of Operations* and SBMP.

2.4. Equipment

Volunteer brigades suffered from ongoing vehicle problems, some of which occurred on the fireground. These problems were known before the start of the season and had been reported on multiple occasions; despite repeated servicing and repairs, these problems continued. With the high tempo of operations, vehicle breakdowns and accidents reduced the capacity of the ACTRFS to provide crews.

44. The ongoing intensive firefighting operations from the beginning of the season including strike teams to NSW took a toll on vehicles and equipment. This included the expected general wear and tear, some accidents and damaged sustained during firefighting operations.

⁸ Emergencies (Concept of Operations for bush and grass fires in the Australian Capital Territory) Commissioner’s Guidelines 2017, Notifiable Instrument NI2017–92/

⁹ It’s more likely that volunteers will be called to assist once a HR burn has escaped it’s planned area than to the initial burn.

45. In addition to the demands of a long season, long-standing problems with some vehicles continued to manifest themselves. Despite repeated attempts at repairs over many years, these problems continued under the stress of the long season; while some could be overcome with changes to operating practices, some resulted in the complete breakdown of vehicles. In some cases, this occurred on the fireground with an impact on operational capability and potential risk to crews.
46. Due to the large number of equipment and vehicle faults, there were consequent delays in getting equipment and vehicles repaired again with an impact on operational capability. Volunteers were required to coordinate with ACTRFS on the status of repairs and also be available to deliver and collect vehicles as they were repaired.
47. Unlike for ACT Fire and Rescue, the ESA does not retain a fleet of spare operational ACTRFS vehicles to ensure continuing operational capability while vehicles are being repaired.
48. Despite the availability of local specialist repairers and authorised vehicle service agents, there were delays to repairs and getting vehicles back into operations as the ESA preferred the use of their own personnel who were overwhelmed.

RECOMMENDATION 7. That the ESA develop, maintain and publish a fleet management plan that aligns with the Capability Plan (see Recommendation 1).

RECOMMENDATION 8. That the ESA maintain standing arrangements with local specialist repairers and authorised service agents.

RECOMMENDATION 9. That the ESA maintains a fleet of spare operational vehicles.

3. Incident Management

It's important to note that my comments on the role of incident management are not based on direct observation. They are formed from the communications I received from the Incident Management Team by radio or instruction, by observation of instructions and by monitoring radios and comments made by ESA personnel in the media. This means in some cases my comments may not reflect the way the IMT operated; however, there is a good case to say that inaccurate views held by senior managers is failure of the ACTRFS and the IMTs to effectively communicate.

*My comments do **not** relate to the first response to an immediate fire — we expect the first response to be disorganised as incident controllers attempt to get on top of an evolving situation. However, a professionally run and fully staffed IMT should be able to effectively manage the planning and deployment of personnel on fires that have been running for some time.*

3.1. Requests and communication

It was clear that the Incident Management Team had no understanding of the capabilities of volunteers or how to manage them effectively.

As a result, there was poor communication with volunteers about requirements, final crewing arrangements and taskings. Volunteers lost valuable time and were poorly used on the fireground, while Brigade officers spent extended hours attempting to coordinate members' availability across multiple and overlapping requests.

There were multiple cases of volunteers being notified that they would be required but then cancelled after alternative employment arrangements had been made to cover their planned shifts.

49. Volunteers are a distinct component of the service with different needs and attributes to paid personnel.
50. One of the key differences is that every volunteer member has paid and unpaid employment, family, education and other commitments as their primary focus. This means our “workplace” as ACTRFS is wherever we happen to be at the time, rather than an ACT Government location with access to other people and resources.
51. These distinct differences need to be built into how requests for shifts are communicated, responded to and finalised.
52. Our experience was that requests for crewing were ad hoc and changing. Some requests came at short notice, while others demanded nominations over multiple shifts over long periods – in the most extreme case, Brigades were asked to nominate crews over three shifts a day for three weeks. The nature of volunteering means it's hard for volunteers to commit to shifts so far in advance, particularly when the outcome is uncertain (see below).
53. The ACTRFS has no tools to help manage the nomination process. As a result, individual Brigades had to develop their own solutions to manage multiple overlapping nominations, ensuring that crews had the right combination of competencies and that fatigue was effectively managed. This increased the burden for officers in particular – even when not engaged in active firefighting, the coordination and communication of crewing could take more than 3 hours across the course of a day, impacting on employment¹⁰, family, education and other activities.

¹⁰ In addition to formal leave for operational shifts, I spent many hours at my desk during working hours answering and making calls, assembling crews and maintaining spreadsheets.

54. There was no clear communication back to Brigades on successful nominations. Clear communication was essential for ensuring crews could manage their rest when they made themselves available for multiple shifts. In some cases, volunteers were confirmed for a shift only to be told within hours of the start of that shift that they were no longer required; by this stage, employers had already made alternative arrangements which could not be changed.
55. Communication around nominations and crewing were handled across multiple personnel in the ACTRFS – there was no single corporate point of contact. This meant that Brigades has to monitor communications across multiple email addresses – sometimes for the same shifts – to ensure that latest information was relayed to members. It also meant that as personnel changed, there was no continuity of information for the same requirement; for example, Brigades could nominate members for a shift, have those nominations confirmed by one person to only later discover that those members were no longer required,
56. Once crews were finalised, there was often incomplete or changing instructions for staging areas at the start of the shift resulting in delays before crews could start working.

RECOMMENDATION 10. That the ACTRFS develop and maintain a centralized system for recording all contacts with Brigades.

57. Action 4.4 of the SBMP requires says “*Maintain a register for all personnel involved in bushfire operations, including membership, training and skill information*”.
58. The SBMP goes on to say “*ESA will develop a standardised whole-of-agency availability and communications platform for non-operational activities and preincident communications with staff and volunteers. This collaborative approach will facilitate interagency cooperation and visibility of available resources. It will also support the notification and timely turnout of volunteers to deliver emergency and non-emergency response services to the ACT community*”¹¹.
59. A large part of the additional administrative burden for brigade officers was maintaining data on crew competencies and availability to ensure appropriate crews were nominated for shifts. In the absence of a centralised system, Brigades had to resort to local information and tools (eg. spreadsheets). A lot of the crewing and nomination effort had to take place during normal working hours, and these local tools were often difficult to access on a simple mobile phone.
60. Although brigades hold this information for their own members, this same information wasn’t immediately available to crew leaders and strike team leaders – in other words, they didn’t have immediate access to information on the competencies of their crews on the fireground. This made it hard to assign work (eg. work requiring a chainsaw operator) or re-arrange crews if required (eg. additional drivers may be required if crews are further split up).

RECOMMENDATION 11. That the ACTRFS develop and maintain a centralized and real-time system for managing availability, competencies, shift requirements and deployment of crews.

¹¹ Strategic Bushfire Management Plan 2019-2024, p48.

3.2. Fatigue management

Volunteers were expected to work over extended shifts that breached the relevant Standard Operating Procedures on fatigue management. In particular, we watched on as paid staff (Parks and Conservation Service, ACTFR) were released first while we were asked to remain on the fireground during the shift change.

The SOPs on fatigue management don't take into account the additional time required for drivers to drive home.

The single-day Strike Teams into southern NSW in particular resulted in long days; with driving times of over 3 hours in each direction, any standard firefighting shift was almost certainly going to exceed the SOPs. Total time away from home exceed 18 hours in some of these cases.

However, the same extended shifts were experienced at the Pialligo/Beard and Orroral Valley fires.

These long shifts led to increased risks of accidents with drivers expected to be awake for extended shifts.

Volunteers

61. Volunteers understand that the first response to a fire may require an extended shift; for example, we can work in our normal employment during the day, be called to a fire in the late afternoon and remain at the incident overnight. However, for extended fires with an operating IMT the demands for extended shifts were unreasonable.
62. All of the Strike Teams to southern NSW (Shannon's Flat, Mary's Hill, Adaminaby) involved extended drives of up to 3.5 hours each way. As a result, a standard firefighting shift of 10 hours which would be planned for by the local incident controllers resulted in a complete shift of at least 16 hours. However, on returning to Canberra we wash down vehicles to prevent the spread of weeds, refuel them, refill tanks, clean the interior, replace damaged gear to ensure the vehicle is immediately available for an incident or callout, and then drive home. As a result, the time between result could easily exceed 16 hours.
63. Even within the ACT, there were cases of extended shifts with crews required to remain on the fireground to wait for incoming crews. It appeared that key planning relating to shift changes only took place towards the end of the shift with inevitable delays.
64. In many cases, volunteers were allocated to shifts where there was no clear tasking, or the shift was over-resourced (see *Section 3.3 Implementation of AAIMS*). However, requests to stand-down resources and allow people to return early were often denied. This meant that volunteers were put in the position of extended shifts and increased fatigue for no actual benefit.
65. The danger faced by fatigued drivers was acute (see paragraph 66). As noted above (see *Section 2.2 Training*), there has been a lack of training to increase the number of drivers; as a result, most vehicles only had one qualified driver on board. Driving a firefighting vehicle is an intense activity – operating in off-road conditions and in close proximity to fires requires a high degree of alertness, as does driving to and from fires on public roads. With only one qualified driver in the crew there are limited opportunities to rest.

RECOMMENDATION 12. That the Review assess whether there was a a breach of the ESA's responsibility to maintain the health and welfare of members due to excessive duty hours.

66. The ESA did attempt to provide replacement drivers for returning crews through the SES. However, this approach increased the fatigue problems as crews had to wait for SES drivers to arrive. Of more concern, in at least one case there was a near miss when an SES driver with no experience of driving a heavy tanker was returning at night on dirt roads and almost collided with another vehicle¹². This approach of using SES drivers did not reduce the risk to crews from fatigue.
67. After very long shifts, normal sleeping patterns don't resume after a single sleep. This has affects members ability to return to normal activities (eg. employment, family or education) or to be available for continuous shifts. Unlike ESA and the IMTs, Brigade officers paid close attention to shift durations and fatigue and ensured we gave members enough recovery time between shifts. Given the lack of training to ensure a range of competencies (see Section 2.1 Training), this affected the numbers we could nominate when requests came through.
68. These issues suggest that the IMT and ESA more broadly didn't factor fatigue management into their planning, from identification of crewing requirements, start of shifts, taskings through to the end of shifts. It seemed that shifts were planned and implemented on a stand-alone basis with each shift considered separately from the ones that came before it and the following ones. In a campaign fire with planning in place, the start and end times of shifts should be planned to ensure fatigue is managed and incoming crews arrive in time for a prompt handover.
69. One obvious response from ESA is that crew leaders have a responsibility to manage their own fatigue. However, this can be difficult for a number of reasons:
 - once deployed to an active fire, it can be dangerous to disengage from an active fire without incoming crews,
 - leaving the fire ground prior to a planned shift change means there is no opportunity to brief incoming crews on conditions and fire behaviour,
 - single day strike teams involved long drives meaning that effective fatigue management would result in very few hours on the fireground, and
 - poor planning shouldn't result in additional burdens on members engaged in operations on the fire ground.
70. My view is that planned duty hours are known at the point at which crews are confirmed; this would normally be several hours before the start of the shift, and usually at least 16 hours before fatigue limits are reached. This means that the IMT has all the information it requires to effectively management fatigue and manage crew changes within the requirements of the IAP and Standard Operating Procedures.

RECOMMENDATION 13. That the ACTRFS ensure shift changes for IMT personnel occur after shift changes for operational crews.

RECOMMENDATION 14. That the ACTRFS assign responsibility for fatigue management to a specific role within an IMT with authority to override all other decisions except in exceptional circumstances.

¹² Competency in driving a heavy tanker is not merely about having the appropriate driving licence. It involves an understanding of how the vehicle behaves under difference conditions (eg. dirt vs sealed roads, full vs empty tank, turning circles and braking distances etc.). Brigades take time to assess new drivers and expose them to these conditions before allowing them to drive in operational conditions; the use of SES drivers appears to just put completely unexperienced people directly into the driving seat for the first time.

RECOMMENDATION 15. That the ACTRFS coordinates safe and timely transport to and from staging areas when required.

Impact of fatigue on managers

71. There has been public commentary in the media confirming that senior members of the incident management team remained at ESA for extended periods without returning home with their only rest being gained at HQ.
72. This suggests that the ACT doesn't have the depth of capability to run large scale fires. Of more concern is the impact of fatigue on decision-making. While we understand the impact of fatigue on driving skills¹³, these same impacts would have been felt by people tasked with the responsibility of making strategic decisions on behalf of the entire territory.

RECOMMENDATION 16. That the Review assess the duty hours of key personnel in the ESA and determine whether there was a breach of the ESA's responsibility to maintain the health and welfare of staff.

3.3. Implementation of AIIMS

It's not clear whether AIIMS was effectively implemented. While I had no direct involvement in the management of the IMT I was able to observe their actions through the IAPs provided, monitoring radio communications and direct communications with the Operations team.

Volunteers faced changing taskings from the IAPs provided, in some cases there was no tasking and no liaison with other agencies. As a result, volunteers spent extended periods of time doing nothing, shifts were over-resourced for the incident but volunteers were not released.

AIIMS seemed to have been superseded by centralized decision-making, with tactical decisions taken out of the hands of officers on the ground.

The accumulated experience and skills of senior volunteers and officers were not used in any decision-making.

Background to AIIMS

73. The Australasian Inter-Service Incident Management System is the nationally recognised system of incident management for fire and emergency services. Its principles are used by the ACTRFS in managing all incidents¹⁴ with formal implementation of AIIMS for larger incidents.
74. AIIMS is founded on three key principles: management by objectives, functional management structures and span of control. Other important attributes include adaptability and scalability. In particular, research has found that "Effective crisis management depends on principles and processes that assure flexibility and a smooth flow of information; formal structures play a facilitative role at best."¹⁵

¹³ Road safety organisations suggest that driving after 17 hours of wakefulness is equivalent to driving while exceeding the legal blood alcohol limit.

¹⁴ For example, a crew leader attending a small fire will implement the principles of AIIMS without using the full range of tools and functional management available.

¹⁵ "Organising for Effective Emergency Management: Lessons from Research", Boin and t'Hart, 2010

Application of AIIMS

75. It's beyond the scope of this submission to provide a full description of AIIMS. However, the experiences of volunteers in operations managed by the ACT is that these central attributes of AIIMS were lacking. This had a direct impact on the operational effectiveness of volunteers.
76. The ESA appeared to operate on a centralised decision-making model that is contrary to the principles of AIIMS. As a result, there were lengthy delays for decisions on very minor requests.
77. Officers on the ground appeared to have no delegated authority to make tactical decisions to fight the fires; even the decision to release crews when there was clear over-resourcing had to be relayed through the IMT for approval. As a result, decisions were made by unknown people tens of kilometres from the fire and in some cases, hours could elapse between a request and a decision being notified.
78. Incident Action Plans were irrelevant even before being handed out to crews:
 - there were instances where volunteer units found on arrival at the staging area that they weren't listed on the IAP resulting in taskings being re-worked¹⁶ on the ground to accommodate them. In effect, taskings had to be "found" for the volunteers,
 - there were instances where clear taskings in the IAP were re-worked to suit the preference of PCS crews (see *Section 3.4 Relationship with PCS*), and
 - there were instances where volunteer and PCS crews in the same sector were separated at the request of a PCS officer, with a volunteer officer asked to 'take the lead' for the volunteers. This role was not defined in the IAP and has no clear definition in AIIMS.
79. Many shifts were heavily over-resourced and this was only exacerbated by the arrival of crews from the Queensland Fire and Emergency Services. As a result, volunteers spent many hours effectively in the same place with nothing to do or on pointless patrols.
80. The presence of a large number of firefighting vehicles also raised the level of anxiety among residents, who were concerned that they were being deployed in advance of major deterioration in fire conditions.
81. The obvious response¹⁷ to my submission will be to suggest that this was nothing more than the usual "hurry up and wait". Volunteers are used to the concept of "hurry up and wait" – we experience it from standing up at fire sheds on days of elevated fire danger, we experience it at fires as conditions change and new strategies are developed. However, at an ongoing incident with planning in place and clear IAPs, the expectation is that delays will be caused by changing conditions; in the case of the ACT fires, the delays experienced by volunteers were effectively built into the tasking arrangements through lack of tasking and/or over-resourcing. Similarly, we are used to patrolling inactive fires and monitoring fire activity; again, the experience of volunteers is that the over-resourcing resulted in not just low activity levels but zero activity for the majority of many shifts.

¹⁶ In some cases, this re-working had to happen multiple times to find roles for volunteers.

¹⁷ These responses have been made to us and in comments in the media. They are insulting, suggesting that experienced volunteers with decades of experience don't understand the issues involved in managing incidents.

82. The lack of clear taskings for volunteers and attempts were to ‘find’ work¹⁸ impacted on their effectiveness. It meant long shifts were completed for little effort¹⁹ impacting both on volunteers’ other activities (employment, education, family etc) as well as their availability for further shifts due to the need to manage fatigue. Being sidelined either through taskings being changed for the benefit of PCS crews or through ‘finding’ work impacted on morale.

RECOMMENDATION 17. That the Review seek an independent review of the application of AIIMS by the ACT ESA.

3.4. Relationship with PCS

83. Under the SBMP, PCS is “... a brigade operating under the ACTRFS for bushfire response and fire suppression operations.” I understand there is a Memorandum of Understanding between the Environment, Planning and Sustainable Director (PC) and the ESA (RFS) covering the involvement of PCS in rural firefighting²⁰.
84. Despite this, the PCS operated throughout the season on the basis that it was not merely a “brigade”²¹ but was in fact the primary rural firefighting service and preferred in every role from the IMT downwards. This was clear in broadcast media presentations where the Chief Officer of the ACTRFS was practically invisible despite his legislated responsibility for responding to fires.
85. PCS reinforces this through a distinct firefighting capability: separate training, separate fleet management, separate fire weather specialists. Over time, PCS has been allowed to grow into a distinct firefighting organisation alongside the ACTRFS.
86. On the fireground, this is reinforced through behaviours:
- where available, PCS officers prefer to find a volunteer officer to manage volunteer crews; despite this, volunteer crews will happily work under the control of PCS officers,
 - re-working IAPs to ensure that PCS crews take on operational roles while volunteers simply patrol²²,
 - the allocation of a PCS officer to an incident even where a volunteer officer is already in attendance resulting in duplication of effort, and
 - the preference of PCS crews to only work to a PCS officer.
87. Other volunteers have reported to me direct conversations with PCS officers who have said that volunteers lacked the “situational awareness” and “experience” to undertake direct tactical operations. As I mention in paragraph 9, this is in contrast to our experience in other jurisdictions where lack of familiarity with local conditions has never been a barrier to ACTRFS volunteers taking on significant operational roles.

¹⁸ In some cases, volunteers experienced drives that took up to 2 hours to relocate to a location where work had been ‘found’ for them, only to be then told to drive to a different location.

¹⁹ I spent a night shift with the truck parked in the same spot for 4 hours. Out of boredom, we drove no more than 400 metres to observe the fire from a different angle before returning to the original place. In the same 3 km stretch of road were at least seven ACTRFS and QFES vehicles essentially doing the same.

²⁰ Despite repeated requests, volunteers haven’t seen a copy of this.

²¹ And therefore equivalent to the 8 other brigades in the service.

²² There is one much-discussed incident where the IAP clearly identified that volunteers were to conduct back-burning operations with PCS to mop-up and patrol, but this was reversed by PCS officers on the ground.

88. An obvious response is that ACTRFS personnel (both volunteers and paid staff) lacked the capability to lead the response. If true, then this doesn't point to failures in volunteers but to the ESA's lack of investment and faith in the capabilities and skills required for the ACTRFS to manage and respond to incidents.
89. More broadly, this approach means there are experienced and capable volunteers sidelined to relatively unimportant roles which comes at a cost in terms of their normal activities (eg. employment, families, education etc).
90. While we generally maintain good working relationships on the fireground, the perspective of volunteers is that PCS is agency preferred by the ESA with volunteers only called in to "make up the numbers".

RECOMMENDATION 18. That the Review seek an independent review of the integration of PCS into the ACTRFS.

3.5. Responsibility for managing bushfires

91. As noted in Section 2.1, the ACT Rural Fire Service has the legislated responsibility for fires in rural areas in the ACT.
92. Clearly, I don't have a detailed knowledge of how the IMT operated or the interactions of senior personnel within the ESA. However, my clear perception is that the ACTRFS was sidelined during the management of the bushfires:
 - the ACTRFS Chief Officer was not included in broadcast media briefings to the community,
 - the IMT did not appear to be under the control of the ACTRFS Chief Officer,
 - the experience of the ACTRFS on the ground was that PCS considered themselves to be in charge and able to delegate tasks as they wished.
93. The ACT Government appointed an Emergency Controller under the Act²³. While the EC has responsibility for managing "... *the response to ... the emergency*"²⁴, Section 162(2) says that the "... *emergency controller may not direct the person to undertake an operation in a particular way.*" This makes it clear that the EC is a management role with no involvement in direct operational control. In any case, the role of an EC is not recognised within AIIMS.
94. The ESA Commissioner has made a notifiable instrument under the Act which makes provision for joint management of emergencies and operational areas²⁵. The *Concept of Operations* provides detailed guidance on the operational management of fires from small Level 1 incidents to large Level 3 fires. This is a principles-based document that supports the Chief Officer in responding to fires but doesn't supersede the legislated responsibility of the Chief Officer.

²³ Under either Division 7.3.1A or Division 7.3.1B.

²⁴ Either Section 150B(1)(a) or Section 160(1)(a).

²⁵ Emergencies (Concept of Operations for bush and grass fires in the Australian Capital Territory) Commissioner's Guidelines 2017, Notifiable Instrument NI2017-92/

95. The ACT has a legislative framework under the *Emergencies Act* 2004, the Strategic Bushfire Management Plan, the *Concept of Operations* and subsidiary documents for managing emergencies. A major incident cannot justify departing from good governance arrangements, particularly those specifically put in place for just this occasion. It's therefore important to assess the extent to which the requirements of the framework were fulfilled and importantly whether the Act remains fit for purpose with the organisational structures of the ACT Government and the ongoing heightened risk of bushfires.

RECOMMENDATION 19. That the Review assess whether the ACTRFS met its legislative responsibility for managing fires in the rural areas during the 2019-20 season.

RECOMMENDATION 20. That the Review commission an independent review of the legislative framework to ensure it remains fit-for-purpose.

4. ISSUES AFFECTING VOLUNTEERS

4.1. Managing volunteer members

96. The ACTRFS needs to recognise that volunteers are a distinct component of the workforce who need to be managed differently to paid personnel. The recruitment, motivation and morale, and retention of volunteers is critical to ensuring the service can provide the capability required of it. These are people management issues that don't relate to a single incident or fire season, but the ongoing life of the service.
97. The ACTRFS has a role of "Membership Manager". In practice, this role has been used to manage the administrative elements of managing the volunteer workforce, such as initial applications for memberships and ongoing communication to existing members. The occupants of this role have not necessarily been selected on the basis of their skills in managing people, particularly volunteers, or their desire to build a career in this field. At times, it has become a 'revolving door' with new people filling in for short periods and is not seen as integral part of someone's career.
98. Best practice in volunteer management across Australia recognises that managing a volunteer workforce demands a wide range of skills with a high degree of complexity. The people responsible for volunteers must have the necessary skills, experience and support to do the job well.
99. As a result, many community organisations have been collaborating to build the skills and expertise of their volunteer management staff, recognising that they share similar skills beyond the specific technical needs of their individual organisations; skills in managing volunteers are more important than technical skills needed for the organisation itself. This has resulted in the development of a formal nationally recognised competency for people who manage volunteers — the Certificate IV in Coordination of Volunteer Programs offered through the National School of Volunteer Management²⁶. The School also offers ongoing professional development programs.

RECOMMENDATION 21. That the ACTRFS require the relevant national competency in managing volunteers as a pre-requisite for the Membership Manager position, and requires the occupant of the position to maintain ongoing professional development.

4.2. Recognising the expertise of volunteers

100. Volunteers experienced an almost complete lack of regard for their expertise and skills when working in the ACT. As discussed elsewhere, this was evident through the tasking (and lack of) for volunteers, tasking for PCS crews compared to volunteers, poor shift management and notifications and the language used when addressing volunteers.
101. Given our experience in tactical operational management of fires in Queensland, New South Wales and Victoria, particularly when there were many volunteer who had spent the months preceding the Orroral Valley Fire fighting fires interstate, there is a strong case to suggest that the lack of involvement of experienced volunteers impacted on the containment of the fires. For example, volunteers were denied the opportunity to make tactical decisions to attack the fires, were subject to delayed decision-making or mostly just ignored.
102. As a volunteer, I wonder what the point of is further developing my skills and expertise. Every course I undertake requires time away from my regular activities. Similarly presenting courses also takes time away and often involves significant preparation in the evenings.

²⁶ <https://www.volunteering.com.au/professional-development/nsw-school-of-volunteer-management/>

103. It's particularly disheartening to see the differences in the way we are treated on interstate deployments where our skills are sought out, where significant decisions are delegated to us and we are asked for input into strategic management of fires.

4.3. Alternative roles for volunteers

ACTRFS volunteers have a range of skills in addition to firefighting and other operational skills. Despite introducing a flexible membership model to take advantage of these skills and allow members to undertake other roles, the ESA did not effectively use this and instead preferred other services.

104. The ACTRFS includes members with a range of skills who prefer not to or are unable to undertake direct operational roles either temporarily or permanently.
105. Action 4.3 of the SBMP is to “*Enhance the use of volunteer skills in more flexible roles*”²⁷. In response to this, the ACTRFS has introduced a ‘flexible membership model’²⁸ which identifies different membership roles with appropriate competencies for each role.
106. Despite this, these members were not affectively used during the season and other agencies were preferred instead.
107. For example, ACTSES and ADF personnel were preferred for door-knocking in communities that were potentially impacted by the fire despite having no training in fire behaviour and bushfire awareness²⁹.
108. Similarly, ACTSES personnel were used to driving vehicles to relieve crews returning from shifts. Not only were there experienced ACTRFS available for this role, in at least two cases this approach led to incidents that risked loss of life or injury to crews as SES drivers had no experience with driving heavy tankers on dirt roads at night. In one case, a SES driver admitted to being fatigued before being tasked to driving a tanker.
109. ADF personnel were trained in the use of chainsaws by the ESA to assist removing dangerous trees after the fires had been contained despite the ACTRFS having volunteers trained for this role. It's important to note that volunteers have been calling for years for increased chainsaw training, but as with other training (see *Section 2.2 Training*) the training has been only available intermittently and with insufficient places for the number of members capable of this role.
110. Where used, such with community education in shopping centres, ACTRFS personnel were considered as an ‘afterthought’ with little coordination with SES personnel and no clear directions.
111. This suggests that the flexible membership model is simply a response to Action 4.3 of the SBMP, rather than embedded within operational management.

²⁷ Strategic Bushfire Management Plan 2019-2024, p43.

²⁸ See ACTRFS Service Standard 3.1.4.

²⁹ Longstanding members have participated in specific community awareness training.

4.4. Respect

Volunteers have witnessed and been on the receiving end of a range of behaviours that would not be tolerated in any other professional environment. The presence of a major incident should not be a reason to excuse that.

112. There were behaviours and language from ESA staff that demonstrated a lack of respect for the experience and skills of volunteers, particularly officers with accumulated decades of experience.
113. This lack of respect was demonstrated both directly, through specific language and interactions, as well as indirectly through failure to include them in planning and tactical management of operations.
114. Volunteers know that this sort of behaviour would simply not be tolerated in the departments and business they work in.
115. There has been a range of media commentary that includes quotes from volunteers, mostly anonymously. In some instances, internal communications have been leaked to the media. In every case, the ESA has strongly come out to defend its actions and deny the views put forward by volunteers. While the ESA may be justified in responding, there has been no internal recognition that the commentary has been fueled by a lack of respect for volunteers. There are simply no avenues for the voices of volunteers to be heard³⁰ and respected.
116. However, ESA made no response when a former senior officer of the ESA made comments in the media including some disparaging views of volunteers. This failure of our senior managers to stand up and defend us has not gone unnoticed by volunteers.

4.5. Consultation

117. According to the SBMP:

“Ongoing communication with volunteers remains an ESA priority. The ACT Government will consult with volunteers to better understand the factors driving their decision to volunteer or to stop volunteering. Attention will also be given to identifying issues impeding their ability to volunteer, undertake training or respond to bushfires.”³¹

118. This is supported by Action 4.5 which commits to “Undertake consultation with the workforce (including volunteers) to better understand their needs.”
119. Volunteers have participated in good faith in a range of consultative processes over the years. In nearly every case, these have been characterised by one or more of:
 - pre-determined outcomes before the consultation has commenced,
 - written outcomes that bear no relation to the discussions,
 - otherwise, no written outcomes at all,
 - defensive positions by paid personnel, and
 - no change in the experience of volunteers.
120. Volunteers have also made written submissions to the ACTRFS on a range of topics with little or no response.

³⁰ The ESA will doubtless claim that volunteers have avenues. Section 4.4 will discuss the history of ‘consultation’ with volunteers.

³¹ Strategic Bushfire Management Plan 2019-2024, p43.

121. Volunteers come from a range of backgrounds. Many of us occupy senior positions in the Commonwealth and ACT Public Services, in private business and in education with a range of skills to contribute. Officers in particular are expected to demonstrate leadership at the Brigade level. However, when it comes to overall management of service the clear view seems to be that the expertise and skills of volunteers has no value.
122. Again, every time we participate in these consultation mechanisms there is an impact on us: loss of time with families, education and other activities. Although we engage in each process in good faith, I wonder what the point is of contributing to them.
123. There is simply no voice for volunteers in the current management of the service: consultative mechanisms are designed to ignore us, operational processes exclude our expertise and skills and when some volunteers resort to media commentary, it is vigorously defended.

RECOMMENDATION 22. That the Review access records of previous consultative processes to understand the level of commitment volunteers have had to those processes, and see the range of issues that volunteers have been consistently raising for a number of years.

4.6. Recognition

Since August 2019, volunteers have made significant contributions to firefighting in Queensland and NSW, as well as in the ACT. Guises Creek Brigade alone has contributed over 11,000 hours of operational effort since August 2019 including deployments to Queensland, New South Wales and Victoria, single day strike teams to surrounding regions as well as shifts in response to the ACT fires. Every single one of these hours represents lost time in employment or education, or with families.

There has been minimal attempt to recognise this effort.

124. Despite holding an event to recognise the contribution of ADF personnel, there has been minimal effort to recognise the efforts of volunteers. The planned community day was poorly planned and advertised, and as a result was poorly attended. The certificates for Canberra Citizen of the Year have only been received at the end of June 2020 are not even signed by the Chief Minister.
125. Importantly, there has been no recognition for employers who made major sacrifices to release volunteers for firefighting and other activities.
126. No one volunteers with the ACTRFS for public recognition. However, the lack of proper recognition for the scale of effort this season combined with the issues outlined above (lack of recognition of our skills, roles being offered to other agencies, lack of respect and poor consultation) has resulted in poor morale.

RECOMMENDATION 23. That the Review commission an independent study into morale within the ACTRFS including exit interviews of departing paid staff and volunteers.

5. THE FUTURE OF THE ACT RURAL FIRE SERVICE

127. My submission raises a range of issues affecting the ACTRFS. Most of these were apparent before the 2019-20 season, but the way that volunteers were managed has exacerbated them. These include:
- poor management of fatigue,
 - poor management of shift and crewing arrangements,
 - volunteers being sidelined and allocated only secondary roles,
 - lack of respect and recognition for volunteers, and
 - poor consultation with volunteers.
128. The result is a season that has ended with the lowest morale I have ever seen. Of particular concern is morale amongst experienced members who are expected to provide leadership across the service.
129. The SBMP makes it clear that “*Training and maintaining RAFT-qualified members will continue to be a focus of the RFS.*”³² while the previous Commissioner has also included community education as a priority for the ACTRFS.
130. The clear direction from the SBMP and the actions of the ESA is that, far from being the agency with the legislated responsibility to respond to bushfires, the ACTRFS will increasingly become a secondary firefighting agency with only niche capabilities.
131. Maintaining the current ACTRFS is a significant cost to the ACT community and the community should know that there is little evidence of cost-effective use of the service within the ACT. It has to be asked whether the community is prepared to support what has become a purely interstate deployment capability³³ together with some niche skills available to support the other firefighting services.
132. The ACT Government and the ESA needs to clearly articulate to the community and its volunteers it’s expectations – backed by plans and measurable changes – for the service. At the moment, we are dying a death of a thousand cuts – with each one, we experience the loss of volunteers with experience that will take decades to redevelop.
133. All of us have other activities (employment, family, education, etc) that we put aside to participate in ACTRFS operations, training and other activities. We freely make this commitment at any time of day, on every day of the year. However, if the Government, and the ESA are not as committed to us as we are to the services then it should honestly tell us that so that we can re-dedicate our talents and skills to other volunteering activities where we will be recognised and supported.

RECOMMENDATION 24. That the ACT Government clearly informs volunteers of the role of the ACTRFS during the life of the current SBMP.

³² Strategic Bushfire Management Plan 2019-2024, p48

³³ Of the more than 11,000 operational hours contributed by Guises Creek members, 92% was spent outside the borders of the ACT.

GLOSSARY

Term	Definition
the Act	ACT Emergencies Act 2004
ACTFR	ACT Fire and Rescue
ACTRFS	ACT Rural Fire Service
ACTSES	ACT State Emergency Service
AIIMS	Australian Inter-agency Incident Management System
ESA	Emergency Services Agency
HR	Hazard Reduction
IAP	Incident Action Plan
IMT	Incident Management Team
Members	The volunteer members of the ACTRFS
PCS	Parks and Conservation Service, a unit of the Environment, Planning and Sustainable Development Directorate
QFES	Queensland Fire and Emergency Services
Review	Assembly Committee review of ACT emergency services responses to the 2019-20 bushfire season
SBMP	Strategic Bushfire Management Plan
SOP	Standard Operating Procedure