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31 July 2013

Mr Jim Casey
State Secretary
Fire Brigade Employees' Union of NSW
2-7 Belmore Street
Surry Hills NSW 2010

Dear Mr Casey

I write in response to your correspondence which was only received by Fire & Rescue NSW (FRNSW) on Monday, 29 July 2013 regarding IRC Matter 461 of 2013.

I note the short period of time available to FRNSW to prepare a response to your very exhaustive list of questions. Notwithstanding, in order to progress the matter, we have attempted to answer the questions succinctly.

In response to your 73 questions, I can advise as follows;

- 1. Does the Department acknowledge that emergency services were expressly excluded from the Public Sector Merit Selection Review in 1998 and that the FBEU and the Department subsequently agreed that merit selection for the purposes of firefighter progression and promotion would be an objective knowledge-based test and not a subjective interview/recruitment assessment?**

Pursuant to Clause 13 of the Permanent Firefighters Award, the content and format of the Inspectors Promotion Program will be specified by the Commissioner following consultation with the Union. FRNSW considers the current Pre-Entry Test to consist of components which are subjective and objective.

- 2. Does the Department consider the current Pre-Entry Test to be an objective knowledge-based test based on known marking criteria that reflects the agreement referred to in Question 1?**

The old 'rote' test consists of three components:

- Administration & Technical;
- Incident Management;
- Leadership/Management through Charles Sturt University (essay test)

Accordingly, some components of the current Pre-Entry Test are subjective and others are objective.

3. Does the Department share the Union's understanding that the operational components of the current Pre-Entry Test are meant to be focused on the knowledge that an eligible Station Officer should reasonably be expected to have after 11 years of service (i.e., that the Pre-Entry Test is not akin to the old Inspectors' examination, but is simple a test of the candidates existing knowledge in order to establish an order of merit list pursuant to subclause 13.11.2)?

Yes.

4. The consent award which provides for the current Pre-Entry Test refers at subclause 13.11.2 to *"the order of merit for entry into each Inspectors' Promotion Program"* and, at subclause 13.11.3, to *"the order of merit list"*. Given that the Department previously accepted the current Pre-Entry test as a merit selection process, why is it now referring to it as "a memory test"?

The old Inspector Promotional Program (IPP) Pre-Entry Test is a memory test that determines order of merit. The old IPP Pre-Entry test is not a merit selection process as it does not recognise the skills and experience that are critical in a modern Inspector's role.

5. How many Station Officers have sat the Inspectors' Pre-Entry Test since its inception in 1997 and of those candidates, how many went on to successfully complete the IPP?

Since 1997 there have been 553 Station Officers who have sat the IPP Pre-Entry Test, of these 170 went on to successfully graduate.

6. The Department's FAQ answers for staff include the statement that *"after extensive consultation with many stakeholders, there is agreement that the memory test does not recognise skills and competencies that are critical in a modern Inspector's role"*. Who were these stakeholders;

Commissioner, Deputy Commissioner, Chief Superintendents, Superintendents, Inspectors, Station Officers and Firefighters.

When and how did this consultation take place; and

To determine the criteria and test elements, 3 forums were held with the Deputy Commissioner, Chief Superintendents, Superintendents, Inspectors and Station Officers. Stakeholders were supportive of the proposed changes and made suggestions to improve the process. For example, the addition of a practical test and the requirement that one referee is a current direct manager were suggestions made in these forums. These were taken onboard and integrated into the test.

Commissioner Mullins and Deputy Commissioner Jim Smith also communicated the proposed changes to the IPP pre-entry test at numerous Station Forums throughout NSW. The feedback regarding the proposed changes was overwhelmingly positive. Commissioner Mullins received verbal feedback and emails directly from Firefighters, Station Officers, Inspectors, Superintendents and Chief Superintendents.

Dedicated IPP Pre-Entry Test Forums were held to explain the proposed changes to Station Officers as well as give Station Officers an opportunity to ask questions and provide feedback. These 11 forums were held all over the state.

Portfolio and Interview Development Seminars were also held to communicate, at a more detailed level, the proposed changes and, more specifically, how a Station Officer might prepare their evidence based portfolio and approach the interview. Eighteen development seminars were held all over the state.

How was this apparent agreement established and recorded?

FRNSW are not sure what this question is referring to as this was a consultation period.

7. How many FRNSW senior officers (i.e., Inspectors, Superintendents, Chief Superintendents, Assistant and Deputy Commissioners) are there at present and;

There are currently 107 Inspectors, 38 Superintendents, 17 Chief Superintendents, 4 Assistant Commissioners and 1 Deputy Commissioner.

Of this number, how many were selected for promotion through the current Pre-Entry Test format?

These data are not available.

8. Where is the pressing urgency for a new selection process?

Workforce Planning has identified Inspector vacancies to be filled. There is an IPP due to be held in August/September to fill these identified vacancies. We have been in discussions with the workforce and the FBEU since 2011. The response to question 6 outlines the extent to which FRNSW have sought to develop the IPP Pre-Entry Test so that it is effective and fit-for-purpose.

Why couldn't/shouldn't the 2013 Pre-Entry Test be held in the same way it has been held since 1997 so as to allow potential candidates appropriate notice of any change and the parties to negotiate a new Pre-Entry Test without what, in the absence of any plausible explanation to the contrary, appear be artificial and self-imposed time constraints?

The IPP Pre-Entry Test shouldn't be held in the same way as Firefighters have advised that the memory test does not recognise skills and competencies that are critical in a modern Inspector's role. Firefighters have also labelled the study requirements for the old rote test as onerous and unproductive.

The IPP Pre-Entry Test couldn't be held in the same way as it would take considerably longer, in the order of months, to prepare for the old rote test when compared with the preparation required to submit an evidence based portfolio which is a finite task. Under the new IPP Pre-Entry Test, we do not expect applicants to undertake any further skill acquisition but rather simply rely upon the skills and competencies that they have attained in their Station Officer role.

- 9. The Department's FAQ answers for staff ask "*will there be a memory test this year if the current changes are held up?*", to which the Department's answer is a definitive "No". Given the answer to Question 7 and the "no implementation" provision of Award subclause 36.7, is it not possible that the Department might still need to conduct another Pre-Entry Test under the current format?**

No.

- 10. What practical obstacles are there to prevent the Department from conducting another (and in all likelihood, final) Pre-Entry Test under the current format?**

Firefighters have advised FRNSW that it takes 12 months of study to prepare for the old rote test. To conduct another rote test would not allow Station Officers enough time to study and would not allow FRNSW to fill current vacancies.

If the Department agreed or it was required to do so, what would be the earliest date that this Pre-Entry Test could be held?

August 2014.

- 11. Did a vacancy arise in any Country Inspector position between 27 April 2012 and 12 July 2013? If so, where and when did each such vacancy arise?**

Positions were advertised as vacant on 12 July 2013 in the context of the 2013 IPP.

- 12. Did the Department advertise any of the Country Inspector vacancies referred to in Question 11?**

Yes.

If so, how (e.g. in Commissioner's Orders or internal memorandum, etc.) and when was each vacancy advertised?

FRNSW advertised available Country Inspector positions internally on a transfer basis at rank (i.e. only Inspectors were able to apply). This occurred in February 2013 through an internal email to all Inspectors.

- 13. Were any of the Country Inspector vacancies referred to in Question 11 filled and, if so, when?**

The Duty Commander position at Goulburn was the only position filled from the recruitment advertised February 2013.

- 14. Does the process for filling Country Inspector positions remain as determined by the Commission in IRC 884 of 2010, and do the Standing Orders governing the allocation of unfilled Country Station Officer and Inspector positions continue to apply? If not, then why not?**

Matter No. 884 of 2010 is not relevant.

The Policy for allocation of unfilled Country Station Officer and Inspector positions (set out in In Orders 2006/2) applies. However, as you are aware there are exceptions to these arrangements such as the agreement between the FBEU and FRNSW to fill Special Roster Positions by quarantining the 2012 IPP.

- 15. How many Station Officers undertook the 2012 IPP Pre-Entry Test and of those candidates, how many were placed on that Program?**

In 2012, 40 Station Officers undertook the IPP Pre-Entry Test. Nine were placed to fill the 9 vacant positions.

- 16. Were the Station Officers placed on the eligibility list arising from the April 2012 IPP Pre-Entry Test eligible, until 28 April 2013, for promotion on the occurrence of a country vacancy pursuant to the Standing Orders governing the allocation of unfilled Country Station Officer and Inspector positions? If not, why not?**

No. There is no list, as the 2012 IPP was a one off IPP designed to fill nine selected Inspector positions, as agreed by the FBEU.

- 17. How many officers of Inspector rank are not presently in their substantive position (whether Operational Support or Duty Commander) because they are undertaking temporary 'special projects', higher duties or otherwise on secondment elsewhere? Is this generally typical of the number of Inspectors who are temporarily operating out of their substantive position at any given point in time?**

It is not clear what is meant by "substantive position". All Inspectors are working at the rank of Inspector.

- 18. Noting the already identified positions at Leeton (2), Bathurst (1) and Maitland (2), where (i.e., Metro or Regional) and when (i.e., over what time period, for example "in the 3rd quarter of 2014") are each of the remaining five expected Inspector vacancies/promotions expected to occur?**

As employees retire or exit FRNSW these positions will be filled with candidates from the IPP.

19. Are any of the five remaining IPP positions advertised in Commissioner's Orders 2013/15 the new Metropolitan Duty Commander positions notified to the Union in correspondence dated 15 June 2012?

No.

20. Why is the time frame provided in Commissioner's Order 2013/15, from only 12 July to 2 August (3 weeks) so short? Why should this not be extended to 6 weeks so as to afford all Station Officers and potential candidates, including those on extended leave, notice?

The time frame is not short. Through dedicated IPP Pre-Entry Test forums we have been talking to the workforce about the refined model since the end of May 2013, some 9 weeks ago. At these forums, Station Officers were provided with advice as to how they might start to address the 7 criteria and start composing their portfolio of evidence. Station Officers were also provided development sessions regarding how to prepare their portfolio and prepare for the merit-based interview. These sessions were run across June and July in order to communicate the proposed changes at a more detailed level as well as prepare the workforce for such time as the change was implemented.

21. At what point between its letters of 16 November 2011 and 16 May 2013 did the Department insert additional stages, including psychometric testing, to its proposed process. Why were these additional stages not raised with the Union prior to the Department's letter of 16 May 2013?

These changes were not raised with the Union because they came up in internal forums representative of the workforce.

22. What are the intended timeframes for each of the remaining stages (psychometric testing, interview and practical) of the proposed process?

The psychometric testing would occur over a 1-2 week period, depending on the number of applicants. The interview and practical test would be conducted over a 1-2 week period. Candidates would complete both the interview and practical test on the same day.

23. When does the Department expect the 2013 Inspectors' Promotion Program (as opposed to the Pre-Entry Test) to commence?

August/September 2013.

24. The Department's procedure documentation refers candidates to their Station Officer or (Duty) Commander for support. What support are Station Officers and Duty Commanders expected to provide candidates?

We have suggested that Station Officers speak to a variety of people to reflect on their work experience and skills and how these relate to the 7 criteria.

What training or advice has Station Officers and Duty Commanders received in order to facilitate this support role?

Senior Officers have been provided with information to keep them up to date regarding the proposed changes.

Is the Department concerned that the devolution of this responsibility may result in candidates receiving uneven advice/information and if not, then why not?

There is no devolution of responsibility. Candidates and Senior Officers have been provided with the same information throughout the process.

25. In correspondence date 16 November 2011 the Department acknowledged the Union's expectation of increased remuneration for candidates who met specific first stage criteria for the IPP as a "threshold issue" for any new selection process, but has not discussed or responded to this issue at any stage since. Why?

FRNSW did note the FBEU's expectation; however, it does not believe an increase in remuneration to be appropriate before working in an Inspector role.

26. Was a position description used to determine the selection criteria?

No.

If the answer is yes, then what was/is this position description and further, was this position description discussed or agreed with the Union?

N / A

If the answer is no, how were the selection criteria determined?

Please refer to the answer at question 6.

What regard was given to the Deloitte report prepared in October 2011 on the role of Duty Commander?

None

27. How would the proposed selection criteria compare with the knowledge that an eligible Station Officer should reasonably be expected to have after 11 years of service?

The proposed selection criteria under the new IPP Pre-Entry Test compares very well with the knowledge which a Station Officer would be reasonably expected to have. All Station Officer's will be able to address the required criteria.

- 28. Regarding the Emergency Management criteria, how and/or why would a Station Officer have a Diploma in Emergency Management or the equivalent knowledge and skills? To that end, what does the Department consider to be tertiary equivalent skills in Emergency Management?**

Station Officers may have undertaken a comparable course either through TAFE, the Institution of Fire Engineers or have qualifications from a relevant university such as a graduate certificate in Emergency Management from Charles Sturt University.

- 29. Regarding the Non-Operational Fields criteria, what would the Department consider to be tertiary equivalent skills in frontline management, finance, human resources, logistics, administration, or services industry experience?**

“Non operational” can include any work related activity outside of attending an incident. This includes, but is not limited to, leading a team, managing people, understanding of people management and financial / procurement practices, profiling the community for community engagement activities, managing personnel issues, negotiating building compliance, and the completion and submission of briefs.

- 30. How, if at all, does the Department propose to assist unsuccessful candidates whose feedback identifies deficiency in relation to their application? And who would bear the cost of any relevant external qualification and/or training undertaken?**

Unsuccessful applicants will be provided with detailed feedback highlighting the areas they need to build upon. No one would need to bear a cost as tertiary qualifications and/or external training are not mandatory.

- 31. Would all potential candidates be given equal opportunity to acquire operational experience in a variety of stations and roles? If so, how would these opportunities be afforded?**

Candidates can use experience throughout their career at FRNSW in their evidence based portfolio. Firefighters have the opportunity to seek experience in a variety of roles through the merit selection processes that are in place.

- 32. Would all potential candidates be given equal opportunity to acquire non-operational experience in Operational Support roles? If so, how would these opportunities be afforded?**

Firefighters are given equal opportunity to apply for non-operational support roles through competitive merit selection.

- 33. Is a draft portfolio or template available that is indicative of what the Department would expect of candidates?**

No.

If so, would candidates be given a copy as a guide?

N/A

If not, why not?

It is up to each candidate to present their portfolio in a way that they believe best shows their merit for the position they are applying for.

34. Why would the portfolio require 'evidence' of the minimum two years experience criteria when an existing pre-requisite under the Award is the attainment of the Station Officer Level 2 rank, for which two years' service is already required?

This is confirmation that they have obtained the rank of Station Officer Level 2 which, as per the award, is required to be considered for promotion to Inspector.

35. Are the seven criteria proposed by the Department to be evenly weighted?

Yes.

If not, how would they be weighted?

N/A

36. Noting that portfolios would be rated between 1 (unsatisfactory) and 5 (excellent), would there be a marking guide?

Yes.

If so, what would this guide be?

It will be an information guide to assist the selection panel merit-rate the portfolios.

If not, how would the selection panel know on what basis to award ratings?

N/A

37. If the marking system was to be determined only by the four panel members (i.e., subjectively by each particular panel), would this be by consensus or would each panel member allocate his or her own marks? How would this be articulated, and therefore understood by a third party in the event of a review?

The panel will mark on a consensus basis, which will be recorded in the panel's report.

38. Would the portfolio stage be a culling stage or would all candidates continue to progress through each of the stages and be graded on their overall performance in the Pre-Entry Test?

All candidates that submit an evidence based portfolio will be invited to sit the psychometric test. A selected number of candidates will then be invited to complete the merit-based interview and practical test.

39. If the portfolio stage is intended to be a culling stage, what proportion of candidates does the Department anticipate would proceed from the portfolio stage to the psychometric test?

Please refer to response to question 38.

40. Why is psychometric testing now considered appropriate or necessary?

When used appropriately, psychometric tests provide great predictive validity. This means that psychometric tests are good indicators of future job performance. Research has shown that psychometric tests, in combination with a portfolio of evidence, merit based interview or practical test, are the best way to determine a candidate's suitability for a job. Based on this research, best practice in other agencies and extensive consultation with stakeholders we have determined that this multifaceted approach will ensure that the most suitable candidates are selected for the IPP.

Why did the Ambulance Service of NSW recently cease using psychometric testing?

FRNSW is unable to answer this question.

41. How would the proposed psychometric test avoid/eliminate potential discrimination arising out of cultural differences or language skills?

The psychometric test is designed for a Year 10 standard of English proficiency (or equivalent). The assessment is also designed to minimise the use of culturally specific concepts or terminology.

42. What are the criteria against which candidates are proposed to be measured (i.e. what values/characteristics would FRNSW be looking for and what would FRNSW be avoiding?)

In general terms, FRNSW are looking for people that are able to:

- Plan, problem solve, make decisions and apply strategic thinking.
- Perceive, identify and manage emotions in themselves and others making them more effective at achieving goals where emotional based information is important. This includes activities that involve working as part of a team, dealing with others on a one-on-one basis and displaying leadership behaviours, reason about emotions and to use emotions to enhance thought and to solve problems.
- Relate to others, influence and collaborate, demonstrate structure and flexibility in their thinking style, and work under pressure.

43. What comparator workforce is proposed to be used for benchmarking (eg, the example comparator provided to the Union was the field of engineering)?

Scores will be compared to Australian normative groups at manager level.

44. Does the Department propose a minimum mark or rating for the proposed psychometric test?

No.

If not, why not?

There is no minimum score for the psychometric tests, rather, the candidates that receive the highest marks in the evidence based portfolio and psychometric tests will be invited to complete the merit based interview and practical test. The number of candidates that progress will depend on the number of forecasted places on the IPP.

45. Is the Department proposing minimum required levels of the relevant fields (eg, cognitive function and emotional intelligence) and;

No.

If not, why not?

Please refer to response to question 44.

46. Would candidates be able to carry over their psychometric test results or would they be required to re-sit this test every time they applied for the IPP?

If a candidate was re-applying within a year from their psychometric test date results would be carried over. If over one year from psychometric test date, the candidate would re-sit the test.

47. When and how frequently could a Station Officer sit and re-sit a psychometric test, and what would be the likelihood of a different outcome in any subsequent test?

Please refer to response to question 46. An individual's behaviour can change over time, therefore assessment results also change over time.

48. Why shouldn't a firefighter of any rank be permitted to undertake the psychometric test in order to gauge their prospects for promotion?

FRNSW may consider this request in the future.

Why should any firefighter (but particularly a Station Officer) be expected to wait until after they had submitted a portfolio before they could undertake the psychometric test?

FRNSW wants to ensure that candidates are genuinely submitting an application.

49. What industrial arrangements (including pay and travel entitlements) does the Department propose to apply to candidates undertaking the psychometric test? Would the psychometric test be conducted off-duty and off-site, or on-duty and/or at a fire station?

It is intended that the psychometric test will be conducted on-duty and off-site. Accordingly, Station Officers will receive their ordinary remuneration for attending the test as they would for attending work for that shift.

50. Who would receive the psychometric test results?

Onetest (the external assessment provider) will be administering the test. The results will be provided to the panel members. At the end of the recruitment process, each candidate will receive a feedback report.

Would these test results contain the responses to some or all questions, a mark or rating, or simply a pass/fail?

The psychometric test does not generate a pass/fail result. The way in which the assessments are scored differs for depending on the assessment. Generally, the assessments results are interpreted in conjunction with a relevant comparison group. From this, a percentile is calculated. A percentile indicates the proportion of the relevant comparison group which an individual scores at the same or above. For example an individual who scores in the 60th percentile would indicate that for the assessment, the individual score better than or equal to 60% of people in that comparison group.

51. How would the psychometric test results be used? That is, could/would the test results also be used by management to determine a candidate's suitability for their current position and if not, then why not?

The psychometric test results are not designed to measure a candidate's suitability for their role as a Station Officer. The assessment results will not be used to determine a candidate's suitability for the Station Officer role.

52. How would the selection panel use the psychometric test results? Would the panel receive the candidate's rating only, or would it have access to the candidate's responses to some or all of the actual test questions?

The panel will receive a score pertaining to the capability of the candidate. The panel will add this score with that received for the evidence based portfolio. The panel will not have access to individual responses to psychometric test items.

53. Could the selection panel override a psychometric test result if it believed that one candidate performed better in, say, the interview and portfolio than a candidate who achieved a higher rating in the psychometric test?

No.

54. Would the psychometric stage be a culling stage or would all candidates progress through this stage and be rated on their overall performance in all stages of the Pre-Entry Test?

Please refer to response to question 38.

55. If the psychometric test is intended to be a culling stage, what proportion of candidates does the Department anticipate would proceed from the psychometric test to the interview stage?

FRNSW cannot provide the proportion of candidates that would proceed without knowing how many candidates will apply for the 2013 IPP Pre-Entry Test. Given that there are 10 positions advertised, there may be approximately 20 interviews. However, this is subject to the quality of the applications and the panel's assessment.

56. If the psychometric test is intended to be a culling stage, how does the Department reconcile this intention with its FAQ answer that *"Research has shown that psychometric tests, in combination with a merit based interview or practical test, are the best way to determine a candidate's suitability for a job"* ?

When used appropriately, psychometric tests provide great predictive validity. This means that psychometric tests are good indicators of future job performance. Research has shown that psychometric tests, in combination with a sample of work behaviour such as a portfolio of evidence, are the best way to determine a candidate's suitability for a job.

Doesn't this mean that the psychometric test is not a reliable indicator of suitability unless the candidate are also interviewed and/or tested in a "multifaceted approach"?

No. Psychometric tests when used in conjunction with other selection techniques are a great predictor of future work performance.

57. What proportion of candidates does the Department anticipate would proceed to the interview stage?

Please see response to question 55.

58. Could a candidate who was culled prior to the interview stage seek an appeal/review of that decision prior to the conclusion of the entire process?

No.

If not, then why not?

Candidates will not receive feedback until the end of the IPP pre-entry test.

59. Why wouldn't/shouldn't all candidates be interviewed and undertake the practical test?

The IPP selection process is merit based and is designed so that high calibre applicants (these numbers depend on the number of forecasted places on the IPP) progress to the next stage of the test. All candidates that submit an evidence based portfolio will be invited to sit the psychometric test.

If they were not permitted to undertake all stages of the proposed Pre-Entry Test, wouldn't that mean that the four stages were not equally weighted, as the portfolio or the psychometric test could eliminate the candidate?

No.

60. Would the interview questions be the same for all candidates?

Yes.

If so, would candidates be given prior knowledge of the questions in order to prepare? If not then why not?

Yes, the questions will be given to candidates 10-15 minutes before the interview.

61. How does the Department reconcile its FAQ answer to staff that *"the interview consists of questions designed to elaborate on the information you have provided in your portfolio"* with the subsequent, contradictory advice that *"to ensure the process is fair the questions will be the same for all applicants"*?

The advice is not contradictory. Interview questions will be the same for each candidate. Questions will allow candidates to elaborate on their portfolio. For example, a question may ask; "How do you maintain your crew for operational readiness?" A candidate's response to this question will vary depending on their experience.

62. How does the Department propose to conduct and assess the interviews?

Normal interview processes will apply.

Would there be a marking guide?

Yes, there will be a marking guideline.

If not, how would the selection panel know on what basis to mark/rate the candidates?

N/A

63. What industrial arrangements (including pay and travel entitlements) does the Department propose to apply to candidates undertaking the interview and/or practical test? Would this test be conducted off-duty and off-site, or on-duty and/or at a fire station?

Subject to when the interviews take place, a Station Officer may be on or off duty. It is intended that these interviews will be conducted off-site.

64. The Department's FAQ for staff refers to a requirement *"to provide two referees, one of which needs to be a direct supervisor"*. The FAQ goes on to ask *"what if I don't get on with my supervisor?"*, with the Department then answering by expressing confidence *"that line managers will be professional in providing appropriate referee reports"*. Why should a candidate not be permitted to nominate their own referee(s)?

Candidates are nominating one referee.

What training and/or experience do the supervisors of Station Officers currently have in providing such reports?

A referee report requires a referee to answer questions regarding the candidate.

What if any recourse is available to a Station Officer candidate who believes that their supervisor(s) has exhibited bias against them, or in favour of another candidate?

Where the selection panel believe that there are inconsistencies in the referee reports a third referee may be nominated.

65. Would all candidates who are interviewed also undertake the practical assessment, or could they be culled following their interview?

All candidates that complete the merit-based interview will also complete the practical test.

66. Has the proposed practical assessment been developed yet?

Yes.

What would be the format of the practical assessment?

A short scenario testing;

1. Incident management skills;
2. How to use procedures and policies that can be found on the station portal (this does not require rote learning);
3. High level decision making, problem solving and prioritisation;
4. Human resource skills and people management; and
5. Computer skills.

Would the practical assessment continue to be based on the operational knowledge reasonably expected of a Station Officer?

Yes.

Would it be a verbal tabletop exercise or a computer based simulation?

It will be a desktop exercise.

67. Does the Department intend the proposed practical assessment to be a pass/fail test or would it be marked/graded?

It will be marked/graded.

In the event that the practical assessment would be marked, who would undertake this assessment?

The same panel that assess the evidence based portfolio and merit-based interview will assess the practical test.

Is there a marking guide for the practical assessment?

Yes.

If so could the Union be provided with a copy?

No.

If not, how would the assessor(s) know on what basis to award marks?

Not applicable, there is a marking guide.

68. The Union has asked whether the proposed review would be a genuine appeal process (ie, with potential remedies for the appellant) or a simple review process (with no remedies). The Department responded by confirming “a genuine review”, which frankly leaves the Union none the wiser. Put simply, would the proposed review be capable of overturning an adverse decision of the selection panel and placing the appellant on the Inspectors Promotion Program?

Yes.

69. If the review is intended to act as a genuine appeal then does the Department intend that a successful appellant would be added to the number already accepted onto that Inspectors’ Promotion Program, or would their successful appeal result in another candidate being removed from the Program? In the event of the latter, would a displaced candidate then also have a right of review/appeal?

If an individual was successful in their appeal, they will be placed on the IPP. The least meritorious individual will then be displaced. There will be no extra place for the displaced individual on the Program.

In the event of the latter, would a displaced candidate then also have a right of review/appeal?

No.

70. Is there a proposed timetable for the proposed review/appeal process and;

A Station Officer will have 2 days following receipt of their feedback to request a review. The review process will then be concluded within 7 days from when it is commenced.

If so, would this process be concluded prior to the commencement of the Program in question?

Yes.

71. Given the Department's past reassurance of an external and independent appeals process being available to firefighters – initially through GREAT and later the IRC – and the NSW Government's recent removal of all such appeal rights, what is the Department's attitude now to the possible inclusion of a Union-nominee on

(a) the selection panels and/or;

No.

(b) the Commissioner's review panels?

No.

72. Would a candidate's feedback include the marks or ratings they received at each stage?

Candidates will receive the marks they received at each stage as well as feedback as to why they received such marks.

Would the candidate be advised of how they rated against the other candidates in each stage?

No.

73. What industrial arrangements (including pay and travel entitlements) does the Department propose to apply to candidates attending their post-test feedback session? Would this feedback occur off-duty and off-site, or on-duty and/or at a fire station?

Feedback is compulsory. Feedback may be provided on duty, off duty, off site or at a fire station at a time suitable to the individual.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Darren Husdell', with a large initial 'D' and a stylized 'H'.

Darren Husdell
Acting Deputy Chief Executive
Corporate Services & Governance