



23 August 2017

Mr Paul Baxter
Commissioner
Fire and Rescue NSW
1 Amarina Avenue
GREENACRE NSW 2190

Attention: Deputy Commissioner Graeme Finney

Dear Mr Baxter,

Re: Diploma in Leadership

I write further to the Union's letter of 10 August and the Department's letters of 11 and 18 August. As you know, the Union agreed to the advertisement of the Diploma in Commissioner's Orders 16/2017, subject to clarification that this training would be undertaken on duty.

The Department's draft advertisement asserted that this training would be performed off duty and with no payment of overtime. This was contrary to subclause 15.3 of the Permanent Firefighting Staff Award which unambiguously provides for this situation:

15.3 Upon request, the Department will consider an application by an employee to attend a course which is appropriate, relevant and recognised by the Department but is not essential for promotion. If approval is granted by the Department for the employee to attend such a course, the employee shall be entitled to the provisions of Clause 16.

There is no discretion available to either party (Department or Union) here. The Awards are legally binding on both parties, and on all employees. A permanent firefighter who is approved to attend this course when rostered off duty must be paid overtime pursuant to subclause 16.10 for any part of the course undertaken while he/she is rostered off duty, and a retained firefighter who is approved to attend this course must be paid for any and such attendances pursuant to Clause 6 of the Retained Firefighting Staff Award.

The Department chose to withdraw the disputed item from last week's Commissioner's Orders without notice to the Union. That was your decision, not ours, and it is neither correct nor appropriate for your staff to now be telling your employees that the FBEU (a) was responsible for it and (b) is refusing to meet and/or discuss the issue further. The Union is available and willing to meet with your representatives at City of Sydney Fire Station tomorrow at 1pm.

Yours sincerely,

Leighton Drury
State Secretary



File Ref. No: FRN17/147
TRIM Ref. No: D17/

18 August 2017

Mr Leighton Drury
State Secretary
Fire Brigade Employees' Union
1-7 Belmore Street
SURRY HILLS NSW 2010

Dear Mr Drury

Re: Diploma in Leadership

I write further to FRNSWs' letter of 11 August 2017 regarding the Diploma in Leadership and telephone conversation between Officers of the parties.

I understand the FBEU has sought further information to that conveyed in FRNSW's letter of 10 August 2017 and that you are unwilling to meet at this time.

Accordingly, please see answers below:

1. For Permanent Firefighters, Clause 16 of the *Crown Employees (Fire and Rescue NSW Permanent Firefighting Staff) Award 2017* will be applied. This course is voluntary and employees will have to elect to attend the course whilst rostered off duty. Fire & Rescue NSW (FRNSW) will not approve overtime in accordance with its discretion to do so under Clause 16.10.1.2.
2. The pilot program will be 8 days face-to-face training, which will be conducted at times permanent firefighters are off shift. Accordingly, employees will not need to be released, nor will their position require backfilling.
3. FRNSW is offering this course free of charge as FRNSW has secured funding through state and federal sources, to run this course through TAFE NSW. FRNSW has budgeted funds to cover employee related expenses such as travel.
4. As funding has been sourced centrally, selection will not be subject to any local budgetary constraints.
5. As this course will be offered to a wide range of employees it is not related to the progression and promotion clause of the Permanent Firefighting Award. This course is to address the need for leadership development generally within FRNSW.
6. See points and 4 above.



Unclassified

FRNSW would like to offer this development opportunity to firefighting, clerical and trades staff in the very near future, noting we have time constraints placed on us through TAFE NSW.

If you have any further questions or comments, please respond promptly to Christopher Knox, Industrial Relations on (02) 9265 3975 or Christopher.Knox@fire.nsw.gov.au.

Yours sincerely,



Graeme Finney OAM
Deputy Commissioner, Strategic Capability



File Ref. No: FRN17/147
TRIM Ref. No: D17/

11 August 2017

Mr Leighton Drury
State Secretary
Fire Brigade Employees' Union of NSW
1-7 Belmore Street
SURRY HILLS NSW 2010

Dear Mr Drury

I refer to your letter dated 16 March 2017 regarding the Diploma in Leadership.

Leadership development is a priority for FRNSW and building leadership capability is essential for enhancing a culture of personal accountability, mutual trust and respect. Strong, principled leadership at all supervisory levels of the organisation is critical to empowering employees to strive for excellence as we move forward with our new strategic direction.

The need for leadership development in FRNSW has been identified over recent years, particularly highlighted in the 2015 **Employee Engagement Survey** and the **Leadership and Management Training Needs Analysis** conducted in late 2016.

Accordingly, FRNSW has made arrangements for a pilot program with TAFE NSW for the **Diploma of Leadership and Management BSB51915 qualification** for approximately 39 employees. A range of employees that will be eligible to apply for inclusion in this pilot program, including Permanent Firefighters, Retained Firefighters, Trades and Administrative staff.

The pilot program will be 8 days (most likely configured as 4 x 2 day blocks) face-to-face training which will be off shift. This course will be offered on a voluntary basis and is not required. Employees will have to elect to attend the course whilst rostered off duty and FRNSW will not approve overtime in accordance with its discretion to do so under Clause 16.10.1.2.

As this course will be offered to a wide range of employees it is not related to the progression and promotion clause of the Permanent Firefighting Award. This course is offered to selected staff for free (funded centrally between TAFE and FRNSW) to address the need for leadership development generally within FRNSW. Selection will not be subject to any local budgetary constraints.

Given our advanced arrangements with TAFE, we will be required to publish the availability of the course in Commissioner's Orders of 16 August 2017. If you have any further enquiries, please do not hesitate to contact Christopher Knox, Industrial Relations on (02) 9265 3975 or Christopher.Knox@fire.nsw.gov.au.

Yours sincerely,


Janet Ruecroft

**Assistant Commissioner,
Education & Training**





10 August 2017

Mr Paul Baxter
Commissioner
Fire and Rescue NSW
1 Amarina Avenue
GREENACRE NSW 2190

Attention: Mal Connellan, Executive Director People and Culture

Dear Mr Baxter,

Re: Diploma in Leadership

The Union writes regarding your correspondence of 4 August and 15 June on this matter. Unfortunately the interpretation of the TRC meeting draft minutes (since adopted) by the Department is inaccurate. The action item was for the Department to write to the FBEU outlining what it was seeking to implement, and how it would comply with the *Crown Employees (Fire And Rescue NSW Permanent Firefighting Staff) Award 2017* as the Department representatives in attendance at the May meeting could not answer the questions the Union posed at that time. These questions are set out below, but it is worth noting that the Committee itself had not formed a view on whether or not this should be pursued, and as such had not advised the Commissioner. It was never the view of the Committee that the proposed implementation and delivery of the Diploma was outside of its remit.

The following questions have been posed to Department representatives at various stages in regard to this matter, and we seek the Department's response:

1. Your correspondence of 15 June says that participants will not be paid. This appears to be a proposed breach of clause 16 of the *Crown Employees (Fire And Rescue NSW Permanent Firefighting Staff) Award 2017*, whereupon employees who participate, with Departmental approval, in training programs, examinations or assessments conducted by, on behalf of, or approved by the Department are not only paid but entitled to other benefits. How does the Department say clause 16 doesn't apply?
2. If a member is on shift, will they be released for attendance? Will they be paid? Will there be a recall to cover their position if they are released?
3. Who is paying for the course - the member or the Department? What is the cost?
4. Your correspondence makes applications subject to approval by Area Commanders. Does this mean that if an Area doesn't have sufficient budget a prospective candidate will be denied?
5. From Leading Firefighter to Inspector candidates complete the following modules that are directly related to leadership (and others that overlap the subject): Lead, Manage and Develop teams; Crisis leadership and decision making; Manage human resources and; Promote a learning environment in the workplace. Does the Department suggest

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this is deficient for those ranks? If so, where does the Department say that a diploma of leadership fits in terms of progression and promotion? If not, what is the point of the Diploma?

6. Why is the Department prioritising this when there is a host of other training that is necessary that the Department is not delivering, and complains about not having enough resources to provide? Retained Incident management training, rescue operator training, confined space training, regional appliance training and BLS recertification are all areas that require resources, and deserve budget allocation before a leadership diploma.

A reply to the above questions is sought by 24 August 2017.

Yours sincerely,



Leighton Drury
State Secretary



File Ref. No: FRN17/147
TRIM Ref. No: D17/54012

Mr Leighton Drury
State Secretary
Fire Brigade Employees' Union of New South Wales
1 – 7 Belmore Street
SURRY HILLS NSW 2010

4 August 2017

Dear Leighton,

I write to you regarding the Diploma in Leadership Selection Procedure and call for applicant's publication which was withdrawn from the Commissioner's Orders this week, due to FBEU concerns around ongoing consultation via the Training Review Committee (TRC).

TRC meeting minutes indicate that consultation regarding the Diploma in Leadership initiative commenced in the TRC meeting of 28 February 2017 and concluded in the meeting of 30 May, where it was agreed that the matter would be more appropriately progressed outside of the TRC. FRNSW sent a letter on 15 June 2017, to which a response has not been received. Further, with reference to the selection procedure specifically, it was understood that agreement had been reached on the proposed document, subsequent to TRC discussions and further correspondence between the FBEU and Assistant Commissioner Ruecroft.

I request the FBEU forward their concerns with any further feedback or comments on this matter by 10 August due to contractual obligations with Riverina TAFE. FRNSW proposes to publish these documents in the next Commissioners Orders

Regards,

Yours sincerely

A handwritten signature in black ink, appearing to read "Malcolm Connellan".

Malcolm Connellan AFSM
Executive Director People and Culture





File Ref. No: FRN17/147
TRIM Ref. No: D17/38557

15 June 2017

Mr Leighton Drury
State Secretary
Fire Brigade Employees' Union of NSW
1-7 Belmore Street
SURRY HILLS NSW 2010

Dear Mr Drury

I write to you to advise of a new pilot program aimed at building the skills of Station Officers and Inspectors.

It is FRNSW's desire to offer a Diploma of Leadership and Management to Station Officers and Inspectors delivered externally through TAFE in the financial year 2017/18.

It is aimed at Station Officers and Inspectors and calls for applications will be through Commissioners Orders. Applications will be approved by Area Commanders and selection will be through the Selection Committee.

As participation is voluntary, FRNSW will not approve any re-credit of leave or the payment of overtime for attendance at this course

The course will be delivered through five (5) one (1), day workshops over 12 months at metro and regional locations. It is anticipated that there will be four classes with twelve (12) Station Officers and Inspectors in each class, in 2017/18.

If you have any further enquiries, please do not hesitate to contact Christopher Knox, Industrial Relations on (02) 9265 3975 or Christopher.Knox@fire.nsw.gov.au.

Yours sincerely,

A blue ink signature of Graeme Finney.

Graeme Finney OAM
Deputy Commissioner, Strategic Capability

Leighton, very happy to take you through the program and pre-reading analysis if you wish.

*Sincere regards,
Graeme*

