

Independent review of an incident involving Queensland Fire and Emergency Services employees

GOVERNMENT RESPONSE

On 3 October 2014 the former Government commissioned Ms Margaret Allison to lead an independent review of a complaint of sexual harassment in Queensland Fire and Emergency Services (QFES). The review focused on the management of that complaint by QFES and the Public Safety Business Agency (PSBA), as well as determining whether there were any systemic issues fostering a culture of sexual harassment and workplace bullying.

Ms Allison handed her report (*'Independent review of an incident involving Queensland Fire and Emergency Services employees'*) to the former Premier on 19 December 2014.

The report found QFES and PSBA failed to respond effectively to the complaint of sexual harassment in the particular incident. The report also identified systemic organisational problems within QFES that limited that organisation's ability to respond appropriately and effectively to such matters generally.

In delivering her report, Ms Allison noted that Queensland is not unique and that the issues identified in her review have also been identified in recent times in other Australian jurisdictions, and in countries such as the United Kingdom and Canada.

The Queensland Government recognises the vital work performed by firefighters and emergency services personnel across the state to keep the community safe. However, the Queensland Government takes very seriously the need to respond effectively to complaints of sexual harassment across Government, as part of the Government's strong commitment to reducing gender inequality.

The report made 30 recommendations to improve the environment in which women firefighters are recruited, trained, assigned, supported and promoted. All recommendations in the report are accepted, subject to consultation on implementation arrangements with relevant stakeholders.

Work has already commenced to implement some of the organisational reforms necessary to address the issues identified in the report. Implementation is being led by the Fire and Emergency Services Commissioner, in consultation with the Chief Executive Officer of the PSBA.

The Government will ensure this work continues under the auspice of an Implementation Committee, to be chaired by an independent person. This Committee will review reforms already undertaken, as well as monitor ongoing implementation activity. The Committee will also undertake an audit of implementation of the recommendations 12 months from the release of the Government's response. This review will include specific analysis of the effectiveness of implementation of the reforms as they have been applied in the rural fire service and the State Emergency Service.

QFES and PSBA will work with relevant stakeholders as implementation of the recommendations continues to ensure the most effective arrangements to address the issues

identified in the report. The final implementation arrangements for some of the recommendations addressed to PSBA will be determined once the Government has considered the review of the structure and functions of the PSBA.

The recommendations will be implemented over the short, medium and long term. This response details what has been achieved thus far and identifies further work that will occur to implement the recommendations.

Highlights of reforms already undertaken

One of the first actions of the then Acting Commissioner of QFES on her appointment was to establish a QFES Cultural Improvement Implementation Project (CIIP) to lead the implementation of organisational reforms necessary to address the issues identified in the report, and to support her vision for a modern and diverse organisation.

The cultural improvement team, led by an Assistant Commissioner, reported directly to the Commissioner. Since March 2015 some 16 of the recommendations have been actioned and are now ready for final closure, subject to review by the Implementation Committee. Preparatory work has commenced on all other recommendations or have significant progress toward closure underway.

Highlights of new strategies include:

- A QFES Harassment Information Line has been established providing confidential services to all QFES personnel. A harassment advisory network has also been established.
- A number of new policies and systems have been developed that will be reviewed by the Implementation Committee to confirm their effectiveness in addressing sexual harassment including:
 - o New complaints management frameworks and supporting policies to help staff and managers ensure QFES workplaces are free of harassment or discrimination.
 - o Training and education material has been remodelled to focus on appropriate behaviour, targeted toward preventing harassment and supporting staff to make complaints. The first phase of Workplace Behaviour Training has commenced and is being rolled out across the State.
 - o A new system of mandatory reporting of complaints and actions taken and an electronic complaints management system is being trialled.
- New arrangements are in place to support female recruits through their training and on placement.

Rec. No.	Recommendation	Action Undertaken
Leadership and oversight of implementation		
1	<p>That implementation of the following recommendations be overseen by a small gender representative committee with an independent chair, reporting directly to the Minister for Police, Fire and Emergency Services, and including but not limited to:</p> <ul style="list-style-type: none"> • the Commissioner, QFES • the Commission Chief Executive, Public Service Commission or senior representative • the Director-General, Department of the Premier and Cabinet or senior representative • the Chief Executive Officer, Public Safety Business Agency. 	<p>A Steering Committee comprising of the Commissioner QFES, Deputy CEO Public Safety Business Agency, Assistant Commissioner QFES (responsible for Cultural Improvement Project) and other QFES and human resource representatives was established on 6 February 2015 to progress sensible organisational reforms in a timely fashion and to prepare a draft implementation plan.</p> <p>This committee will be reformed in line with the recommendation, with an independent chair appointed to this committee, in consultation with the Premier and Minister for Police, Fire and Emergency Services. A senior representative from both the Public Service Commission and the Department of the Premier and Cabinet will also become members of the committee.</p> <p>This committee, in its new form, will continue to oversee the implementation of the recommendations, including outcome of consultation with relevant stakeholders.</p>

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Leadership and oversight of implementation		
2	<p>That the [implementation] committee develop and publish a comprehensive implementation plan to:</p> <ul style="list-style-type: none"> • end discriminatory behaviour in the workplace • create greater gender equity across the entire organisation, including volunteers <p>within an expedited time frame to be approved by the Minister for Police, Fire and Emergency Services. The Plan should include the recommendations of this report that are approved by Government and be audited by the committee after 12 months.</p>	A draft plan which outlines the actions required has been developed for consideration by the Government's Implementation Committee.
Legislation		
3	That the <i>Public Service Regulation 2008</i> be amended to ensure that the provisions of Chapter 1 Part 3 of the <i>Public Service Act 2008</i> apply to persons employed under the <i>Fire and Emergency Services Act 1990</i> .	Implementation of recommendation three will be progressed by the Public Service Commission, in consultation with relevant stakeholders.
4	That, on the next occasion public sector employment legislation is reviewed, consideration be given to including QFES employees (other than the Commissioner) within its ambit, rather than the <i>Fire and Emergency Services Act 1990</i> .	Implementation of recommendation four will be progressed as part of the review being conducted by the Public Service Commission of the <i>Public Service Act 2008</i> . Consultation will occur with relevant stakeholders.

Rec. No.	Recommendation	Action Undertaken
Separate review of other complaints		
5	That a further time-limited review process be commissioned to consider and respond to the complaints made to this review, regarding human resource management in the rural and auxiliary fire services, that are outside the scope of the current review.	<p>Specific complaints from the rural fire service have already been investigated and case managed. The complaints were dealt with centrally and assessed as to whether specific action was required. Where appropriate, specific complaints were investigated by an independent expert human resource investigator.</p> <p>Any further issues identified in the rural fire service and State Emergency Service (SES) will be assessed through a process dependent on the local area. Where appropriate, expert(s) workplace investigators will be appointed to review the material provided by the particular individuals. On the basis of that review of materials, any managerial action recommended could be identified, including any disciplinary action against individuals.</p> <p>Any systemic issues identified in this process will be referred to QFES and PSBA to be considered as part of the broader implementation activity.</p> <p>The reforms recommended in the report apply equally to rural fire service employees, as well as SES employees, and can be implemented in such a way that will address the unique aspects of the rural fire service and SES.</p> <p>A formal review of the effectiveness of the implementation of the reforms already underway, as they have been applied in the rural fire service and the SES, will be undertaken by June 2016, 18 months after the commencement of the implementation work.</p>

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Separate review of other complaints		
6	That PSBA and QFES agree on the strategy and resources necessary for immediate response to any further bullying and harassment complaints triggered by this review.	<p>Interim arrangements have been implemented to ensure the ability to immediately respond, including managing and responding to the QFES Harassment Information Hotline, and additional resources provided for investigations.</p> <p>Any final arrangements will be further considered following the completion of the review of the PSBA.</p>
Organisational governance matters – PSBA and QFES		
7	That the Commissioner, QFES and the CEO, PSBA, develop a formal agreement detailing the range of corporate services to be provided by PSBA to QFES.	A draft Memorandum of Understanding and PSBA Service Catalogue has been provided to key stakeholders for feedback and will be further considered following completion of the review of the PSBA.
8	That PSBA assume full responsibility for the delivery of all corporate HR services, policies and procedures for QFES, and the review, simplification and electronic publication of these such that all staff have ready access.	A scoping document including action plan is being considered by the Cultural Improvement Implementation Steering Committee. PSBA have commenced work on drafting new human resource policies and procedures. This will be further considered following completion of the review of the PSBA.

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Organisational governance matters – PSBA and QFES		
9	That PSBA and QFES review policies and processes to ensure the confidentiality of personal records of recruits and employees is protected, and that organisation-wide protocols exist to manage access to, and dissemination of, such information.	<p>A review has been undertaken and actions have been taken to secure these records and manage access to them. Access to recruit information is now through an authorised security swipe system.</p> <p>A protocol document that informs all staff and managers of privacy requirements and about the access to, and dissemination of, personal information is being drafted and will be implemented following consultation and approval by the Government’s Implementation Committee.</p>
Management of harassment and bullying allegations		
10	That QFES and PSBA ensure that comprehensive data is collated statewide on all employee complaints and disciplinary matters.	<p>A new reporting scheme has been implemented and information is being collected, and reported on, for analysis and action.</p> <p>Further improvements are being considered in the form of enabling an electronic Complaints Management System.</p> <p>These reforms will be considered by the Government’s Implementation Committee to ensure Government’s confidence that ongoing monitoring will occur and targeted interventions will be implemented to address any trends identified.</p>

Rec. No.	Recommendation	Action Undertaken
Management of harassment and bullying allegations		
11	<p>That the CEO, PSBA, establishes a Workplace Conduct Unit within the HR Division, in place of the Ethical Standards Unit, that will</p> <ul style="list-style-type: none"> • develop and implement workplace strategies to prevent unacceptable workplace conduct • oversight the conduct and timely resolution of workplace grievances • manage cases involving allegations of serious workplace misconduct, including those where disciplinary action is likely and/or the matter may involve corrupt conduct. 	<p>Four additional resources (two additional workplace investigators and two case management and support staff) have been allocated to PSBA Ethical Standards Unit (ESU) as an interim measure to address this recommendation. This will ensure allegations are investigated and that cases are managed appropriately, in a timely manner.</p> <p>Final implementation arrangements for this recommendation will be considered following the outcome of the PSBA review.</p>

Rec. No.	Recommendation	Action Undertaken
Management of harassment and bullying allegations		
12	<p>That the review of policy and procedures referred to in Recommendation 8 above have an immediate focus on HR policies concerning harassment and bullying and complaints management, including the requirement to ensure:</p> <ul style="list-style-type: none"> • effective case management is provided by an officer of the Workplace Conduct Unit • the complainant is supported and, where necessary, protected from further harm • the matter is dealt with quickly and effectively • confidentiality of the process is maintained to the greatest degree possible. 	<p>An initial review of human resources policies has been completed and an interim complaints management framework has been issued.</p> <p>The immediate focus has been to ensure staff can easily and clearly see how complaints are assessed and what happens if action is required.</p> <p>The new interim framework makes it clear for staff and managers that there are three levels of seriousness for complaints and what happens for each level. The framework includes an assessment process to determine when, in appropriate cases, a workplace investigation independent of the local area is commenced.</p> <p>The reforms to human resource practices are aimed at ensuring staff are supported and have access to advice if they believe a complaint is warranted. The network of advisors and the Harassment Advice Hotline also provide timely and confidential advice and support direct to staff.</p> <p>The Government's Implementation Committee will be provided with the final full suite of human resource policies for its consideration and approval.</p>

Rec. No.	Recommendation	Action Undertaken
Management of harassment and bullying allegations		
13	That a network of trained equity advisers be established in QFES and PSBA to provide advice to QFES employees concerned about discriminatory behaviour in the workplace, or incidents of harassment and bullying, including sexual harassment.	An interim network has been established and is operating, providing support and advice to staff and volunteers. This will be further considered following the outcome of the PSBA review.
14	That arrangements be made for the Employee Assistance Scheme (EAS) to be provided by an organisation that is independent of any other contractual arrangements with the QFES, and that access be provided on the same basis as other public sector schemes (with direct self-referral allowed and a number of sessions provided before further organisational authorisation is required).	<p>An initial review of the current Fire and Emergency Services Support Network (FESSN) has identified there are features of the network that already address the recommendations. Direct self-referral is a feature of FESSN and staff and volunteers have been assured of its independence and confidentiality through the publication of educational material.</p> <p>The outcomes of this review will be considered by the Implementation Committee.</p>
15	<p>That all QFES officers of the rank of Station Officer or above receive training in:</p> <ul style="list-style-type: none"> • acceptable workplace conduct, and their responsibility to ensure this • complaints management procedures and skills, including case studies about what should be reported • the support of staff who have made complaints related to bullying or harassment. 	<p>Training material and modules have been developed.</p> <p>Delivery of training has commenced with Senior Executives, and Senior Officer level employees completed across all regions.</p> <p>More than 450 staff have received the training to date and rollout will continue with expected completion by the end of 2015.</p> <p>The training material and processes will be reviewed by the Implementation Committee to confirm these new processes address any shortcomings in workplace conduct training.</p>

Rec. No.	Recommendation	Action Undertaken
Management of harassment and bullying allegations		
16	Staff below the rank of station officer should receive information on how to commence the complaints process and what they can expect to occur once a complaint has been lodged.	<p>This has been completed with the establishment and promulgation of the:</p> <ul style="list-style-type: none"> • interim Harassment Contact Officer Network • Harassment Information Hotline • updated complaints management, policies and procedures (referred to in detail under recommendation 12). <p>Staff have been made aware through the Commissioner's Update to staff and intranet messaging.</p> <p>This will be reinforced through the workplace behaviour training that is being rolled out to all staff (scheduled to be completed in November 2015).</p> <p>The Government's Implementation Committee will monitor and advise of any further actions required.</p>

Rec. No.	Recommendation	Action Undertaken
Management of harassment and bullying allegations		
17	<p>That a comprehensive review of the entry requirements and selection process for firefighters be undertaken, with a view to:</p> <ul style="list-style-type: none"> • ensuring that physical, psychological and intellectual testing of applicants for firefighter positions reflect the actual competencies required for the position currently and in the context of future organisational requirements • determining whether any component of the entry requirements or selection process unfairly excludes women from consideration for appointment as a firefighter • including a greater emphasis on cognitive abilities, verbal and written communication skills and teamwork. 	<p>PSBA with QFES have undertaken a review of current QFES recruitment using an external contractor specialising contemporary recruitment strategies. The scope of the work includes reviewing the QFES recruit profile. The outcomes of this review will be further considered by the Government's Implementation Committee.</p>
18	<p>That the current practice of maintaining an applicant pool for firefighter positions over a number of years be ceased, and</p> <ul style="list-style-type: none"> • all candidates who have been on the list for greater than 12 months be advised that their application has lapsed, and they will need to make a fresh application to be considered • the situation of all candidates who have been on the list for less than 12 months be reviewed to confirm currency of interest and suitability for further consideration • a new process be developed to manage an annual recruitment cycle. 	

Rec. No.	Recommendation	Action Undertaken
Recruitment and Selection		
19	That a new, targeted recruitment campaign be developed to promote firefighting as a career for women, both in permanent and auxiliary positions, with implementation to be approved by the committee specified in Recommendation 1, having regard to improvements in organisational climate.	<p>A review has been commenced into current practices and future opportunities, including national and international research across Fire and Emergency Service jurisdictions.</p> <p>The outcomes of the review will be considered by the Government's Implementation Committee.</p>
20	That QFES and PSBA develop and implement policy to support lateral recruitment at middle and senior management levels to support organisational renewal.	<p>QFES, supported by PSBA, have commenced a review of current lateral entry policies and procedures at middle and senior management.</p> <p>The outcomes of the review will be considered by the Government's Implementation Committee.</p>
Training and development		
21	<p>That the Queensland Combined Emergency Services Academy review its curriculum to:</p> <ul style="list-style-type: none"> • ensure the inclusion, at an early stage of the firefighter recruit program, of examinable course content on ethics, Code of Conduct, and acceptable workplace conduct • have the above program delivered by content specialists via face to face delivery • provide information about the availability of services and supports for any officer affected by bullying or harassment. 	<p>The recruit program curriculum has been modified to mandate standard module inclusions on face to face training on ethics, Code of Conduct and acceptable workplace conduct. Current recruits have completed relevant assessments. This will be considered by the Implementation Committee.</p>

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Training and development		
22	That Academy instructors receive equity and diversity training as a prerequisite of the position.	A revised recruit instructor induction program has been implemented that includes equity and diversity training. All current instructors have received training and this will be considered for closure by the Implementation Committee.
23	That QFES develops a package of strategies to support female recruits at the Academy, including ensuring that there are at least two women on each program.	<p>A female inspector has been appointed as Manager of Recruit Training at the Academy. This will assist with cultural change amongst instructors.</p> <p>The Recruit Instructors Reference Guide has been revised to ensure that two female firefighters are in each intake (where possible) which will allow increased support for these trainees during the recruit course.</p> <p>Female mentors will be allocated to the trainees and this requirement will be included in the placement of recruits following completion of training.</p> <p>The Government’s Implementation Committee will review these actions and determine if further action is required.</p>

Rec. No.	Recommendation	Action Undertaken
Ethics and conduct		
24	That the Commissioner requires that all QFES officers engaging in secondary employment declare this employment to improve transparency around this practice and better enable QFES to meet its duty of care to staff.	<p>A review into current practices and alternative models in use across other agencies has been completed.</p> <p>A draft scheme to manage conflicts of interest and duty of care considerations is being developed for consultation and the final draft will be provided to the Implementation Committee for consideration.</p>
25	<p>That Code of Conduct training, with an explicit focus on acceptable workplace conduct, be undertaken in QFES:</p> <ul style="list-style-type: none"> • within the next 6 months to all staff • on a mandatory basis at least every two years thereafter <p>and that all participation in this training be formally recorded in the Learning Management System and reported on annually to the Board of Management.</p>	Training has been reviewed and the Implementation Committee will consider a proposed new training package, including recording participation on the Learning Management System (LMS).

Rec. No.	Recommendation	Action Undertaken
Ethics and conduct		
26	That PSBA, in consultation with QFES, develops a strategy (including a training program) to prevent harassment and bullying in the workplace, to encourage reporting through the complaints management system, and to highlight the responsibilities of officers at all levels to ensure a safe and inclusive work environment.	<p>A Workplace Behaviour Training package focusing on prevention and encouraging support for complainants has been developed.</p> <p>The training package will be supported by a number of linked actions:</p> <ul style="list-style-type: none"> • Complaints management policies and procedures have been reviewed and reissued • Harassment contact hotline and advisory service has been established and is operating • Code of conduct specific training being rolled out by end of 2015 • Mandatory reporting of complaints and actions taken instituted • Electronic complaints management system being used / improvements investigated. <p>The Implementation Committee will review these initiatives to ensure they adequately address the issues identified in the Report.</p>

Rec. No.	Recommendation	Action Undertaken
QFES working environment		
27	That the assignment of firefighters to particular locations following the successful completion of the Academy program give priority to the placement of women officers in groups of two or more.	Following recruitment, the strategy of placing female firefighters in groups of two or more will be implemented along with identified mentors in the locations. Networks of current female officers will be used to ensure the support of recruits on placement especially if situations develop where there are not two or more females officers electing to be appointed to the same locations. The Government's Implementation Committee will review these initiatives.
28	That the current transfer system for firefighters be reviewed to reduce current limitations on the transfer of officers (whether initiated by the organisation or the individual) and a new organisational policy be developed, with clear application and decision criteria, and review processes.	QFES has commenced a review of the current transfer system that is available to firefighters and this will be further considered, in consultation with significant stakeholders.
29	That PSBA and QFES identify a set of minimum standards for facilities to ensure that female firefighters are afforded appropriate levels of privacy, and conduct an audit in accordance with those standards of all QFES fire stations, with a view to incorporating necessary works in the QFES capital or minor works program.	A review identifying relevant standards has been completed. Information is now being collected about existing facilities so that a costed plan can be developed for consideration by the Implementation Committee and inclusion on the forward capital works/building plan and programs.
30	That QFES implements state-wide procedures to ensure improved oversight of roster development and approval of changes.	QFES has commenced a review of current rostering policies and procedures to ensure transparency and consistency across the state. The outcomes of this review will be considered by the Government's Implementation Committee.