Department of Fire and Emergency Services

Review of response to a complaint and approach to gender inclusion
Letter of transmittal

THE SPEAKER
LEGISLATIVE ASSEMBLY

THE PRESIDENT
LEGISLATIVE COUNCIL

In accordance with section 22E of the *Public Sector Management Act 1994* (PSM Act), I hereby submit this report to the Parliament of Western Australia. The report describes a review into the response to a complaint about staff behaviour at the Department of Fire and Emergency Services (DFES) and the Department’s approach to building a gender inclusive workplace.

The review was conducted under section 24B of the PSM Act and, in my opinion, is of such significance as to warrant reporting to Parliament.

Lindsay Warner
ACTING PUBLIC SECTOR COMMISSIONER

27 July 2018
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Executive summary

On 22 November 2017, an anonymous complaint was received by the Minister for Emergency Services, Shadow Minister for Emergency Services, Mayor of the City of Cockburn, and the media. The complaint alleged 18 months of workplace bullying and inappropriate behaviour had culminated in the resignation of (former) Superintendent Amanda Williamson, head of the State-wide Operational Response Division (SWORD), the most senior female employee in the Department of Fire and Emergency Services (DFES) firefighter ranks. Ms Williamson submitted her resignation on 2 November 2017.

The allegations adversely described the behaviour of several senior DFES staff, including the Fire and Emergency Services (FES) Commissioner, and stated the conduct was “exacerbated” by Ms Williamson’s gender. On receiving the complaint, DFES, amongst other actions, engaged an external investigator, Mr Shayne Sherman of Applied Integrity Solutions, on 21 December 2017.

Following media reporting in January 2018, the Public Sector Commissioner met with the FES Commissioner. DFES provided a draft copy of the investigation report to the Public Sector Commissioner on 7 March 2018. A preliminary assessment of this report and other information provided led to the Public Sector Commissioner’s decision, on 14 March 2018, to commence a review under the authority of section 24B of the Public Sector Management Act 1994 (PSM Act). This review involved assessing the response to the complaint and considering the systems, policies and practices that help build a gender inclusive workplace.

The Public Sector Commission’s review found no reason to suspect a breach of discipline by the FES Commissioner in relation to events leading to Ms Williamson’s resignation. However, the earlier engagement of the Commission may have helped with perceptions of transparency for the investigation process, and afforded an earlier opportunity to discuss any broader diversity and inclusion considerations.

The Commission’s review found that DFES responded swiftly and with the best of intentions as soon as the FES Commissioner became aware of the anonymous complaint. DFES has a sophisticated and transparent process in place for assessing and responding to complaints and reports of suspected misconduct. The external investigation process was found to be transparent and capable of review.

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1 SWORD is a mobile secondary response and logistics support unit. It had no other full-time staff at the commencement of Ms Williamson’s employment and was located at a temporary facility. Ms Williamson was recruited from outside the WA public sector to build the mobile volunteer group and by the end of her employment, several DFES staff members and up to 300 volunteers were operating from a new leased facility.

2 The Public Sector Commissioner is the FES Commissioner’s employing authority under the PSM Act, with responsibility for oversight of minor misconduct and setting standards of conduct and integrity for the public sector. The Public Sector Commissioner also supports the appointment of the Director of Equal Opportunity in Public Employment. The Director’s role, together with the Public Sector Commissioner and public authorities, assist in improving diversity and inclusion outcomes in public employment.
On the current information available, the Commission believes Ms Williamson did not resign from DFES due to a sexist bullying or gender discriminative culture. Rather, the conflict in relationships which likely impacted her decision to resign arose through the competing objectives, approaches and communication styles of the various parties involved, including Ms Williamson, other DFES personnel and managers, volunteers and volunteer leaders, volunteer associations and the WA branch of the United Firefighters Union. It is a complex operating environment, with multiple stakeholders, and initiatives are underway to improve relationships as further described in this report.

With respect to efforts to build a gender inclusive culture, the review found DFES has a range of systems, policies and practices in place, with varying degrees of maturity. The leadership is committed to improving workplace diversity and inclusion and there is a strong decision making framework in place to guide and manage gender-inclusive behaviours. However, there is some room to improve on the roll out of equal employment opportunity (EEO), anti-bullying, harassment and discrimination training, which is currently being addressed by DFES. There is also a need to ensure the leadership commitment is reflected in all business plans and practices.

The low participation of women in firefighting roles is a common issue across Australia, as well as overseas. DFES is encouraged to continue its focus on lateral entry, retention and advancement strategies, in addition to entry level recruitment, to help improve the numbers of women in firefighting and better reflect the diversity of the WA community.
Background to the review

Catalyst and authority for the review
The review arose from the Commission’s preliminary assessment of a complaint and related information provided by DFES.

The review was conducted under section 24B of the PSM Act, which states:

(1) The Commissioner may on his or her own initiative conduct a review in respect of part or all of the functions, management or operations of one or more public sector bodies.

The work was undertaken by Commission employees on behalf of the Commissioner, rather than as independently authorised persons.

Objective
The objective was to review:

1. the nature and extent of actions taken by DFES in response to the complaint
2. DFES’ broader approach to building a gender inclusive workplace (including consideration of potential barriers to female participation in the firefighting ranks)
3. any other matter considered relevant to the review’s scope.

Scope
The review was conducted at, and focused on, DFES. The report findings and recommendations relate to the public sector workforce, including career firefighters. The volunteer network was not in scope for the review.

Specific allegations about staff behaviour were not investigated by the Commission. However, they are referred to in reporting on DFES’ response to the complaint, which included an external investigation.

Presentation of review findings
In line with the review objective, the findings are presented in the following three parts:

1. response to the complaint
2. building a gender inclusive workplace
3. other matters arising.

Within the ‘building a gender inclusive workplace’ part, the findings are structured around the following four factors:

- culture
- decision making framework
- capability
- governance.
Background to DFES

Operating environment

Across WA, DFES has more than 1600 operational personnel and corporate staff members, as well as over 27 000 volunteers, working to prevent, prepare for, respond to and recover from natural disasters and emergency incidents threatening life and property, including fires, cyclones, storms, earthquakes and tsunami. The department operates 24 hours a day, every day of the year.

DFES personnel and volunteers work with other agencies and organisations, such as Western Australia Police and St John Ambulance Australia, to help coordinate and carry out search and rescue missions on land and at sea, and assist at road and traffic emergencies. During the bushfire season, DFES may call on local governments and the Parks and Wildlife Service, in the Department of Biodiversity, Conservation and Attractions, to provide additional resources. DFES also manages RAC Rescue, the state’s only dedicated emergency rescue helicopter service.

These factors create a complex decision making environment, with multiple and sometimes conflicting interactions and objectives that present some challenges to improving performance and planning for the future. The environment highlights a need for softer ‘people skills’, including stakeholder communication and community liaison, alongside operational and technical knowledge.

‘Mostly male’ workforce

DFES workforce

The following graphics show DFES’ predominantly male workforce (noting the largest component is the firefighting ranks), with many having been employed at DFES for over a decade.3

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3 This data is from the Commission’s Human Resource Minimum Obligation Information Requirement (HRMOIR) at 31 December 2017. Salary is the annual base wage or salary and does not include penalty payment, shift allowances, overtime pay or casual loading in lieu of leave entitlements.
Firefighting ranks
The following graphics are considered indicative only for the purposes of this review. The group was selected for this review to include Firefighter to Chief Superintendent classifications employed under the WA Fire Service enterprise bargaining agreement 2017, as a proxy for DFES firefighter ranks.5

Almost all 'firefighters' worked on a permanent full-time basis and 96 per cent were male. More than one-third of male firefighters were 50 years or older. Female firefighters showed somewhat higher sick leave and separation rates. However, the 2014 measurement by the Commission of employee engagement suggested they are relatively satisfied with their employment.

4 FYTD refers to financial year to date information.
5 This shows HRMOIR statistics for a group of DFES personnel at 31 December 2017. There were no trainees at this time. The analysis includes ANZSCO codes 139112, 224412, 441211, 441212 and 591113. This may differ from DFES’ approach to reporting workforce data. The Commission’s data is reported here merely as a tool for exploring broader issues associated with the review.
**Gender distribution**

- Female: 1736, 60%
- Male: 1171, 40%

**Age profile**

- **Female**
  - Under 30: 19% (7% Metro, 8% Regional, 35% Other)
  - 30-49: 71% (60% Metro, 58% Regional, 35% Other)
  - 50+ years: 10% (5% Metro, 4% Regional, 35% Other)

- **Male**
  - Under 30: 8% (7% Metro, 58% Regional, 35% Other)
  - 30-49: 58% (60% Metro, 58% Regional, 35% Other)
  - 50+ years: 35% (5% Metro, 4% Regional, 35% Other)

**Salary profile**

- **Female**
  - Less than $80,000: 42% (4% Metro, 96% Regional, 0% Other)
  - 80,000 - $110,000: 4% (4% Metro, 96% Regional, 0% Other)
  - 110,000 - $150,000: 20% (4% Metro, 96% Regional, 0% Other)
  - $150,000+: 10% (4% Metro, 96% Regional, 0% Other)

- **Male**
  - Less than $80,000: 4% (4% Metro, 96% Regional, 0% Other)
  - 80,000 - $110,000: 20% (4% Metro, 96% Regional, 0% Other)
  - 110,000 - $150,000: 50% (4% Metro, 96% Regional, 0% Other)
  - $150,000+: 10% (4% Metro, 96% Regional, 0% Other)

**Other statistics**

<table>
<thead>
<tr>
<th>Category</th>
<th>Female</th>
<th>Male</th>
</tr>
</thead>
<tbody>
<tr>
<td>FYTD commencements</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>Employee engagement score (2014)</td>
<td>75</td>
<td>72</td>
</tr>
<tr>
<td>FYTD median sick leave taken</td>
<td>3.5 days</td>
<td>1.3 days</td>
</tr>
<tr>
<td>FYTD separation rate</td>
<td>6.7%</td>
<td>1.1%</td>
</tr>
</tbody>
</table>
State of renewal

There have been a number of reviews and inquiries following bushfire events in WA in recent years. These have led to reforms in emergency management governance and improvements in policies and practices. However, in combination with restructures over the period, this extended period of scrutiny and associated changes have likely had an impact on DFES’ culture.

Relevant examples include:

- 2016 major incident review of the Esperance district fires
- special inquiry into the January 2016 Waroona fire
- 2015 major incident review of the Lower Hotham and O’Sullivan fires
- 2015 O’Sullivan and Lower Hotham bushfire review
- 2014 Parkerville, Stoneville, Mt Helena bushfire review
- Perth Hills bushfire review February 2011
- special inquiry into the November 2011 Margaret River bushfire
- post incident analysis of the 2011 Margaret River bushfire
- post incident analysis of the 2011 Nannup bushfire.

Operational reform

The FES Commissioner has embarked on a cultural change program to encourage staff (and volunteers) to better understand and value workplace diversity. This is described in more detail later in this report and includes initiatives such as working with KPMG to develop a culture roadmap and to coach DFES leaders to drive diversity, equality and inclusion.

Adding an additional layer of complexity to the change agenda is a transformation of the DFES operating structure. In response to the special inquiry into the January 2016 Waroona fire, DFES is establishing a new Rural Fire Division. The approach includes a new Bushfire Centre of Excellence, integration of the Office of Bushfire Risk Management and the creation of Volunteer Liaison and Support Officer roles and a Ministerial Volunteer Advisory Forum.

As part of machinery of government changes and government’s policy to reduce Senior Executive Service numbers, DFES is also amalgamating its Capability and Governance and Strategy Commands, as well as the Office of Emergency Management, into a new Strategy and Emergency Management Division.
Cultural factors will be key in delivering on the operational reform program and this is recognised by the FES Commissioner.

**Change in FES Commissioner**

In addition to new ways of working arising through the reform program, the current FES Commissioner is relatively new to that particular role. Mr Darren Klemm AFSM was appointed Commissioner for a term of 18 months from 19 September 2017. Mr Klemm previously held the role of Assistant Commissioner Metropolitan Operations and has delivered cultural and structural reform in the professional development of DFES personnel and volunteers.

Mr Klemm had been in the role of FES Commissioner for about six weeks when Ms Williamson tendered her resignation (on 2 November 2017).
The complaint

The following information summarises the nature of the anonymous complaint received by the Minister for Emergency Services, Shadow Minister for Emergency Services, Mayor of the City of Cockburn, and the media on 22 November 2017.

It was alleged that the FES Commissioner “made derogatory comments” to and about (former) Superintendent Williamson on 1 November 2017, including during a speech to DFES representatives and SWORD volunteers. The comments were of the nature of querying with her prior to the event whether anyone “liked” her and, during the speech, that she had “made up some stories” in her Superintendent interview (the complaint noted the latter was said “in jest”).

The complaint stated this was “the last straw in 18 months” of bullying and inappropriate behaviour by other DFES superintendents, DFES senior executives, volunteers, volunteer associations and the union. The alleged behaviours were non-specific in nature. They included verbal abuse, unprofessional conduct, “impossible” tasks, minimal corporate support and refusal of resources and assistance.

The complaint referred to Ms Williamson’s appointment remaining a matter of “active industrial action” and to the submission of her resignation.

The complaint mentioned the FES Commissioner is a “male champion of change”, that Ms Williamson was the most senior female uniformed officer within DFES and that around five per cent of DFES operational staff are female, mostly up to the rank of Station Officer (three ranks below Superintendent). The complaint noted the DFES culture of unacceptable behaviour had been “exacerbated” by Ms Williamson’s gender.

The complaint was referred to DFES as the accountable authority. The matter was coordinated by the DFES Professional Standards (PS) unit as a report of suspected misconduct.

Initial enquiries were fielded by DFES from the media without publication of the complaint. The first article referring specifically to the allegations was published in the media on 13 January 2018. This was followed by media commentary that any internal inquiry might be affected by the “boy’s club” and that it should be shifted to the Commission to “ensure its independence and avoid any gender bias”.

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6 In mid-2012, the union commenced informal dispute resolution with DFES on the meaning of “appropriate competencies (or equivalent)” after the appointment of two non-career firefighters as superintendents. This terminology comes from the WA Fire Service enterprise bargaining agreement 2017. The union escalated the dispute by filing in the WA Industrial Relations Commission after Ms Williamson commenced at DFES.

7 The ‘Fire and emergency male champions of change’ was established in April 2017. The group is convened by the Victorian Human Rights and Equal Opportunity Commissioner and includes executives from more than 30 agencies responsible for fire, emergency and land management services across Australia and New Zealand. The objective is to advance gender equity, inclusive cultures and improvement in the representation of women in the workplace, including senior leadership positions, within a combined paid and volunteer workforce of more than 280 000 people.
Findings 1 – Response to the complaint

Summary of key events

The key events and actions taken by DFES in response to the anonymous complaint are outlined in the following table.

<table>
<thead>
<tr>
<th>Date</th>
<th>Event/action</th>
</tr>
</thead>
<tbody>
<tr>
<td>22 November 2017</td>
<td>Complaint referred from Minister for Emergency Services to DFES</td>
</tr>
<tr>
<td>23 November 2017</td>
<td>DFES advised Ms Williamson that negotiations were on hold for dispute with union about appropriate superintendent competencies(^8)</td>
</tr>
<tr>
<td>24 November 2017</td>
<td>FES Commissioner requested PS unit undertake investigation</td>
</tr>
<tr>
<td>27 November 2017</td>
<td>Director PS advised Ms Williamson of complaint; she declined to participate in investigation; and advised she accepted FES Commissioner’s apology of 3 November 2017 in relation to his comments on 1 November 2017</td>
</tr>
<tr>
<td>30 November 2017</td>
<td>FES Commissioner approved engagement of external investigator</td>
</tr>
<tr>
<td>5 December 2017</td>
<td>FES Commissioner advised Ms Williamson of independent investigation and cultural change initiatives</td>
</tr>
<tr>
<td>21 December 2017</td>
<td>Mr Sherman engaged to investigate key events that may have led to resignation</td>
</tr>
<tr>
<td>22 December 2017</td>
<td>FES Commissioner sent all-staff message stating commitment to inclusive culture and zero tolerance for behaviour that “intimidates, threatens or devalues” people</td>
</tr>
<tr>
<td>16 January 2018</td>
<td>Minister and FES Commissioner discussed engaging independent reviewer for Mr Sherman’s investigation report(^9)</td>
</tr>
<tr>
<td>18 January 2018</td>
<td>FES Commissioner and Public Sector Commissioner met to discuss matter</td>
</tr>
<tr>
<td>19 January 2018</td>
<td>Director PS sent initial materials/information to the Commission</td>
</tr>
<tr>
<td>24 January 2018</td>
<td>DFES prepared brief for Minister on progress of external investigation</td>
</tr>
<tr>
<td>7 March 2018</td>
<td>DFES provided draft investigation report to the Commission</td>
</tr>
<tr>
<td>6 April 2018</td>
<td>DFES prepared brief for Minister on progress of external investigation</td>
</tr>
<tr>
<td>19 April 2018</td>
<td>DFES finalised investigation report and advised Minister</td>
</tr>
</tbody>
</table>

\(^8\) The conciliation was deferred by agreement until end of the fire season and listed for WA Industrial Relations Commission conference on 27 April 2018. The dispute is ongoing.

\(^9\) This did not proceed once the Public Sector Commission became involved in reviewing the matter.
The external investigation

On receipt of the anonymous complaint, DFES decided to commence an investigation into the claims made. DFES sought an independent investigator from outside the department due to the seriousness of the allegations and to enhance the perceived credibility of the process.

The FES Commissioner advised Ms Williamson on 5 December 2017 that the investigation was intended to highlight and educate the DFES workforce about what constitutes unacceptable behaviour and, where required, manage the behaviour of any identified individuals.

Mr Sherman was engaged by DFES as the external investigator on 21 December 2017. Mr Sherman is a contractor under the human resource and investigation services whole-of-government contract, or Common Use Arrangement (CUA), and was chosen on the basis of his qualifications and experience in public sector investigations and previous work for DFES.

Mr Sherman was asked to examine key events that impacted on Ms Williamson’s employment and determine if she was subject to any bullying, harassment, sex discrimination or other unacceptable behaviour that may have led to her resignation. Appendix 1 shows the terms of reference for the investigation.

The Commission’s review found the terms of reference were clearly stated and allowed for a thorough consideration of the facts and circumstances surrounding the resignation of Ms Williamson. They allowed for some analysis of the workplace culture and were indicative of DFES’ commitment to identifying contributing factors. However, Mr Sherman was unable to directly explore Ms Williamson’s experiences and the specific details of events leading to her resignation. Ms Williamson did not consent to a formal interview. The former FES Commissioner, who was in that role until about six weeks prior to Ms Williamson’s departure, was also not interviewed.

On 5 April 2018, the Public Sector Commissioner advised the FES Commissioner that, given the level of overlap between the external investigation and the Commission’s review, he would support the FES Commissioner’s decision to finalise that investigation.

The findings

The external investigation did not find conclusive evidence of DFES staff engaging in verbal abuse, bullying or discrimination against Ms Williamson. There was no evidence that staff behaviour (particularly that of DFES senior executives and other superintendents) had breached the DFES code of conduct, noting Mr Sherman was unable to further discuss any evidence with Ms Williamson as she did not wish to be interviewed.

The investigation found the FES Commissioner’s comments to and about Ms Williamson on 1 November 2017 were likely the “last straw” as stated in the complaint. The investigation found the comments involved “unsuccessful attempts at humour” during the opening address and the FES Commissioner was unaware of some previous decisions (such as the approval of new SWORD branding) and events, and their impact on Ms Williamson, in making comments to her prior to the event.
There was no evidence found or suspicion raised of malicious intent on the part of the FES Commissioner. While Ms Williamson’s resignation note referred to the Commissioner’s comments prior to the opening address as “professionally embarrassing” (i.e. asking whether anyone ‘liked’ her), she also referred to his “kind words in public last night”.

On the current information available, it is the Commission’s opinion that a number of workplace issues, which are referred to, to some extent, in the anonymous complaint, are likely to have contributed to Ms Williamson’s decision to resign from DFES. These include:

- **Senior leadership.** Level of communication through the leadership structure, impacting on perceptions of support, as well as the visibility of support, for Ms Williamson in delivering the stated mission for the SWORD.

- **Immediate manager.** Differing approaches and communication styles of Ms Williamson and her immediate manager.

- **Resources.** Perceived availability of additional resources for the SWORD. Several issues may have impacted, including a reduction in the recurrent budget, reassigned ‘loan’ vehicles and reallocated staffing.

- **Tasking.** Timing of tasks and workload assigned to Ms Williamson. The investigation did not identify deliberate staff behaviour to set her up for failure.

- **Staff, volunteers, volunteer associations and union.** Conflict in relationships and disagreements between Ms Williamson, some DFES staff, some volunteers, volunteer associations and the union. Several issues may have impacted, including the activities of volunteer associations and volunteers in regard to changes in SWORD branding; and union activity in regard to a performance management case managed by Ms Williamson (on top of the ongoing dispute between DFES and the union over appropriate competencies for the superintendent rank, which escalated after Ms Williamson’s commencement).
Findings 2 – Building a gender inclusive workplace

Introduction

The anonymous complaint contained some gender-related elements, such as noting the FES Commissioner is a ‘male champion of change’ and that about five per cent of operational staff are female, mostly in the ranks up to Station Officer (three ranks below Superintendent). In light of this, the Commission’s review sought to consider the systems, policies and practices that prevent and combat potential issues of sex discrimination, and other sexist and sexual behaviours, to help build an inclusive workplace.

The FES Commissioner’s performance agreement with the Minister for Emergency Services does not directly refer to any gender-related priorities, and performance targets have not been set to improve representation in the firefighting ranks. However, the business imperative for DFES to build a gender diverse and inclusive workplace is clear. Under section 29 of the PSM Act, and subject to the EO Act and other instruments, the functions of the FES Commissioner include implementing initiatives to ensure EEO in accordance with the principles of merit and equity.

On 5 December 2017, the FES Commissioner advised Ms Williamson of his commitment to implementing a number of initiatives for a more inclusive workplace, such as to:

- lead the ‘Fire and emergency male champions of change’ program in DFES
- increase the diversity of the paid (and volunteer) workforce
- review the career firefighter recruitment process to maximise diversity outcomes
- implement more rigorous candidate selection processes which focus on personal factors of emotional intelligence, openness and adaptability
- increase the frequency and intensity of ‘acceptable workplace behaviour’ training
- undertake an organisational cultural audit to establish a baseline and inform future strategies and interventions.

These and other initiatives are considered in this section of the report to assess the maturity of DFES’ approach to building an inclusive workplace.
Methodology
The activities undertaken included:

- interview with Ms Williamson
- meetings with the FES Commissioner, DFES Director Human Resources (HR) and Director PS
- assessment of DFES documents against the objects and operation of Part IX of the Equal Opportunity Act 1984 (EO Act) and other relevant obligations.

The evidence collected was persuasive rather than conclusive. For this reason, the observations and findings are not intended to be definitive.

Assessment framework
The DFES systems, policies and practices that help build a gender inclusive workplace were reviewed within a framework of four enabling factors:

- culture
- decision making framework
- capability
- governance.

The nine focus areas in the following table informed the framework.
<table>
<thead>
<tr>
<th>Factor</th>
<th>Focus area</th>
</tr>
</thead>
</table>
| **Culture**   | **Leadership commitment**  
Leaders communicate and model a commitment to gender inclusion in the workplace |
|               | **Culture of engagement**  
Employee perceptions and behaviour demonstrate a broad commitment to gender inclusion |
| **Decision making framework** | **Accountability**  
Roles and responsibilities for preventing and managing gender-related discrimination/harassment (and other inappropriate behaviour) are assigned |
|               | **Guiding behaviour**  
Policies and procedures guide employees to support and implement gender inclusion activities |
| **Capability** | **Employing for diversity**  
Gender diversity, and a respect for gender diversity, is sought and reinforced through recruitment and employment practices |
|               | **Workforce knowledge and skills**  
Employees are trained to respect and support gender inclusion in the workplace |
| **Governance** | **Business alignment**  
Workforce planning and activities that promote gender inclusion show a clear link to the organisational direction and vision |
|               | **Risk management**  
The risk of not increasing female representation, as well as that of gender-related discrimination/harassment and related inappropriate behaviour, has been assessed and is being managed |
|               | **Reporting and monitoring**  
Trends and activities associated with female representation and discrimination/harassment etc. are monitored and responded to by senior leaders |
Factor 1: Culture

Leadership commitment
Organisational culture is the cornerstone of the more recent strategic direction set by the FES Commissioner that is focusing on the value of different thinking styles or ‘cognitive diversity’.

Evidence collected for the review indicates the DFES leadership is committed to improving workplace diversity and inclusion but that the message could be broader and more widely communicated.

More specific observations from the review include:

- The **2016-2028 strategic plan** includes a strategic direction for workforce diversity and refers to targeted recruitment programs to build equity. This recruitment focus is reaffirmed in content on the DFES website, which expresses an organisational commitment to encouraging women (amongst others) to apply for firefighter positions. The website also states it is the right of every employee (and volunteer) to work in an environment free from harassment, discrimination and victimisation.

- The **Statement of strategic intent 2018-2020** outlines the FES Commissioner’s commitment and adds a strategic priority of a ‘unified organisation with a supportive and balanced culture’. This is important for addressing any behavioural issues as referred to in Findings 3 of this report. The document mentions a culture of equality and partnership in working with communities (and might be interpreted as ensuring the workforce reflects the community’s diversity). However, it does not clearly refer to EEO issues such as the commitment to eliminating discrimination.

- The organisational values include ‘respect and value each other’ and ‘work together as a committed team’. These are longstanding values that lay the foundation for a healthy culture, and are woven through the strategic plan, annual reports, recruitment and induction materials, for example.

- DFES indicated in the Commission’s 2017 employer survey that the benefits of having a ‘diverse and representative’ workforce is not well understood. The FES Commissioner has since engaged KPMG to identify practical and effective strategies for an inclusive and diverse culture. To date, the work with KPMG has included the development of a culture roadmap, executive coaching on inclusive leadership and cognitive diversity workshops.

- Since April 2017, Mr Klemm has been a ‘male champion of change’, in his previous role as Assistant Commissioner and now as the FES Commissioner. The program imparts strong values and attitudes, including ‘calling out poor behaviours’. In this role, the FES Commissioner has held ‘Listen and learn’ staff sessions, participated in

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10 The ‘Fire and emergency male champions of change’ was established in April 2017. The group is convened by the Victorian Human Rights and Equal Opportunity Commissioner and includes executives from more than 30 agencies responsible for fire, emergency and land management services across Australia and New Zealand. The objective is to advance gender equity, inclusive cultures and improvement in the representation of women in the workplace, including senior leadership positions, within a combined paid and volunteer workforce of more than 280 000 people.
a diversity and inclusion masterclass, completed a personal leadership shadow exercise, provided an opportunity for a female firefighter to shadow the Queensland Fire and Emergency Services Event Commander, and sponsored two female firefighters to attend a ‘Diversity in disaster’ conference. The FES Commissioner advised the ‘Listen and learn’ sessions have had a positive impact in encouraging female firefighters to consider advancement opportunities.

**Culture of engagement**

Supporting the evidence for committed leadership, DFES staff generally report a culture and climate that is welcoming and respectful.

Employee surveys offer a practical way of gathering information about organisational culture. However, it is understood that DFES met with challenges from the union in conducting its most recent employee survey.

Some specific observations include:

- In 2016/17, DFES’ own staff survey showed little difference in female and male perceptions. Most employees agreed the culture was welcoming of people from all diversity groups (89 per cent female; 85 per cent male) and the majority felt they could raise concerns about workplace harassment, bullying or discrimination without fear of reprisal (65 per cent female; 70 per cent male).\(^\text{11}\)

- In the Commission’s 2014 survey of DFES staff, female employees (13 per cent) were more likely to report they had experienced bullying in the preceding 12 months than male employees (7 per cent). However, a statistically significant difference was also observed across the public sector (12 per cent of females, compared to 9 per cent of males).

- There were 18 female respondents to the Commission’s 2014 survey from the firefighter ranks. This is estimated to represent just over half of women in the ranks at that time, which is a good response rate but a small sample for drawing conclusions. The only relevant statistical difference was that female firefighters (72 per cent) were less likely than their male counterparts (93 per cent) to agree the workplace is respectful of EEO groups. However, this remains a relatively high level of agreement.

- DFES reported no completed disciplinary processes for discrimination, harassment, sexual assault or other indecent behaviour in 2016/17.

\(^{11}\) These percentages are approximate due to rounding.
Factor 2: Decision making framework

Accountability

All roles at DFES hold accountability for promoting acceptance and respect for EEO groups in the workplace. While the overall responsibility rests with the FES Commissioner, support is provided through the structure, such as reporting and monitoring at the Corporate Executive level.

Specific observations include:

- DFES is currently undertaking a review of firefighter recruitment and the FES Commissioner plans to implement selection processes that focus more on personal attributes such as emotional intelligence and openness.

- The job description forms (JDFs) for DFES positions do not always state a commitment to EEO or include a requirement to demonstrate knowledge of EEO principles.

- The DFES contact/grievance officer network was collapsed into the peer support program in 2017 due to low engagement in the contact officer network. A 2013 manual for the peer support program includes an evaluation of the program, which identified a need for greater communication of the program and its officers' names, particularly in regional areas, and concerns surrounding confidentiality, training and selection processes.

- There are more than 90 peer support officers across firefighting, corporate and volunteer work areas. Most have been trained to deal with issues of bullying, harassment and other inappropriate behaviour, with a refresher scheduled for June 2018.

Recommendations: Culture

It is recommended that DFES:

- ensure the commitment to eliminating discrimination on the grounds of gender, and promoting gender equality, is reflected in all strategic documents and the organisational values

- ensure strategies arising through the work with KPMG and ‘male champions of change’ are sustainable over the longer term and are evaluated for effectiveness

- continue to promote and capitalise on the FES Commissioner’s role as a ‘male champion of change’, including providing opportunities for firefighters to connect and network and learn from appropriate role models.
Guiding behaviour

DFES has a comprehensive suite of policies in place to guide appropriate behaviour. DFES is undertaking a review of its grievance resolution and anti-bullying policies and this is further discussed in Findings 3 of this report.

Specific observations include:

- The code of conduct expresses the commitment that staff will not discriminate, either directly or indirectly, on the basis of gender history, marital status, pregnancy, breastfeeding, sex or sexual orientation, amongst others. Staff are inducted and trained on the code of conduct.

- The equal opportunity policy provides a statement on DFES’ commitment to diversity and equality for applicants, employees, volunteers and service recipients. It references other policies, such as grievance, code of conduct and anti-bullying. It uses the terminology of contact officers, rather than peer support officers.

- The recruitment policy mentions the EO Act in a list of references (the broader equity principle is referred to in relation to the employment standard).

- The grievance policy seeks to provide a workplace free from unnecessary dispute, discrimination, bullying or harassment and encourages resolution at the local level. The anti-bullying policy articulates that bullying is a health and safety hazard.

- The preventing and managing violence and aggression policy provides clear guidance on issues such as stalking and assault. It covers internal and external issues.

Recommendations: Decision making framework

It is recommended that DFES:

- ensure staff are aware of and able to easily access the peer support program, particularly outside the metropolitan area
- ensure peer support officers lead by example and are equipped to deal with any sexism or sexual harassment issues.

Factor 3: Capability

Employing for diversity

Across Australia, despite the efforts of fire and emergency services authorities, participation rates for women in firefighting have remained very low (between three and five per cent).

DFES contracted the University of Western Australia in late 2017 to conduct a meta-analysis of DFES data (such as exit survey, climate survey and volunteer survey data) to
assess the baseline culture and inform KPMG’s roadmap. This analysis found limited interest in the firefighting role and physical strength are some of the greatest barriers to women considering a career in firefighting. Other research found a low level of awareness of the breadth of activities undertaken by firefighters, in particular those activities which are rated by women as aligned to their areas of interest.

DFES is aware of these issues and has made efforts to improve gender diversity in the firefighting ranks, which make up the largest component of its workforce. However, the department acknowledges while it has targeted the increased recruitment of women, there has been less focus on retention and advancement strategies.

More specific observations of the review included:

- Over the last few years, the proportion of females applying to become firefighters has increased from about three to eight per cent. DFES initiatives have included a presence at women’s sporting events, targeted brochures and resources, a ‘Female firefighter recruitment’ webpage and a ‘Women on fire’ video on YouTube.

- The ‘Female firefighter recruitment’ webpage is focused on the ‘family friendly’ nature of shift work, maternity leave and psychological and physical wellbeing. There is limited career-related information such as professional and leadership development.

- While women progress through the written application stage of firefighter recruitment at a higher rate, they fail the physical tests at more than twice the rate of men. DFES has produced a YouTube video (‘Physical preparation exercises’) to better prepare female applicants for the recruitment process. It has also been posited that a move from campaign-based to rolling recruitment could provide candidates with greater time to prepare for physical testing. To further explore this and other issues, DFES has arranged for a female firefighter to lead a comprehensive review of the firefighter recruitment process.

- Some job ads do not mention DFES’ commitment to EEO (apart from targeting the employment of Aboriginal Australians under section 51 of the EO Act).

- Challenges to women-only firefighter recruitment information days have been received by DFES from the union.

- It is recognised that DFES is in dispute about appropriate competencies at higher levels and that, in light of this, DFES has a preference for focusing on entry level recruitment. However, lateral entry represents another mechanism to increase female representation. The low attrition rate for firefighters (two to three per cent) restricts the trainee pipeline from delivering significant changes to the gender profile.

- DFES has a flexible working arrangements policy. However, there are no part-time arrangements for ‘on shift’ station-based personnel as operational currency is needed for promotional development. This may be a barrier to increasing female participation,

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12 In mid-2012, the union commenced informal dispute resolution with DFES on the meaning of “appropriate competencies (or equivalent)” for the superintendent rank after the appointment of two non-career firefighters at that rank. This terminology comes from the WA Fire Service enterprise bargaining agreement 2017. The union escalated the dispute by filing in the WA Industrial Relations Commission after Ms Williamson commenced at DFES as a non-career firefighter.
let alone allowing for phased retirement. DFES has previously convened a working party to explore this issue. There is provision in the WA Fire Service enterprise bargaining agreement 2017 for a part-time/job share arrangement to be developed and give consideration to the EEO issues.

- In late 2016, a suggestion to improve female uniforms was put forward at a volunteer conference. The volunteer noted personal protective clothing and formal wear, including boots and gloves, do not suit the diversity of female sizes and shapes. The idea was referred to the DFES uniform committee and consultation has occurred with the volunteer associations and union. At the time of this report, a female firefighter was creating a list of clothing items for consideration and the committee chair was drafting stakeholder communications.

**Workforce knowledge and skills**

An increased focus on EEO education and training will help in building a more diverse and inclusive culture. Wherever possible, training should utilise case studies or situational examples to assist in building employee capacity to respond to issues that may arise in the workplace.

Specific observations included:

- The corporate induction process is completed in the first week of employment. It includes material on the DFES vision and values, accountable and ethical decision making, equal opportunity and anti-bullying and harassment. This is in addition to business area and role specific induction and on-boarding.

- In 2015, a capability assessment indicated a need for leadership skills beyond technical command and control to include the ability to listen, understand and engage with others. This led to senior staff completing the Graduate Certificate in Executive Leadership and Management. An evaluation of any impact on work performance is planned for 2018/19.

- DFES has clear performance development pathways. Relative to classification or rank, these set a requirement for training on equal opportunity and grievance management, creating a positive work environment and dealing with difficult situations. However, at the lower ranks, some personnel have not completed EEO and anti-bullying training (69 per cent of the Firefighter rank and 80 per cent of Station Officers have achieved ‘competence’).

- Since 2016, DFES has required all personnel involved in the firefighter recruitment process to receive training in substantive equality. However, in the Commission’s 2017 employer survey, DFES reported that unconscious bias and the role it plays in recruitment is not well understood.

- DFES has a succession planning process that identifies critical positions and requires employees to self-nominate for leadership roles. Managers rate nominees’

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13 Other offerings for senior and executive level staff include the Public Sector Management Program, Postgraduate Diploma of Executive Management and Executive Masters in Leadership, Strategy and Innovation.
performance and there is a succession planning panel that moderates the ratings. This process may help reduce any potential biases in promoting diverse leadership.

- The 2016/17 DFES annual report referred to ‘The Accelerator’ initiative which targeted nearly 40 female staff looking to move into more senior positions. While the program saw some success, DFES advised it has been discontinued. There is no other women in leadership or formal staff mentoring or buddy program in place.

**Recommendations: Capability**

It is recommended that DFES:

- further explore opportunities to support attraction and recruitment of women, such as updating all job adverts to highlight the department’s commitment to diversity
- ensure uniforms and personal protective clothing are safe and comfortable for all female personnel
- ensure all staff are trained periodically in EEO and anti-bullying principles and practices that encourage respectful and inclusive behaviours
- given women make up about four per cent of the firefighting ranks, implement a formal mentoring or buddy program for them, particularly where they are lateral entrants or working outside the metropolitan area.

**Factor 4: Governance**

**Business alignment**

The leadership approach to supporting gender diversity and inclusion is not always reflected in DFES business plans and practices. Other sections of this report refer to the alignment of these with the strategic intent. However, some additional observations are:

- The DFES strategic plan includes a priority to deliver targeted recruitment programs to build workforce diversity, with gaps to be addressed through the workforce plan in line with equity and diversity targets. However, the workforce and diversity plan for 2017 to 2020 is in draft form.

- The workforce and diversity plan provides a roadmap with both short and longer term strategies. Longer term strategies are sustained across iterations of the plan as some strategies will take several years to achieve measurable success. The workforce and diversity plan was observed to have a stronger focus on strategic workplace planning issues, such as forecasting demand, critical roles and the external ‘market’, than EEO management planning in accordance with the EO Act.

- While the workforce and diversity plan refers to increasing female recruitment and participation rates, and sets targets for women in the firefighting ranks, the relevant strategies are broadly worded and there is no implementation plan to assist in their
interpretation. It would be open to DFES to also include strategies to help build LGBTI (lesbian, gay, bisexual, trans, intersex) inclusion and equality.

- There is a pregnant employees (and volunteers) policy that aims to provide a supportive and non-discriminatory workplace for pregnant employees or those returning from parental leave. It provides for private spaces for expressing milk and for maternity wear through the uniform supplier.

**Risk management**

Other sections of this report demonstrate the maturity of risk management practices at DFES for a diverse and inclusive workforce. However, some additional observations are:

- The risk assessment framework for inappropriate workplace behaviours, such as discrimination, bullying and harassment, has recently been reviewed. Relevant hazards include lack of diversity and “marginalisation of minority groups”. The listed controls include ethical standards and training, equal opportunity and anti-bullying training, workforce and diversity plan, targeted recruitment strategies, and the flexible working arrangements policy.

- An earlier risk assessment proposed an extension of ethical and relationship-based education to training in “emotional intelligence, reflective practice and social awareness”. This is consistent with the more recent approach of the FES Commissioner.

**Reporting and monitoring**

Monitoring progress helps identify issues and enable a targeted response. For evidence based interventions, the measurement of workforce diversity must consider more than recruitment and participation statistics.

Specific observations from the review in this area include:

- DFES has a comprehensive forward plan for internal audits. For example, the plan includes an audit of workforce planning against the needs of the community in 2017/18. The audit program also has provision for an annual compliance review.

- The equity and diversity committee has met quarterly to formulate and champion strategies to overcome barriers to equality. The committee has comprised a mostly male membership, with the exception of the female Director HR. DFES is introducing a new people and culture committee which will have a wider membership.

- A previous quarterly report to the equity and diversity committee on achievements against diversity targets highlighted a focus on the recruitment of female firefighters. To continue the work undertaken by UWA for the cultural reform program, quarterly reporting could incorporate high level data by gender from other sources, such as job application and training rates, employee assistance program and grievance themes, exit interviews and separation rates.
The representation of female employees at DFES has improved slowly over time. At 31 December 2017, women comprised 20.7 per cent of the workforce.\textsuperscript{14} In comparison, data collected by the Commission for the Fire and Emergency Services Authority of WA shows a representation of 13.0 per cent at 30 June 2008.

Representation in the firefighting ranks has incrementally increased over time, from 3.0 per cent (34 women) in 2014 to an estimated 3.6 per cent (42)\textsuperscript{15} in 2017. A target of 45 was set in the draft workforce and diversity plan for 2017. In comparison, Aboriginal representation has seen a marked increase from 0.8 per cent in 2013 to 3.5 per cent in 2018. There may be some transferable lessons, regardless of the different contexts. For example, Aboriginal employment has had the benefit of mentoring and specific cadet and trainee programs, as well as a focus on attracting applicants under section 51 of the EO Act.

\textbf{Recommendations: Governance}

It is recommended that DFES:

- finalise the workforce and diversity plan in accordance with section 145 of the EO Act, with measurable strategies for recruiting, advancing and retaining female firefighters
- ensure at least one female firefighter is included in the membership of the committee that has terms of reference for fostering equity and inclusion.

\textsuperscript{14} The largest component of the workforce is personnel in the firefighting ranks.
\textsuperscript{15} A figure of 3.0 per cent was documented in the draft DFES workforce and diversity plan for 2017 to 2020. The figure of 3.6 per cent is estimated using the Commission’s HRMOIR data at 31 December 2017 and referred to earlier in this report.
Findings 3 – Other matters arising

Relationship management

Following media reports about the anonymous complaint and Ms Williamson’s resignation, other media articles arose suggesting DFES had “failed to protect [its staff] from repeated bullying by the [union]”.

There is merit in further discussing this as Mr Sherman’s investigation found Ms Williamson’s relationships with external parties, such as volunteers, the union and the volunteer associations, are likely to have impacted on her decision to resign from DFES.

In addition to other more specific actions which are not within the scope of this review, DFES has taken positive steps to improve relationships between staff, volunteers, the volunteer associations and the union. These include:

- investigated allegations of bullying and harassment of DFES staff by the union
- undertaken a review of the ‘corporate risk of bullying and inappropriate workplace behaviours’ risk assessment
- developed an industrial relations agreement, for resolving industrial disputes, that has been signed by the union
- developed behavioural guidelines for conduct at meetings, workshops, forums and similar activities to be introduced by DFES circular and followed up with training
- planning nationally accredited training for managing volunteers
- planning to embed effective consultation and engagement training in development pathways.

These actions complement the standards for staff (and volunteer) behaviour set out in the DFES code of conduct, which includes a foreword by the FES Commissioner.

An additional observation is that evidence collected during the investigation and this review suggests a tendency of all parties, including staff members, to rapidly move to formally escalate issues and complaints. It may be more productive in some cases to informally establish the facts, rectify misunderstandings and quell rumour-mongering, particularly in the context of the department’s role in serving the community and its significant reform agenda. Formal conflict resolution methods and the conduct of comprehensive investigations reduce the availability of public resources for critical services through staffing load and contract for services costs.

Improving communication through face-to-face or telephone contact, rather than emails, may also help foster a more inclusive culture.
Workplace bullying

Information collected during the investigation suggests a need for further attention to staff perceptions of workplace bullying, regardless of gender.\(^\text{16}\)

Managers have a responsibility to be actively involved in bullying prevention initiatives within their workplace. Under the Occupational Safety and Health Act 1984, DFES has a duty of care to protect employees from hazards. Further information is available in the Commission’s 2013 *Prevention of workplace bullying in the WA public sector: A guide for agencies* and the more recent *Providing a supportive and resilient workplace* guides for employees and managers.

The DFES code of conduct expresses the commitment that staff “do not engage, either directly or indirectly, in any form of harassment, bullying or discrimination against work colleagues, volunteers, stakeholders or the public”. However, DFES’s own staff survey in 2016/17 reported that 33 per cent of employees had witnessed or experienced some form of workplace harassment, discrimination or bullying in the past 12 months. Of those, 27 per cent believed it had been dealt with effectively.

Within the context of low numbers, DFES reported one of the highest numbers of disciplinary breaches for bullying across agencies in 2017. There were three breaches for DFES, representing fewer than two per 1000 employees.\(^\text{17}\) There was also one formal grievance case for DFES, related to bullying, which was completed in the same period.

In 2014, the Commission’s survey showed DFES employees were less likely than other public sector staff to perceive they had experienced bullying. Within DFES, those in the firefighter ranks were less likely to believe they had experienced bullying.\(^\text{18}\) DFES employees were more likely than other public sector staff to agree their agency had clearly documented policies for reporting bullying and to be “confident” in using those policies. Around this time, DFES was running a four-month ‘Stamp out bullying’ campaign as reported to the Commission in the employer survey.

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\(^\text{16}\) For the purposes of this review, workplace bullying is defined as repeated and unreasonable behaviour directed towards a worker or group of workers that creates a risk to health and safety.

\(^\text{17}\) Based on a headcount of 1728 at 30 June 2017. This assumes each process relates to a unique respondent so the number could be lower.

\(^\text{18}\) The Commission’s 2014 employee perception survey showed 8 per cent of DFES staff reported being subject to bullying in the past 12 months, compared to 11 per cent of the public sector. Six per cent of those in the firefighter ranks reported being subject to bullying.
It is considered relevant in reporting on this review to note that DFES is taking steps to address any unacceptable behaviour in the workplace, with a particular focus on bullying. These steps include:

- developing online refresher training in bullying prevention and management
- planning face to face training for executive and line managers
- reviewing policies on grievance resolution and workplace bullying
- developing conflict resolution tools and guides for managing expectations of complainants
- ensuring all employees undertake ‘Accountable and ethical decision making’ training
- reviewing job descriptions to include a statement about behaviours.

A multi-faceted approach will continue to be essential to embedding standards of expected behaviour within DFES, given the particular challenges of multiple stakeholders, with conflicting objectives, potentially operating in or near life-threatening situations.
Summary of recommendations

The importance of DFES’ role in protecting Western Australian people and places cannot be overstated.

It is acknowledged that DFES personnel, and particularly those in the firefighting ranks, have historically fulfilled this role with a ‘mostly male’ representation. The nature of the department’s work means it must continue to operate effectively, with a culture that supports the performance and wellbeing of all operational personnel and corporate staff members (as well as volunteers), regardless of gender.

Currently, DFES is undergoing a period of significant operational reform. This review has identified a range of reform initiatives and established practices that can be built on to ensure a gender inclusive culture.

A summary of the recommendations from the review follows.

For the right culture, it is recommended that DFES:

- ensure the commitment to eliminating discrimination on the grounds of gender, and promoting gender equality, is reflected in all strategic documents and the organisational values
- ensure strategies arising through the work with KPMG and ‘male champions of change’ are sustainable over the longer term and are evaluated for effectiveness
- continue to promote and capitalise on the FES Commissioner’s role as a ‘male champion of change’, including providing opportunities for firefighters to connect and network and learn from appropriate role models.

For a robust decision making framework, it is recommended that DFES:

- ensure staff are aware of and able to easily access the peer support program, particularly outside the metropolitan area
- ensure peer support officers lead by example and are equipped to deal with any sexism or sexual harassment issues

For strong capability, it is recommended that DFES:

- further explore opportunities to support attraction and recruitment of women, such as updating all job adverts to highlight the department’s commitment to diversity
- ensure uniforms and personal protective clothing are safe and comfortable for all female personnel
- ensure all staff are trained periodically in EEO and anti-bullying principles and practices that encourage respectful and inclusive behaviours
• given women make up about four per cent of the firefighting ranks, implement a formal mentoring or buddy program for them, particularly where they are lateral entrants or working outside the metropolitan area.

For good governance, it is recommended that DFES:

• finalise the workforce and diversity plan in accordance with section 145 of the EO Act, with measurable strategies for recruiting, advancing and retaining female firefighters

• ensure at least one female firefighter is included in the membership of the committee that has terms of reference for fostering equity and inclusion.
Appendix 1 – Terms of reference for the external investigation

1. Review and assess the anonymous letter to determine the number and type of allegations made

2. Review and assess the statement of Supt Williamson dated 18/10/17 to determine the number and type of allegations made

3. Review all DFES Professional Standards (PS) Inquiry log entries made in relation to issues reported to PS by Supt Williamson during her employment to determine whether any further allegations/witnesses require interview

4. Review PS investigations File(s) in relation to XXX to determine whether any further allegations/witnesses require interview

5. Interview Manager Workforce Management XXX to determine any Industrial Relation issues in relation to Supt Williamson and the UFU

6. Review and assess any Workforce Management files in relation to complaints made by Supt Williamson

7. Review and assess any reports regarding the SWORD or Supt Williamson that may have been made to Workers Compensation Injury Management, Health and Safety Services and Wellness that can be provided.

8. Seek an interview with Supt Williamson with the view of obtaining a statement of complaint

9. Create a profile of Supt Williamson’s work assignment and time line of events from employment to resignation which may indicate significant impacts and issues

10. Interview all possible witnesses and provide statements or evidence of interview

11. Assess all evidence gathered to determine if any of the allegations meet the definition of bullying or discriminations in accordance with legislation or DFES policy

12. Assess all evidence relating to the management of Supt Williamson to determine if the standards of behaviour and conduct were appropriate and in accordance with the DFES Code of Conduct, Values and policy

13. Interview or provide all respondents the opportunity to respond to any allegations and provide statements or evidence of interview

14. Provide a comprehensive investigation report with findings and recommendations
Appendix 2 – FES Commissioner’s response

DFES was provided with an exposure draft of the review report and the request that any perceived errors of fact or omissions be identified, as well as welcoming any general management comments.

In responding to that request, the FES Commissioner thanked the Acting Public Sector Commissioner for the opportunity to participate in the review and comment on the draft report. He advised DFES welcomes the report and the acknowledgment that DFES acted swiftly and dealt with the complaint in a manner which was transparent and capable of review. He also welcomed the report’s acknowledgement that DFES has embarked on a comprehensive program to increase inclusivity, diversity and collaboration, and the opportunity to continue working with the Commission to identify and progress reforms for the good of the community, volunteers and the organisation.

The FES Commissioner agreed with the review’s observations that DFES faces a complex and demanding challenge to meet the expectations of multiple stakeholders in an environment of financial constraint and broader public sector renewal. Building a unified organisation with a focus on mitigation requires staff, volunteers and stakeholders to embrace new opportunities and work together wholeheartedly. This kind of deep cultural reform takes time and requires careful consideration.

The FES Commissioner accepted all 11 of the report’s recommendations and provided some further comments. These are considered relevant in reporting on this matter and are outlined below.
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<th>Recommendation</th>
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<td>• Ensure the commitment to eliminating discrimination on the grounds of gender, and promoting gender equality, is reflected in all strategic documents and the organisational values.</td>
<td>The Statement of strategic intent has been refined to more explicitly state DFES’ commitment to gender equality. The statement is scheduled to be formally launched in September 2018. The statement will serve as the principal overarching document for all DFES strategies and plans.</td>
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<td>• Ensure strategies arising through the work with KPMG and ‘male champions of change’ are sustainable over the longer term and are evaluated for effectiveness.</td>
<td>When commissioning KPMG to assist DFES to develop a high level road map for change, particular emphasis was given to the requirement that the roadmap identify practical, actionable and effective strategies that are readily integrated into existing systems, policies, processes and practices. The ‘male champions of change’ initiatives will be incorporated into the final DFES workforce and diversity plan 2018-2022.</td>
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| • Continue to promote and capitalise on the FES Commissioner’s role as a ‘male champion of change’, including providing opportunities for firefighters to connect and network and learn from appropriate role models. | As a male champion of change, I am personally committed to advance gender equality in DFES. In addition to the initiatives referred to in the report, I have:  
• signed up to the panel pledge  
• endorsed the We set the tone – eliminating everyday sexism report  
• joined DFES as an organisational member of the Women and Firefighting Australasia (WAFA) network  
• sponsored two female firefighters to attend the 2018 WAFA conference and study tour. |
<p>| • Ensure staff are aware of and able to easily access the peer support program, particularly outside the metropolitan area. | DFES has 92 peer support officers, 60 of which are in the regions. Every country region has at least four peer support officers. |
| • Ensure peer support officers lead by example and are equipped to deal with any sexism or sexual harassment issues. | The process for becoming a peer support officer requires all nominations to have two endorsements and nominees are subject to psychometric testing before being approved for training. Following training, nominees are assessed by an independent psychologist for their suitability to become an endorsed peer support officer. Peer support officers are required to attend refresher training at least once every two years to maintain their endorsement. Refresher training includes content on grievances relating to equal opportunity, sexual harassment, discrimination and the DFES processes for dealing with these issues. |</p>
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| • Further explore opportunities to support attraction and recruitment of women, such as updating all job adverts to highlight the department's commitment to diversity. | The current review of firefighter recruitment will review and refresh the existing materials and strategies for engaging women. The materials will be used for the 18/19 recruitment process.  
In addition, I have recently determined that all DFES advertised vacancies exceeding six months require:  
• all DFES selection panel personnel to have completed substantive equality and unconscious bias training  
• all selection panels to have at least one voting member who is independent of DFES  
• all selection panels to have gender balance.  
I have also commissioned an independent evaluation of applicant perceptions of the fairness and transparency of DFES general recruitment processes. This is to identify ways in which the recruitment, appointment, transfer and promotion processes can be improved. This evaluation will also seek to better understand the experiences of selection panel members and what other actions are required to better equip selection panels to make great selection decisions. |
| • Ensure uniforms and personal protective clothing are safe and comfortable for all female personnel. | All DFES staff and volunteers may request uniforms and personal protective clothing to be made to measure.                                                                                                                                 |
| • Ensure all staff are trained periodically in EEO and anti-bullying principles and practices that encourage respectful and inclusive behaviours. | DFES anti-bullying and equal opportunity policies will be amended to require refresher training for all staff every two years. Refresher training will be delivered online. In addition, the face to face training program has recently been modified to include bystander responsibilities, responsibilities of managers to act on complaints and reiterate the unlawfulness of victimisation of complainants. All new employees and supervisors will be required to attend the modified face to face training.  
DFES executive staff will be required to participate in further anti-bullying and EEO training and development which is relevant to their role, seniority and influence within the organisation.  
Training participation rates will be included in DFES executive performance reporting. |
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<td>• Given women make up about four per cent of the firefighting ranks, implement a formal mentoring or buddy program for them, particularly where they are lateral entrants or working outside the metropolitan area.</td>
<td>DFES female firefighters have forged strong networks for mentoring and supporting each other. The ‘Listen and learn’ session convened with female firefighters reaffirmed the value of these relationships and the importance of strong female firefighter role models (for both men and women), particularly in the early stages of their careers. I have subsequently determined that all future trainee firefighter schools will have at least one female instructor.</td>
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<td>• Finalise the workforce and diversity plan in accordance with section 145 of the EO Act, with measurable strategies for recruiting, advancing and retaining female firefighters.</td>
<td>The DFES workforce and diversity plan is currently being revised, to take into account, government policy objectives in relation to bushfire risk management and mitigation; machinery of government changes which expand responsibilities to include emergency management and recovery functions; and DFES’ focus on supporting volunteers and the regions. It is expected that the plan will be completed by 31 July 2018.</td>
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<td>• Ensure at least one female firefighter is included in the membership of the committee that has terms of reference for fostering equity and inclusion.</td>
<td>As part of my reform agenda, I am introducing a new people and culture committee which will have a broader mandate and wider membership than the current equity and diversity committee. I expect that the committee’s terms of reference will be finalised by September 2018 and I will share this with the Commission for comment.</td>
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