

# OTHER LEGAL REQUIREMENTS

## ADVERTISING

The obligatory report in relation to advertising and sponsorship is contained in the Notes to Financial Statements on [page 114](#).

## DISABILITY ACCESS AND INCLUSION PLAN OUTCOMES

We progressed the development of a Disability Access and Inclusion Plan to replace our existing Disability Services Plan. Proposals from key internal stakeholders have been incorporated into the draft plan. Finalisation of the plan has been delayed pending the restructure of the Community Engagement Directorate and will be completed as a priority early in 2007-08.

### OUTCOMES TO DATE

1. People with disabilities have the same opportunities as other people to access the services of, and any events organised by, a public authority
  - People with disabilities are provided with the opportunity to participate in emergency and evacuation planning.
  - Information about our services is provided on request in formats that meet the needs of people with disabilities.
2. People with disabilities have the same opportunities as other people to access the buildings and other facilities of a public authority
  - Our capital works program addresses access by people with disabilities to buildings and facilities. As part of the FESA Museum Redevelopment Project we prepared a disability service access report to inform the design and development of visitor areas and education programs. This will enable us to provide a meaningful experience for people with sensory, intellectual and/or physical disabilities (see under following heading for more information).
3. People with disabilities receive information from a public authority in a format that will enable them to access the information as readily as other people
  - Our publications are available upon request in large type, Braille and tape recordings.
  - A review of the FESA website has revealed it does not meet State government access standards for people with disabilities. Research has commenced on acquiring a new website editing program to provide this capability.
4. People with disabilities receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority

Our staff are aware of, and understand the needs of, people with disabilities and provide advice and services accordingly. In particular:

  - A guide to ensure people with disabilities have equal access to events has been delivered to key stakeholders within FESA. The guide was developed by the Meetings and Events Industry of Australia in collaboration with the Human Rights and Equal Opportunity Commission.
  - When responding to emergency incidents, FESA's operational services provide priority assistance to the frail, aged and people with disabilities. Operational Services work closely with all stakeholders, including the Western Australia Police and Department of Health, to ensure that response protocols consider people who may have reduced mobility. Advice is also provided at a local level for community members with special needs in relation to evacuation planning or other community safety matters.
  - Fire safety and prevention programs delivered at the Fire Safety Education Centre and Museum for school children have been modified and adapted to cater for children with special needs. These groups may include children with intellectual, physical and behavioural disabilities. The modified delivery ensures the children still receive important messages and participate in practical activities that reinforce personal fire safety strategies. Groups who access the program are often from Education Support Centres (primary and secondary) attached to mainstream schools and special needs schools that operate independently.

- A major refurbishment of the Fire Safety Education Centre and Museum has commenced which, when completed, will enable a meaningful educational experience for people with sensory (hearing or visual), intellectual and/or physical impairment.
  - In addition to ensuring that access and facilities comply with legislative requirements, other facilities will include:
    - (a) Provision of listening devices and visual options for audio material;
    - (b) Large font size for all text, labels and signs throughout the site;
    - (c) Audio options for all text at each exhibit;
    - (d) Appropriate lighting for all signs, text and labels and placement that enables a clear view for people confined to wheelchairs or who are unable to stand fully upright;
    - (e) Access for walking frames and wheelchairs around all exhibits; and
    - (f) All controls, handles, buttons that are part of participatory and interactive display hardware are easily accessible, simple in design and able to be manipulated by someone who does not have full digital dexterity.
5. People with disabilities have the same opportunities as other people to make complaints to a public authority.
- Opportunities are available to all people, including those with disabilities to make complaints through our Customer Feedback process.
6. People with disabilities have the same opportunities as other people to participate in any public consultation by a public authority.
- Opportunities are available to all people, including those with disabilities, to participate in public consultation that is undertaken by FESA and to make complaints through our Customer Feedback process.

## **EQUAL EMPLOYMENT OPPORTUNITY OUTCOMES**

Details of our Diversity and Equal Employment Opportunity can be found under Quality People Services, DIVERSITY AND EQUAL OPPORTUNITY on [page 64](#) of this report.

## **COMPLIANCE WITH PUBLIC SECTOR STANDARDS AND ETHICAL CODES**

### PUBLIC SECTOR STANDARDS

In 2006-07, we conducted 165 selection processes that had the potential to attract breach of standard claims. These processes attracted 572 applicants. One breach of a Recruitment, Selection and Appointment standard was lodged.

#### Summary of Breach Applications

Number Lodged	1
Breaches Found	0
Multiple Breaches	0
Breaches under review	0
Material Breaches	0
Non-material Breaches	0

The breach claim lodged was reviewed and the claimant advised of the outcome. No further action was requested by the claimant. The framework for our policies emphasises compliance with the Public Sector Standards in Human Resource Management. Although relevant policies have future revision dates scheduled they are amended progressively should the need be identified.

### WA CODE OF ETHICS AND FESA VALUES

During the past year allegations were made against three employees for breaching two WA Code of Ethics (responsible care and respect for persons) and two FESA Values (respect and value each other and act with honesty and integrity). It was alleged that one of the employees committed two acts in breach two WA Code of Ethics and two FESA Values. The allegations were substantiated and appropriate action taken.

An allegation was made against one employee in respect to the inappropriate use of computer technology. An investigation found that the allegation regarding the employee were substantiated and led to disciplinary action being taken against the staff member.

#### SIGNIFICANT ACTION TO MONITOR AND ENSURE COMPLIANCE

FESA Values underpin ethical conduct throughout the organisation. These values are detailed in pamphlets entitled [Living our Values](#) and [Leadership the FESA Way](#), which are provided to new employees and are available to all staff.

An education and training program on public sector corporate governance requirements has been presented to career firefighters at fire stations throughout the metropolitan area and major regional centres.

Funding has been granted through the National Emergency Volunteer Support Fund program for a governance DVD that can be presented to emergency services volunteers. The scoping of this project commenced in 2006-07.

Information about Standards and Values are included on the FESA Intranet, job application packages and induction materials.

The grievance officer network has been updated and new grievance officers trained in 2006-07.

#### FIREFIGHTER RECRUITMENT

During the year, we conducted a review of our firefighter recruitment practices, including integrity checks, screening and selection methods. The report of the review is in its final stages and will lead to a strengthening of employee profiling and screening procedures, contributing to an enhanced level of organisational resistance to misconduct and corruption.

#### FIREFIGHTER RECRUIT TRAINING

Firefighter recruits are introduced to the FESA Values (Code of Ethics) and of the conduct required and the expectations facing them as public officers in their day to day dealings with members of the public.

Recruit training modules include an introduction to the *Corruption and Crime Commission Act 2003*, a description of the role and responsibilities of the Corruption and Crime Commission (CCC) and the conduct requirements and obligations of public officers.

#### STAFF INDUCTION

A comprehensive introductory package is provided to all new staff as part of the induction process. It includes an outline of all policies and procedures relating to the conduct of staff and expectations of them as public officers. All FESA policies are available on our Intranet Portal.

#### PROFESSIONAL STANDARDS

Our Professional Standards Directorate forms part of the Strategic Policy and Executive Services Division. Its primary focus is the development of strategies for improved service standards within FESA and our volunteer organisations.

The directorate is responsible for ensuring high levels of integrity within FESA, including the oversight and investigation of complaints about the conduct of personnel and volunteers. It oversees and reports against CCC requirements and obligations, including the investigation of misconduct cases. The directorate is also responsible for the implementation of staff awareness of the *Public Interest Disclosure Act 2003* and provides the first point of contact for staff referrals under the Act.

#### MISCONDUCT EDUCATION, AWARENESS AND TRAINING

We have continued to promote corruption and misconduct awareness through workplace training for staff and volunteers with session formats are developed in conjunction with the CCC. Members of our volunteer emergency services organisations throughout Western Australia have been a particular focus of the past year's program. Regional personnel have also attended awareness-raising sessions provided by the CCC, including participation by our Pilbara and Kimberley-based staff in the Commission's Northern Exposure Regional Outreach Program.

## MATTERS FOR NOTIFICATION

A reduction in the number of matters notified to the CCC may be viewed as a reflection of our increased scrutiny of personal conduct and integrity. A total of seven new matters were reported to the CCC during the year, down from 18 in 2005-06. Several matters were carried forward from the previous year due to ongoing misconduct or corruption matters before the courts or the complexity of continuing Western Australia Police investigations. An increasing number of matters notified involve arson or suspected arson committed by volunteer firefighters. All of these were investigated jointly by our Fire Investigation and Analysis Branch and the Western Australia Police Arson Squad.

A number of our policies governing employee personal conduct are currently being reviewed, and most of these will be finalised during the coming twelve months.

## **RECORDKEEPING PLANS**

### INFORMATION RESOURCES (DOCUMENT MANAGEMENT)

Our Retention and Disposal Schedule, which was approved for a period of five years by the State Records Advisory Committee in May 2006 and endorsed by the State Records Commission in July 2006, is being incorporated into our records management system, TRIM Context.

The Administrative Records General Disposal Authority and the Financial and Accounting General Disposal Authority have been completed, and the Human Resources General Disposal Authority is currently being uploaded into TRIM Context.

An amendment to the Retention and Disposal Schedule is being developed in consultation with the State Records Office, to address the recordkeeping requirements for the Fire Safety Building Plans being scanned by the Built Environment Branch.

Revision of the Fire Rescue Service, Bush Fire Service and the State Emergency Service Records and Disposal Schedules are planned for October 2007.

An Internal Audit of our records management program was conducted in March 2007 to ensure:

- The records Management service is efficient, effective and addresses the needs of management.
- Compliance with relevant legislation, including the *State Records Act 2000*, *Freedom of information Act 1992* and *Financial Management Act 2006*.

A census of all FESA House records coincided with the Internal Audit in March 2007.

Awareness training in good recordkeeping practices is being conducted to ensure compliance with the *State Records Act 2000*, particularly during a time of organisational restructure and staff movement.

## **FREEDOM OF INFORMATION**

The Freedom of Information Statistical Return for the period 2006-07 has been submitted to the Information Commissioner as prescribed in Section 111 of the *Freedom of Information Act (FOI Act) 1992*.

A total of 79 valid applications were received in the reporting period; eight more than the previous year, with 58% total applications received since January 2007. Some applications were quite complex, requiring additional time and deliberation.

Most applications sought access to non-personal information (including Fire Incident Reports and Fire Investigation Reports) in relation to domestic and commercial structural fires in Waikiki, Kwinana and Welshpool. Many invalid applications were also received; omitting the application fee or requesting fire documentation that had not been finalised at the time of application.

Of the 79 valid applications, one was transferred in full to a local government agency, 17 were granted full access and four were carried forward into the next reporting period. Edited access was applied to 57 applications and Exemption Clause 3(1), which enables certain personal information about individuals to be withheld, was applied to 97% of edited applications.

We received two applications for personal information from volunteers relating to information about them. One volunteer was represented by his Member of Parliament.

One internal review was received and the original decision was confirmed.

The average processing time for each application was 23 days, an increase from 18 days in 2005-06. This is attributed to an increase in applications, requests for fire reports before the reports were finalised and the complexity of some applications (eg Perth Fire Station and study on fire retardants).

#### **FESA Freedom of Information Statistical Return – 2006-07**

<b>APPLICATIONS</b>	<b>STATISTICS</b>
New valid applications received in this period (includes 1 application that was transferred in full to another agency)	79
Applications transferred in full to another Government agency	1
Applications carried forward (undecided) from 2005-06	1
Applications not yet dealt with	4
<b>Total applications dealt with (decided) in this period</b>	<b>74</b>

<b>OUTCOME OF APPLICATIONS</b>	<b>STATISTICS</b>
Access in full	17
Edited access	57
Denied (documents did not exist)	0
<b>Total</b>	<b>74</b>
<b>Average Processing Time (days)</b>	<b>23</b>
<b>Internal Review</b>	<b>1</b>
<b>FEES AND CHARGES</b>	<b>\$</b>
Application fees collected	2,310
Charges waived *	322
Actual charges collected	861

Note: \* Charges are waived if the actual processing cost is less than \$10