

PERFORMANCE AUDIT

22 APRIL 2021

# Addressing public inquiry recommendations - Emergency response agencies

NEW SOUTH WALES AUDITOR-GENERAL'S REPORT

---

# THE ROLE OF THE AUDITOR-GENERAL

The roles and responsibilities of the Auditor-General, and hence the Audit Office, are set out in the *Public Finance and Audit Act 1983* and the *Local Government Act 1993*.

We conduct financial or 'attest' audits of State public sector and local government entities' financial statements. We also audit the Total State Sector Accounts, a consolidation of all agencies' accounts.

Financial audits are designed to add credibility to financial statements, enhancing their value to end-users. Also, the existence of such audits provides a constant stimulus to entities to ensure sound financial management.

Following a financial audit the Audit Office issues a variety of reports to entities and reports periodically to parliament. In combination these reports give opinions on the truth and fairness of financial statements, and comment on entity compliance with certain laws, regulations and government directives. They may comment on financial prudence, probity and waste, and recommend operational improvements.

We also conduct performance audits. These examine whether an entity is carrying out its activities effectively and doing so economically and efficiently and in compliance with relevant laws. Audits may cover all or parts of an entity's operations, or consider particular issues across a number of entities.

As well as financial and performance audits, the Auditor-General carries out special reviews and compliance engagements.

Performance audits are reported separately, with all other audits included in one of the regular volumes of the Auditor-General's Reports to Parliament – Financial Audits.



GPO Box 12  
Sydney NSW 2001

The Legislative Assembly  
Parliament House  
Sydney NSW 2000

The Legislative Council  
Parliament House  
Sydney NSW 2000

In accordance with section 38E of the *Public Finance and Audit Act 1983*, I present a report titled '**Addressing public inquiry recommendations - Emergency response agencies**'.

A handwritten signature in black ink, appearing to read 'Margaret Crawford'.

**Margaret Crawford**  
Auditor-General  
22 April 2021

© Copyright reserved by the Audit Office of New South Wales. All rights reserved. No part of this publication may be reproduced without prior consent of the Audit Office of New South Wales. The Audit Office does not accept responsibility for loss or damage suffered by any person acting on or refraining from action as a result of any of this material.

# contents

---

## Addressing public inquiry recommendations - Emergency response agencies

### **Section one – Addressing public inquiry recommendations- Emergency response agencies**

Executive summary	1
Introduction	5
Approaches to implementing recommendations	9
Information to decision makers and the public	15

### **Section two – Appendices**

Appendix one – Response from agencies	21
Appendix two – Identifying in scope inquiries	24
Appendix three – In scope inquiries	25
Appendix four – Recommendations reported by agencies as still in progress (detail)	30
Appendix five – Agency reported recommendation implementation status (unaudited)	35
Appendix six – About the audit	38
Appendix seven – Performance auditing	40

## **Section one**

Addressing public inquiry  
recommendations -  
Emergency response  
agencies

---

# Executive summary

Major disasters and emergencies often trigger public post-event inquiries and reviews. The purpose of these reviews is to identify the causes of disaster or emergency events and areas for future improvement in prevention, preparedness, response and recovery. Areas identified for future improvement are then the subject of recommendations to government or government agencies and, when accepted, become public commitments to action.

Responses to the bushfires of 2019–20 followed this pattern, producing both NSW and Australian Government commissioned inquiries: the NSW Bushfire Inquiry and the Royal Commission into National Natural Disaster Arrangements. Both highlighted the significant volume of inquiries in recent years. Both asked whether agency responses to previous inquiries were improving Australia's capacity to prevent, prepare for, respond to and recover from natural disasters. The inquiries reflected on the difficulty of answering this question due to insufficient clarity and transparency on whether the improvements and risks that inquiries identified have been addressed in practice.

This audit stems from similar questions about how effectively government agencies in NSW are delivering on public inquiry recommendations. It assessed how five emergency response agencies have addressed accepted recommendations from 17 public inquiries over the last ten years. For this audit, we considered inquiries and reviews that affected agencies' operational capacity to respond to and recover from bushfire, floods and storms. The in scope public inquiries for this audit relate to:

- the 2013–14, the 2016–17 and the 2017–18 bushfire seasons
- severe storms and floods in 2015, 2016 and 2017
- workforce issues affecting the ability of agencies to respond to natural disasters.

The public inquiries we reviewed included coronial inquiries and inquests, parliamentary inquiries, independent reports and reviews, performance audits and recovery coordinator reports. In total, we looked at the processes that agencies used to implement 191 recommendations from these 17 public inquiries.

The objective of this audit was to determine how effective emergency response agencies are in addressing accepted recommendations from public inquiries. To answer our audit objective, we asked two questions:

- Do agencies have effective governance arrangements in place to respond to, monitor and implement accepted recommendations from public reviews and inquiries?
- Do agencies provide timely and accurate information on the implementation of accepted inquiry recommendations to senior decision makers and the public?

The agencies reviewed were:

- Fire and Rescue NSW
- NSW National Parks and Wildlife Service (now a division of the Department of Planning, Industry and Environment)
- NSW Rural Fire Service
- NSW State Emergency Service
- Resilience NSW (formerly the Ministry for Police and Emergency Services; and the Office of Emergency Management).

While the focus of this audit was agencies that respond to natural disasters (flood, bushfire and storms), the findings and recommendations from this report have the potential to be applied across the NSW public sector in response to public inquiries related to other areas of government activity.

## Conclusion

**The arrangements used by NSW emergency response agencies to address public inquiry recommendations have important and consistent gaps.**

**For two-thirds of the recommendations reviewed as part of this audit, the agencies did not sufficiently verify that they had been implemented as intended, and in line with the outcomes sought. This exposes risks that gaps in disaster responses are not addressed in a complete or timely way and persist or recur in the future.**

**Two-thirds of the recommendations reviewed as part of this audit had also not been allocated milestone dates or priority rankings, and as such the audited agencies are less accountable and could not demonstrate they were managing or monitoring them effectively.**

**None of the agencies publicly report the status of actions taken to address public inquiry recommendations, limiting accountability and transparency.**

The agencies subject to this audit all address accepted recommendations from public inquiries with varying degrees of formality and transparency. No agency maintained a central and comprehensive approach – such as a register – to track recommendations for all public inquiries.

The agencies do not consistently review evidence that recommendations have been implemented effectively, and in line with the intention of the inquiry. The agencies also often failed to set milestone dates or test that recommendations had been actioned as committed. This increases the risk that recommendations are overlooked or not addressed in line with the intent, priority and risk of the recommendation. In turn, this raises the possibility that gaps and issues identified by public inquiries are not adequately resolved and could persist or recur in future disasters.

None of the audited agencies published a summary of progress made in implementing accepted recommendations to update the public. There are transparency and accountability benefits in doing so. This echoes the findings of the NSW Bushfire Inquiry and the Royal Commission into National Natural Disaster Arrangements. Both inquiries noted that it is difficult, and sometimes impossible, to determine the implementation status for many recommendations by publicly available information.

One factor hindering agencies from publishing this information is the lack of a consistent means of tracking public inquiry recommendation implementation. Adopting a consistent approach, within and across agencies, should help to overcome this barrier in the future.

## 1. Key findings

### **No agency adopted a comprehensive approach to addressing public inquiry recommendations**

Agencies addressed recommendations from public inquiries with varying levels of formality. Some agencies maintained registers to track and monitor implementation progress. These were mostly recent developments over the last three or four years. Other agencies incorporated recommendation implementation into business as usual practices.

No agency maintained a comprehensive approach for all public inquiries. This increases the risk that recommendations from public inquiries are overlooked or not addressed with priority.

### **Agencies nominated milestone dates, risk and priority for only a third of recommendations**

Only a third of recommendations we reviewed had target completion or milestone dates attached. This was mostly for audit and coronial inquiry recommendations. Similarly, agencies did not routinely nominate priority and risk for recommendations.

This makes it difficult for agencies to effectively triage recommendations for action, to track progress in implementing them or identify where escalation is required. The agencies advised us that they had addressed most of the recommendations within the scope of this audit.

### **For two-thirds of the reviewed recommendations, agencies did not test and verify that recommendations have been implemented as intended**

Agencies also did not always take steps to verify or challenge internal advice that recommendations were progressing or implemented as intended. This means that agencies cannot readily identify whether actions taken to give effect to recommendations are in line with the intent and real-world outcomes sought.

Only around a third of recommendations we reviewed were tested in this way, and mainly for audit recommendations. This introduces risks that disaster response gaps identified in inquiries are not fully or appropriately addressed and recur in future disasters.

### **Agencies do not publish a summary view of public inquiry recommendation implementation**

In our 2015 'Implementing performance audit recommendations report' we highlighted the annual report as one possible avenue for agencies to share information about the status of performance audit recommendations. No agency did this for the three performance audits we reviewed for this audit. Nor did any agency take this approach for recommendations from the other types of public inquiries within the audit scope. Doing so would improve transparency and accountability.

One factor preventing agencies publishing this information is that it has not been consolidated within agencies and maintained adequately to make the publication of summary information straightforward.

Without published information, it is difficult for the public to determine what actions have been taken to give effect to public inquiry recommendations, and whether these have led to improvements in agency capacity to prevent, prepare for and respond to natural disasters.

## **2. Recommendations**

**By September 2021, the Department of Planning, Industry and Environment (NSW National Parks and Wildlife Services), Fire and Rescue NSW, Resilience NSW, NSW Rural Fire Service and the NSW State Emergency Service should:**

1. establish an approach to tracking the implementation of accepted recommendations from public inquiries, with the following requirements at a minimum:
  - a) a Senior Executive is accountable for the approach
  - b) a Senior Executive action officer is accountable for implementation of accepted recommendations
  - c) early assessment is undertaken to determine the appropriate processes and structures that should apply to addressing each accepted recommendation
  - d) priority, risk and completion dates are nominated for each action to address public inquiry accepted recommendations
  - e) changes to priority, risk and completion dates are counter-signed by the Senior Executive responsible for the approach
  - f) the Senior Executive responsible for the approach collects updates from action officers quarterly
  - g) there is regular reporting to an appropriate Senior Executive management group that highlights at-risk items

2. formally acquit accepted recommendations from public inquiries based on evidence, including an assessment of whether the action taken has met the intent of the commitment to the accepted recommendation, and whether ongoing monitoring is required to embed changes made
3. publish consolidated, summary information at least every 12 months on progress made to implement accepted recommendations from public inquiries including:
  - a) action nominated to address accepted public inquiry recommendations
  - b) expected completion date for action to address accepted public inquiry recommendations
  - c) status of action to address accepted public inquiry recommendations (e.g. on track, delayed, implemented or not implemented)
  - d) any changes made to actions and/or expected completion dates, and reasons for these.

**By December 2021, Resilience NSW should:**

4. establish and commence operating the central accountability mechanism recommended by the NSW Bushfire Inquiry
5. coordinate with all agencies affected by public inquiries focused on disaster response and recovery to participate in the central accountability mechanism recommended by the NSW Bushfire Inquiry.

**On an ongoing basis, the Department of Planning, Industry and Environment (NSW National Parks and Wildlife Services), Fire and Rescue NSW, Resilience NSW, NSW Rural Fire Service and the NSW State Emergency Service should:**

6. brief their Audit and Risk Committee on the risk implications of public inquiry findings, accepted recommendations and proposed actions to address recommendations for the agency.

# 1. Introduction

## 1.1 Public inquiries into emergency management and recovery

Major natural disasters are usually followed by inquiries to determine the cause; the effectiveness of the preparedness, response and recovery efforts; and to identify areas of improvement. We reviewed the range of public inquiries in NSW over the last ten years that affected the audited agencies' operational response to bushfires, floods and storms.

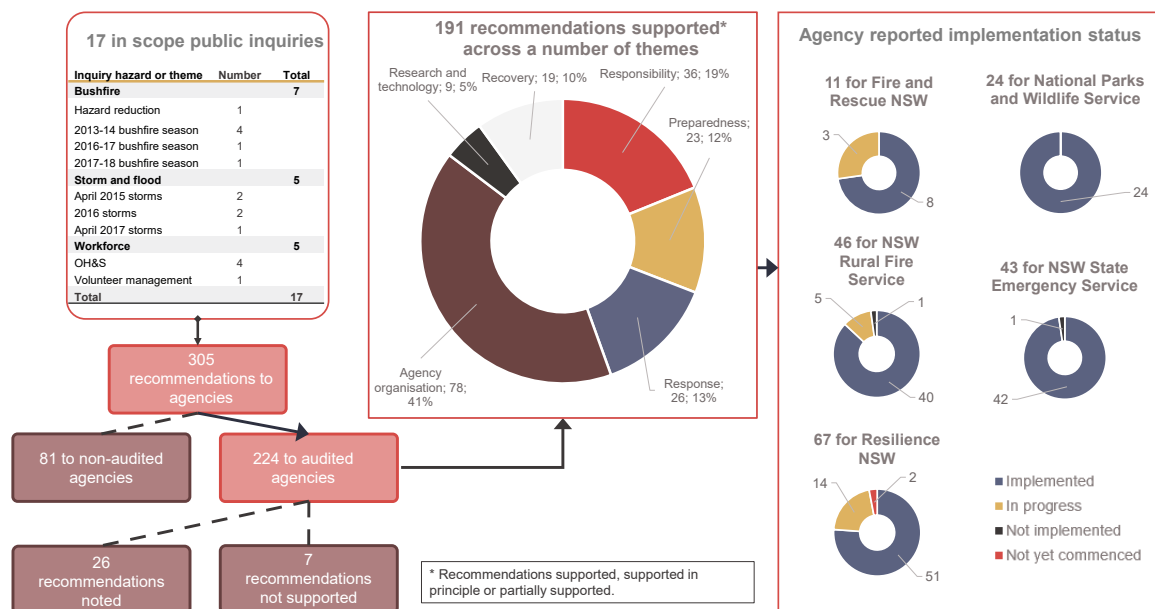
This included 17 public inquiries that made recommendations that were accepted, partially accepted or accepted in principle by the NSW Government or the agencies under review.

The 17 public inquiries made 305 recommendations to NSW Government agencies. Of these, 224 recommendations were made to agencies audited in this report, and 191 of those recommendations were supported, supported in principle or partially supported. The 191 recommendations covered a wide range of themes.

Exhibit 1 shows characteristics of the 17 in scope public inquiries and recommendations, including agency reported implementation status as at March 2021. Bushfire was a focus of seven of the inquiries, storm and flood a focus of five and workforce issues were the focus of the remaining five public inquiries.

Agencies reported that they had implemented most of the recommendations from the public inquiries in scope for this audit. See Appendix five for more details on recommendation implementation status.

### Exhibit 1: In scope recommendations



Source: AONSW research and agency supplied information.

This resulting set of inquiries included coronial inquiries and inquests, independent inquiries, performance audits, parliamentary inquiries and recovery reports.

While these inquiry types have some different characteristics, the common factors are that they:

- are public
- make recommendations to government or agencies
- prompt a public commitment to action by government or by agencies in response.

See Appendix two for a full description of the process used to identify relevant inquiry reports for this audit. Appendix three provides a list of the in scope inquiries and a description of these different types of inquiries and how agencies or governments consider and make public their position on their recommendations. Appendix five contains more details on agency reported recommendation implementation status.

## 1.2 Inquiries into the 2019–20 bushfires

Following the 2019–20 bushfire season, two major inquiries explored aspects of the NSW emergency response:

- NSW Bushfire Inquiry
- Commonwealth Royal Commission into National Natural Disaster Arrangements.

Agency responses to these two inquiries are out of scope for this audit, as not enough time has elapsed to evaluate those responses. However, both of these inquiries observed the significant volume of previous reviews of bushfires and other disasters. Both inquiries also noted the difficulty in establishing whether and how recommendations from these previous inquiries had been implemented, from publicly available information.

The NSW Bushfire Inquiry reported in August 2020 and made a recommendation to NSW Government:

That, in order to ensure recommendations accepted by the government are implemented in a timely and transparent manner, government establish a central accountability mechanism to track implementation of recommendations from bushfire related reviews and inquiries and consider expanding this to other areas.

The NSW Government accepted in principle all recommendations from the NSW Bushfire Inquiry. Subsequently, NSW Parliament legislated for the Emergency Services Minister to provide updates on all recommendations from this inquiry, every three months.

The Royal Commission into National Natural Disaster Arrangements reported in October 2020. In conduct, the Royal Commission asked all states and territories to submit information to it on how the findings and recommendations of previous inquiries had been addressed, but found it difficult to assess the implementation status of some recommendations.

The Royal Commission was supportive of the external review and assurance agencies that have been established in Victoria and Queensland, Inspectors-General of Emergency Management. These are independent statutory roles that undertake objective reviews, evaluations and assessments of emergency management arrangements.

The Victorian and Queensland Inspectors-General also examine and provide assurance on the sector's performance, capacity and capability to plan for, respond to and recover from emergencies. This includes monitoring the implementation of recommendations and actions identified through reviews to ensure they are effective and sustainable in the long-term. The Royal Commission recommended that:

Each state and territory government should establish an independent accountability and assurance mechanism to promote continuous improvement and best practice in natural disaster arrangements.

The NSW Government has committed to working with the Australian Government to respond to the Royal Commission's recommendations, complementing its response to the recommendations from the NSW Bushfire Inquiry.

## 1.3 Audited agencies and other relevant governance bodies

### Audited agencies

For this audit we reviewed five agencies:

- Fire and Rescue NSW
- NSW National Parks and Wildlife Services (now a division of the Department of Planning, Industry and Environment)
- NSW Rural Fire Service
- NSW State Emergency Service
- Resilience NSW (formerly the Ministry for Police and Emergency Services; and the Office of Emergency Management).

These agencies were selected as they are or were:

- either a combat agency charged with responding to floods, storms and bushfires; or they play a key coordinating role in recovery responses to these disaster events
- responsible for addressing related public inquiry recommendations.

The following governance entities are relevant to how the audited agencies respond to public inquiry recommendations, but were not the subject of our audit.

### Audit and Risk Committees

NSW Treasury Policy requires agencies to establish an Audit and Risk Committee. The guidance that applied during the audit period was Treasury Policy TPP15-03, but this has recently been replaced by TPP20-08 with the same requirement.

Audit and Risk Committees are advisory committees with independent members, that provide assistance to the head of an agency on the agency's governance processes, risk management and control frameworks as well as external accountability obligations.

### Emergency Services Board of Commissioners

The Emergency Services Board of Commissioners is an advisory body to the Emergency Services Minister. Members include the Commissioners of Fire and Rescue NSW, Resilience NSW, the NSW Rural Fire Service and the NSW State Emergency Service. Resilience NSW (and its predecessor organisation, the Office of Emergency Management) provides secretariat support for the Board of Commissioners and tracks recommendations for which the Board is responsible.

### State Emergency Management Committee

The State Emergency Management Committee is a statutory advisory body to the Emergency Services Minister. Its members include heads of all emergency services agencies. The State Emergency Management Committee plays a lead role in coordinating efforts to prevent, prepare, respond to and recover from emergencies and disasters of all kinds and across all agencies. In November 2020, and in response to the 2019–20 bushfires, Parliament passed legislation giving the State Emergency Management Committee an explicit function to promote continuous improvement and conduct reviews as required.

See Appendix three for a list of inquiries and responsible agencies.

## 1.4 About this audit

The audit objective was to assess how effective NSW emergency response agencies are in addressing accepted recommendations from public inquiries. We addressed the audit objective by answering two questions:

- Do agencies have effective governance arrangements in place to respond to, monitor and implement accepted recommendations from public reviews and inquiries?
- Do agencies provide timely and accurate information on the implementation of accepted inquiry recommendations to senior decision makers and the public?

This audit did not assess the initial advice to government or agency executives on whether to accept public inquiry recommendations, nor the individual actions taken to implement specific recommendations.

More information on the audit approach is in Appendix six.

---

## 2. Approaches to implementing recommendations

This chapter reviews the way agencies have responded to, monitored and ensured they have implemented accepted recommendations from public inquiries.

### 2.1 Ensuring recommendations are addressed

**For two-thirds of the reviewed recommendations, agencies did not test and verify that recommendations have been implemented as intended**

Acquitting recommendations involves checking evidence that the recommendations have been done and that action aligns with the intent of the recommendation. This provides agencies with assurance and is important to inform stakeholders that efforts taken will address the gaps identified by inquiries and improve disaster preparedness and response.

Formal acquittal of recommendations provides an opportunity to:

- verify whether action has been taken as planned, by examining relevant evidence
- determine whether the action taken meets the intent of the recommendation and the real-world outcome sought
- assess whether the action taken addresses similar or repeat recommendations
- determine whether broader lessons may be drawn for continuous improvement
- determine whether any ongoing reporting or action is needed to embed the changes desired.

Queensland and Victoria have established independent assurance functions that monitor the status of emergency management recommendations. In the absence of a similar independent assurance function in NSW, we expected that agencies would have processes in place to verify and test the implementation of accepted recommendations.

However, none of the audited agencies had a consistently applied approach to reviewing, closing off or acquitting recommendations from public inquiries based on evidence. Only 34 per cent of recommendations we reviewed were formally challenged as part of an acquittal process. These recommendations were mostly from audit and independent inquiries.

Where this was done, this involved a Senior Executive examining evidence of action taken and considering whether this was in line with the recommendation's intent before signing it off. Other actions that did not require changes to policies and procedures with delegated approvals were not always formally acquitted.

For instance, several recommendations from the Wambelong and Warrumbungle coronial inquiries required NSW National Parks and Wildlife Service to consult with stakeholders on certain matters. NSW National Parks and Wildlife Service report that this occurred, but were not required to acquit this outcome at the time. However, in early 2018 NSW National Parks and Wildlife Services did conduct a subsequent appraisal of recommendation implementation on the five-year anniversary of the fires which found that most of the recommendations were implemented.

The NSW State Emergency Service has set business rules around all audit reports, including performance audits. Over the period of review, the NSW State Emergency Service also established an Operational Improvement Database that tracks after-action reviews, coronial inquiries and other selected reviews. Nevertheless, a recent internal audit report identified inconsistencies in how recommendations were closed off or acquitted. In response, the NSW State Emergency Service has developed and commenced a new framework to support improved monitoring and acquittal of recommendations including a requirement for evidence besides the advice of relevant officers.

Agencies identified that six of the 191 accepted recommendations of the inquiries within the audit scope were implemented but require ongoing action or monitoring. The meaning or significance of ongoing action or monitoring was not defined by any business rule and exposes agencies to the risk that recommendations are not fully embedded in an organisation.

The lack of acquittal for many recommendations means that in many instances agencies and key stakeholders cannot know for certain that recommendations have been implemented in accordance with the original commitment. This creates a risk that the public safety gaps identified in inquiries and which recommendations are drafted to address are not fully addressed.

## 2.2 Driving the implementation of accepted recommendations

### All agencies assigned a staff member or unit to each accepted recommendation

All agencies assigned responsibility for implementing recommendations to a relevant staff member or branch with an appropriate level of responsibility to carry out the proposed action.

No agency used a central governance unit or process to coordinate responsibilities for addressing recommendations. This reduces the visibility across the organisation of who is responsible, and increases the risk that different public inquiry recommendations will be treated and managed in silos.

### Agencies did not develop detailed plans to implement most accepted recommendations

Public inquiry recommendations vary in scale and scope. Some recommendations require significant changes, such as to legislation, whereas other recommendations require comparatively small changes, such as to internal processes. Accordingly, it is understandable that agencies would develop plans of varying detail in response.

Implementation and action plans varied by type of inquiry and the substance of actions taken for giving effect to recommendations. For example, Fire and Rescue NSW established a formal project to address recommendations from the 'Fitness of firefighters' performance audit report. Similarly, the Emergency Services Board of Commissioners established a series of projects to respond to recommendations from the Bega Valley fire independent inquiry and Emergency services parliamentary inquiry.

Most other recommendations for audited agencies were assigned to staff or a business area as part of day-to-day operations. The decisions about whether to manage the implementation of recommendations as a project were appropriate.

Managing actions as a project significantly increases the reporting and governance burden and may not be needed in every instance.

However, we found that not managing recommendation implementation as a project typically meant that nominating key milestone dates, priority, risk, regular reporting and oversight for key actions was not as common. Overall, agencies only nominated milestone dates for 34 per cent of the recommendations we reviewed. Recommendations from audit and coronial inquiries made up the bulk of these instances. The absence of milestones reduces accountability and exposes agencies to risks that implementation issues are not escalated appropriately in responding to recommendations from public inquiries.

Of the 22 recommendations where agencies reported that implementation is still in progress, agencies had nominated milestone dates for just six recommendations; and four recommendations remain outstanding after five years. Exhibit 2 below shows the number of recommendations reported by agencies as still being addressed, for which agencies have or have not nominated milestones. This shows that 16 of the 22 recommendations still being implemented did not have milestone dates nominated.

Appendix four provides more detail for these recommendations and responsible agencies.

**Exhibit 2: Recommendations reported by agencies as still in progress**

<b>Inquiry title</b>	<b># recommendations for which agencies nominated milestone dates</b>	<b># recommendations for which agencies did not nominate milestone dates</b>
<b>2015</b>		
2013 Blue Mountains Fire Recovery Coordinators Report	--	1
2015 East Coast Storm and Flood Recovery Coordinators Report	--	3
<b>2016</b>		
2016 East Coast Low State Recovery Coordinators Report	--	1
<b>2017</b>		
2016 Inland Flooding Regional Recovery Coordinators Report	--	2
Violence against emergency services personnel	--	3
<b>2018</b>		
Bega Valley Fires Independent Review	4	--
Emergency services agencies	2	1
Inquiry into the fire at Springwood and Mount Victoria	--	1
<b>2019</b>		
Inquiry into fire at Flagview South, Sir Ivan Dougherty Drive, Leadville	--	4
<b>Total</b>	<b>6</b>	<b>16</b>

Source: AONSW analysis of agency supplied information.

Resilience NSW reports that there are three recommendations from recovery reports issued five years ago that remain outstanding. All relate to multi-agency projects. Multi-agency projects, especially inter-jurisdictional projects, are more complicated to implement. However, this also highlights that more detailed monitoring of recommendations could be valuable to keep these actions on track.

Several more recommendations for which Resilience NSW were responsible were only recently closed out following the 2019–20 bushfire season, with that significant event providing the apparent impetus for doing so. There are a further two recommendations that agencies report they have not yet commenced – recommendations two and three of the Bega Valley fires independent review. The status of these recommendations is reported to the Emergency Services Board of Commissioners.

### **Once set, actions to address accepted recommendations from public inquiries were rarely altered**

We identified only two instances where agencies adjusted their approaches to implementing recommendations after commencing implementation. These two were in response to a subsequent event, and after further consideration of an accepted recommendation.

Few agencies had a formal process to review recommendation implementation actions at key stages, to consider their continued relevance. However, staff we spoke to across the agencies commented that such a review point would be a useful feature to ensure that actions, and their risk and priority ratings, remain appropriate. Such a review might also reveal whether more resources are required to address a recommendation than initially planned.

### **Agencies look for practice improvements from other jurisdictions**

Agencies reported participation in a variety of cross-agency forums, such as through the Australasian Fire and Emergency Service Authorities Council (AFAC), to identify good practice and developments from other jurisdictions and settings that may be relevant. Similarly, agencies reported closely monitoring public inquiries from other jurisdictions and disaster types for insights that could be relevant to their own practices.

Resilience NSW is responsible for administering the NSW Lessons Management Framework for the NSW Emergency Management Sector. Published in 2019, the 2019–20 bushfires was the first disaster for which this new framework was in place. The NSW Lessons Management Framework complements existing lessons management processes in place at individual agencies. These provide further opportunities to reflect on recommendations and determine whether adjustment is required to the action initially planned.

### Exhibit 3: Lessons management

Continuous improvement is important for all public sector agencies. It has become especially important for emergency response agencies that respond to disasters which can cause loss of life or significant damage to property. Over the last decade emergency response organisations have developed lessons management protocols to ensure that they capture key lessons from disasters and implement them in future disasters.

Until 2019, this was largely an agency-by-agency practice supported by cross-agency working groups to identify where there were potential cross-agency themes. In 2019, the NSW Government released its Lessons Management Framework for the NSW Emergency Management Sector. Resilience NSW is responsible for administering this framework. The purpose of the framework is to set out guidance to agencies for capturing and analysing information that can be applied to strengthen emergency management capability across the sector. Resilience NSW advised they have plans to release the results of the lessons management process from the 2019–20 bushfires.

As part of lessons management, all agencies perform after-action reviews or debriefs following action to respond to disasters at the local, regional and state level. This happens regardless of whether there is a public inquiry into the same event. However, public inquiries can be an important trigger to collect data in a specific area, or reflect on how agencies have drawn conclusions from previous observations.

Following the 2019–20 bushfires, the State Emergency Management Committee was given a new function 'to promote the continuous improvement of emergency management policy and practice, including through consideration of reviews and inquiries into emergency operations, exercises and training evaluations'.

Source: AONSW research.

## 2.3 Tracking recommendation implementation

### No agency had a comprehensive approach to addressing public inquiry recommendations

None of the audited agencies maintained a comprehensive approach that drove or tracked the implementation of recommendations from all types of inquiries.

Treasury Policy requires agencies to monitor the implementation of performance audit recommendations but not other types of inquiries, and it does not require agencies to use a formal register to track performance audits. A register is not essential to responding to, monitoring and implementing recommendations from public inquiries. However, a well-maintained register with clearly articulated business rules has the following benefits. It:

- allows for alignment, overlap or conflict between recommendations or agency actions to be identified
- encourages early assessment of the relative priority, risk rating, governance arrangements, and monitoring requirements that should be used for addressing different types of inquiries and recommendations
- specifies expected milestones and timeframes, and highlights delays for escalation
- provides visibility for more consistent and routine reporting on public commitments.

The NSW State Emergency Service maintained two registers: one for audit, including performance audits, and another for operational-focused inquiries and lessons management. However the rules for the latter were not articulated as business rules and procedures for entering and updating information varied.

Fire and Rescue NSW and the NSW Rural Fire Service also tracked and monitored the implementation of performance audit recommendations. However, this was not done through the audit register. Fire and Rescue NSW has tracked coronial inquiries through a dedicated register since 2018. The NSW Rural Fire Service maintains a Master Audit and Review register to track operational audits and inquiries, but this does not track all internal or performance audits.

As noted in the introduction, the Emergency Services Board of Commissioners is an advisory body to the Emergency Services Minister and Resilience NSW provides the secretariat to the Board. The Board of Commissioners was assigned responsibility for cross-agency recommendations from two of the inquiries in scope for this audit. However, neither Resilience NSW nor its predecessor agencies maintain a register for operational or non-operational inquiries outside of those that are the responsibility of the Board of Commissioners.

The NSW National Parks and Wildlife Service also did not maintain a register or similar for tracking recommendations from the two inquiries affecting them within the audit scope. However, since 2017 the NSW National Parks and Wildlife Service has established a database of coronial and parliamentary inquiries. The NSW National Parks and Wildlife Service plans to use this database to track and monitor future public coronial and parliamentary inquiries and to expand this database across the Department of Planning, Industry and Environment.

### **Agencies included some proposed actions to address relevant recommendations in planning documents**

Corporate planning identifies agencies' key priorities and enhances accountability over actions taken. Some, but not all, actions to address recommendations from public inquiries were incorporated by agencies into regular business planning and other strategic documents where they were relevant.

The NSW Rural Fire Service, for instance, maintained a detailed system of business planning and related reporting over the period of review. Several actions to address public inquiry recommendations were included in this system.

Similarly, the NSW National Parks and Wildlife Service maintained detailed branch plans incorporating many of the actions to address recommendations from its two inquiries in scope for this audit. However, this system was primarily used to plan resource allocations, rather than as a system of accountability for tracking recommendation implementation.

Incorporating relevant actions to address recommendations into corporate planning can increase the visibility of recommendations and the likelihood they will be actioned. It should be noted that this will not always be appropriate as corporate plans need to focus on priorities rather than all, or a large sub-set of, the activities of an agency.

---

## 3. Information to decision makers and the public

This chapter reviews how agencies provided information to senior decision makers, agency Audit and Risk Committees and the public on the implementation of accepted recommendations from public inquiries.

### 3.1 Reporting to senior management and the Audit and Risk Committee

#### Reporting to senior decision makers could be enhanced

All agencies kept senior management informed, from time to time, of the progress in implementing accepted recommendations from public inquiries. Agencies that maintained registers for certain types of public inquiries had more routine reporting to senior managers on recommendation implementation. However, as noted in the previous chapter, consistent weaknesses in how agencies verified that recommendations were addressed, and failure to nominate recommendation milestone dates, priorities and risks, reduced the potential for reporting to maintain senior management focus on implementation.

Regular reporting took the form of dashboard-style reporting highlighting overdue items. This style of reporting allows senior management to see at a glance how agencies are performing in implementing public commitments, and highlights where intervention may be necessary. Reports like this can be produced quickly for consideration and – with sufficient attention to business rules for maintaining the register – accurately. Resilience NSW, for instance, provides the Emergency Services Board of Commissioners with a regular item noting the summary status of various projects, including responses to public inquiry recommendations, that allows the Board to quickly identify at risk projects.

However, this kind of reporting can only be effective if agencies nominate key milestones, priority and risk ratings for recommendation implementation and this usually does not occur.

Other reporting to senior management was ad hoc, event centred and often coincided with delegated approvals required to implement a certain action. For example, the NSW National Parks and Wildlife Service addressed several recommendations from the Warrumbungle coronial inquiry through updates to its 2016–17 Fire Management Manual. As these Manual updates were finalised, senior management were informed through the approvals sought for the change.

#### Agencies are appropriately briefing their Audit and Risk Committees on performance audits

The role of the Audit and Risk Committee (ARC) with respect to performance audits is clear. Treasury Policy requires agencies to track and monitor the implementation of performance audit recommendations. The policy requires that agencies maintain a register for internal audits but does not require that same approach for performance and other external audits. The ARC reviews the agency's management plans and monitors the implementation of performance audit recommendations. This role of the ARC was also reviewed in our 2015 performance audit on 'Implementing performance audit recommendations'.

Three agencies and four performance audits were in scope for this report:

- Fire and Rescue NSW responding to the Fitness of firefighters and Preventing and managing worker injuries performance audits
- NSW Rural Fire Service responding to the Fitness of firefighters performance audit
- NSW State Emergency Service responding to the SES management of volunteers performance audit.

These agencies tracked and monitored recommendations from these inquiries consistent with Treasury policy requirements, and provided information to their ARCs to allow for oversight.

### **Agencies do not consistently present information on relevant risks from other public inquiries to their Audit and Risk Committees**

Treasury policy requires agencies to maintain a risk management framework. A risk management framework includes processes to identify risks to the agency. Coronial, parliamentary and other inquiry types all identify potential strategic, operational, financial and reputational risks for the organisation. While the head of the agency is ultimately responsible and accountable for risk management, the ARC has an important advisory role. However, agencies do not consistently present information on the agency risks highlighted by public inquiries to the ARCs, apart from performance audits.

The NSW National Parks and Wildlife Service and the NSW Rural Fire Service are involved with a high number of coronial proceedings. Accordingly both agencies presented regular standing items to their ARCs on current and upcoming coronial proceedings, but not on other types of public inquiries within the audit scope.

The other agencies presented the findings and recommendations of public inquiries other than performance audits to their ARCs as part of periodic strategic overviews of the agencies' operations. A more consistent assessment of the risk implications of public inquiries, and briefing of the ARCs on these, could enhance agencies' risk management and provide better information to the ARC for its advisory role.

## **3.2 Public reporting on implementation**

### **Agencies do not regularly report on public inquiry recommendation implementation in their annual reports**

Public reporting on the implementation of public inquiry recommendations is an important mechanism for transparency and accountability. Some actions to address public inquiry recommendations are, by their nature, public - such as changes to legislation, policy administration or building codes. Other actions are less obvious. Public reporting brings this information together for consideration and appraisal, and enhances accountability for what are public commitments to action.

The Annual Reports (Departments) Regulation 2015 was in place for the period of review for this audit. It requires agencies to report on:

The nature and extent of performance review practices and of improvements in organisational achievements as assessed by both internal and external performance reviews.

Benefits achieved as a result of management and strategy reviews.

A description of management improvement plans adopted by the Department and achievements in reaching previous targets.

In our 2015 report on 'Implementing performance audit recommendations', to support this guidance, we recommended that agencies publish progress against performance audit recommendations in the agencies' annual reports.

We recommended that this take the form of a table showing the number of recommendations on track, closed or delayed and the proposed implementation dates. None of the agencies have done so for the performance audits included in this audit.

Of the reviewed agencies, only the NSW Rural Fire Service and the NSW State Emergency Service provided limited discussion of the other types of inquiries in scope for this report, including recommendations from our performance audits.

More detailed reporting on the status and outcomes of planned actions to address accepted recommendations provides opportunities for agencies to highlight improvements in practice. It also enables agencies to show the public how they are taking on lessons from inquiries, and strengthening their capacity to prevent, prepare for, respond to and recover from natural disasters.

### **No agency published summary status updates of public inquiry recommendation implementation**

The *Government Information (Public Access) Act 2009* (GIPA Act) permits and encourages NSW Government agencies to proactively identify information for public release. Consistent with this, all of the emergency response agencies for this audit have an annual cycle in place to identify information that might be made available. Under open government policies, agencies are encouraged to first consider commercially useful and other high-value datasets for public release.

None of the agencies reviewed had considered making public summary information about how they were implementing accepted recommendations from public inquiries. In part this is a consequence of the fragmented way in which public inquiry recommendations are addressed, which hinders the publication of this data.

## **Section two**

### Appendices

# Appendix one – Response from agencies

## Response from Department of Planning, Industry and Environment



Planning,  
Industry &  
Environment

Office of the Secretary

IRF21/1220

Ms Margaret Crawford  
Auditor-General for New South Wales  
GPO Box 12  
SYDNEY NSW 2001

Via email: mail@audit.nsw.gov.au

*Margaret*  
Dear Ms Crawford

### Performance Audit: Addressing public inquiry recommendations

Thank you for the opportunity to provide a formal response on this audit for inclusion in the final report to be tabled in Parliament.

I acknowledge this audit incorporates findings relating to five agencies: Fire and Rescue NSW, Department of Planning, Industry and Environment - NSW National Parks and Wildlife Service, NSW Rural Fire Service, NSW State Emergency Service and Resilience NSW, and I appreciate the significant work and professionalism of your audit team throughout this process.

I believe the findings and recommendations outlined in the report will improve transparency and performance within NSW National Parks and Wildlife Service and across my Department more generally. I am pleased to note that the audit process has enhanced collaboration between key emergency response agencies.

The Department has commenced a review of the recommendations with the view of formalising governance arrangements around the implementation, tracking and reporting on public inquiry recommendations. This will include ensuring consistent practices and regular reporting to senior executives, audit and risk committees and our website, where appropriate.

Again, I would like to acknowledge the important work undertaken by your team and the opportunity your recommendations provide for the Department to continually improve its processes and practices.

Yours sincerely

*Jim Betts*  
Jim Betts  
Secretary

*Many thanks.*

29/3/2021

4 Parramatta Square, 12 Darcy Street, Parramatta NSW 2150 | Locked Bag 5022 Parramatta NSW 2124 | planning.nsw.gov.au

## Response from Resilience NSW



Resilience  
NSW

Resilience NSW  
GPO Box 5434,  
Sydney NSW 2001  
Tel 02 8688 7777  
[www.resilience.nsw.gov.au](http://www.resilience.nsw.gov.au)

Margaret Crawford  
Auditor-General for New South Wales  
Audit Office of New South Wales  
Via email

Your Ref: D2102758  
Our Ref: DOC056728

Dear Ms Crawford

Thank you for the opportunity to respond to your Performance Audit on Addressing Public Inquiry Recommendations (Emergency Response Agencies) which examined the performance of emergency agencies' governance arrangements in addressing accepted recommendations from public inquiries.

We have prepared this joint response representing the following emergency agencies: Resilience NSW (ResNSW), Fire and Rescue NSW (FRNSW), NSW Rural Fire Service (NSW RFS) and NSW State Emergency Service (NSW SES), for inclusion in the published report.

It is important to note that the scope of the audit extends only to process and governance arrangements relating to delivery and reporting of implementation of public inquiry recommendations. The report does not examine or make findings about the Agencies' performance with respect to the implementation of recommendations.

The agencies have focused on the successful implementation of recommendations as the most crucial benchmark for performance in relation to delivery of inquiry recommendations. The agencies consider that this is particularly appropriate in the absence of mandated governance processes for the management of all inquiry types within the scope of this audit. In that regard, it should be noted that of the 191 accepted recommendations within the scope of the audit, 98% of the recommendations have been implemented or are in progress.

The agencies consider that this record of implementation delivers on the primary intent of public inquiries, which is to identify areas for future improvement and to prompt a commitment to action by government or agencies in response.

Notwithstanding their strong performance on implementation of recommendations, ResNSW, FRNSW, NSW RFS and NSW SES welcome the opportunity to renew focus and effort in strengthening and developing their respective processes and systems for the management and reporting of implementation of public inquiries recommendations.

The agencies support the recommendations from your report. The recommendation related to establishment of an approach to tracking implementation status is supported in principle to ensure robustness and accountability throughout the process, noting however the extensive list of requirements may not be necessary in every instance given the varying nature, priority, and risk level of recommendations.

Each of the agencies have committed to the development of a more consistent and comprehensive approach and stronger governance systems for tracking implementation of, and publicly reporting on, public inquiry recommendations.

Following the findings of the NSW Bushfire Inquiry and the Royal Commission into National Natural Disaster Arrangements last year, agencies have been working towards improvements to relevant governance and accountability processes. This includes the establishment of a centralised and comprehensive approach for tracking public inquiry recommendations, building on agencies' existing mechanisms.

It is noted the recommendations from your report will create a new benchmark for governance and reporting on implementation of recommendations from public inquiries in NSW. It is presumed that the Audit Office will engage more broadly with the sector to consider establishment of these standards in policy.

The Government's commitment to improved governance and accountability is also reflected in the December 2020 amendment to the *State Emergency and Rescue Management Act 1989*. This amendment conferred an explicit statutory function on the State Emergency Management Committee to promote the continuous improvement to policy and practice in the NSW emergency management sector through consideration of reviews and inquiries and their recommendations.

ResNSW is also in the process of establishing the central accountability mechanism as recommended by the NSW Bushfire Inquiry. The mechanism will initially report on the recommendations of the NSW Bushfire Inquiry, with the first report to be presented to Parliament in May 2021. Options to broaden the scope of the central accountability mechanism to manage other public inquiries and reviews will be explored later in 2021.

We would like to formally thank the Audit Office review team for their work throughout the audit process.

Yours sincerely



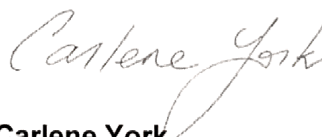
**Shane Fitzsimmons**  
Commissioner  
Resilience NSW



**Paul Baxter**  
Commissioner  
Fire and Rescue NSW



**Rob Rogers**  
Commissioner  
NSW Rural Fire Service



**Carlene York**  
Commissioner  
NSW State Emergency Service

---

## Appendix two – Identifying in scope inquiries

We identified a long list of almost 30 public inquiries, reviews and reports into disasters published over the last ten years. This list was compiled using the publicly available Bushfires and Natural Hazard Cooperative Research Centre database and supplemented with additional searches of NSW Parliament and other government websites including the Coronial inquest and inquiry website maintained by the Department of Communities and Justice.

The criteria used to select the 17 inquiries in scope for this audit were:

1. Inquiry, inquest, review or report is publicly available.
2. Inquiry, inquest, review or report makes recommendations affecting emergency response agencies (defined below).
3. Inquiry, inquest, review or report makes recommendations that affect the ability of emergency response agency to combat natural hazards (storms, floods and bushfires) or provide a recovery response to these natural hazards.

Emergency response agencies were defined for the purpose of this audit as agencies that respond to, prepare for, and take a lead role in combatting natural hazards (floods, bushfires and storms). For this audit, those emergency response agencies are Fire and Rescue NSW, NSW National Parks and Wildlife Service (a division of Department of Planning, Industry and Environment), Resilience NSW, NSW Rural Fire Service and the NSW State Emergency Service.

Appendix three contains a list of in scope inquiries and their characteristics.

# Appendix three – In scope inquiries

This appendix contains:

- a list of in scope inquiries for this audit
- a description of these different types of inquiries
- a summary of recommendations made by these inquiries by theme.

## List of in scope inquiries for this audit

**Table A3.1: In scope inquiries**

Date of inquiry publication	Inquiry title	Type of inquiry	Agencies affected
Nov-2013	Independent Hazard Reduction Audit Panel	Independent	Ministry for Police and Emergency Services (Resilience NSW); NSW Rural Fire Service
Apr-2014	Fitness of firefighters	Audit	Fire and Rescue NSW; NSW Rural Fire Service
Apr-2014	SES Management of Volunteers	Audit	NSW State Emergency Service
Feb-2015	2013 Blue Mountains Fire Recovery Coordinators report	Recovery	Ministry for Police and Emergency Services (Resilience NSW)
Feb-2015	Wambelong fire	Parliamentary	NSW Rural Fire Service; NSW National Parks and Wildlife Service
Aug-2015	2015 East Coast Storm and Flood Recovery Coordinators Report	Recovery	Office of Emergency Management (Resilience NSW)
Sep-2015	Inquiry into fire at Wambelong Camp Ground, Warrumbungles National Park	Coronial	NSW Rural Fire Service; NSW National Parks and Wildlife Service
Aug-2016	2016 East Coast Low State Recovery Coordinators Report	Recovery	Ministry for Police and Emergency Services (Resilience NSW)
Oct-2016	Preventing and managing worker injuries	Audit	Fire and Rescue NSW
Jul-2017	Independent Review of the NSW State Emergency Service Operational Response	Independent	NSW State Emergency Service
Aug-2017	Violence against emergency services personnel	Parliamentary	Fire and Rescue NSW; Office of Emergency Management (Resilience NSW); NSW Rural Fire Service; NSW State Emergency Service
Sep-2017	2016 Inland Flooding Regional Recovery Coordinators Report	Recovery	Office of Emergency Management (Resilience NSW)

Date of inquiry publication	Inquiry title	Type of inquiry	Agencies affected
Sep-2017	Inquests into the deaths of Robin MacDonald, Colin Webb and Brian Wilson (Dungog Floods)	Coronial	NSW State Emergency Service
May-2018	Inquiry into the fire at Springwood and Mount Victoria	Coronial	Fire and Rescue NSW; NSW Rural Fire Service
Jun-2018	Bega Valley Fires Independent Review	Independent	Emergency Services Board of Commissioners (Office of Emergency Management and Resilience NSW the Secretariat)
Jul-2018	Emergency services agencies	Parliamentary	Emergency Services Board of Commissioners (Office of Emergency Management and Resilience NSW the Secretariat); Fire and Rescue NSW
Oct-2019	Inquiry into fire at Flagview South, Sir Ivan Dougherty Drive, Leadville	Coronial	NSW Rural Fire Service

## Description of different types of inquiries

### Coronial inquiries and inquests

Coroners conducting inquests or inquiries into deaths, fires or explosions may make recommendations concerning public health and safety or other matters that arise during an inquest or inquiry. Inquests are coronial proceedings concerning the death or suspected death of a person whereas inquiries are coronial proceedings concerning fire or explosions.

Premier's Memorandum M2009-12 requires that ministers or government agencies provide a response to the Attorney-General for coronial recommendations within six months of receiving a recommendation. Significant changes to policy or any budget implications will be discussed and endorsed by Cabinet.

The Premier's Memorandum directs the Attorney-General to publish this information on the Attorney-General's website. The Department of Communities and Justice now administers this arrangement.

The Premier's Memorandum encourages agencies to provide the Attorney-General with further updates on the status of accepted recommendation implementation. However, and consistent with the Premier's Memorandum, the Department of Communities and Justice does not actively monitor recommendation implementation progress.

This audit looked at agency responses to four coronial inquiries and inquests:

- Inquiry into fire at Wambelong Camp Ground, Warrumbungles National Park
- Inquests into the deaths of Robin MacDonald, Colin Webb and Brian Wilson (Dungog flood)
- Inquiry into the fire at Springwood and Mount Victoria
- Inquiry into fire at Flagview South, Sir Ivan Dougherty Drive, Leadville.

### Independent inquiries

Independent inquiries in this audit context are defined as reviews commissioned by the government or by agencies into emergency management events. These reviews were not triggered by a statutory requirement. The reports and the official responses are not required to be published, but may be made available to the public to support a legislative agenda or for public accountability.

This audit reviewed agency responses to three independent inquiries:

- Independent Hazard Reduction Audit Panel
- Independent Review of the NSW State Emergency Service Operational Response
- Bega Valley Fires Independent Review.

## Parliamentary inquiries

Parliamentary inquiries are conducted by parliamentary committees and often make recommendations to government. Under parliamentary standing orders, the relevant minister or ministers must, within six months, report on the action the government proposes to take in relation to each recommendation of the committee. The government's response and any significant changes to policy or any budget implications will be discussed and endorsed by Cabinet.

This report reviewed agency responses to three parliamentary inquiries:

- Wambelong fire
- Violence against emergency services personnel
- Emergency services agencies

## Performance audits

The Auditor-General for NSW's performance audits assess whether government agencies are carrying out their activities effectively, economically, efficiently and in compliance with the law. The heads of audited agencies provide a formal response or comment on an audited report that is included in a report tabled in both houses of NSW Parliament.

The *Public Finance and Audit Act 1983* established a parliamentary committee, the Public Accounts Committee (PAC) which, amongst other functions, reviews the Auditor-General's performance audits. The PAC's practice is to review agency implementation of performance audit recommendations 12 months after the completion of an audit. Agencies submit their responses to the PAC. The PAC then selects several reports to conduct more detailed examination by way of public hearings. The PAC may then make further recommendations to government or agencies on the audited topic.

This report reviewed agency responses to three performance audits:

- Fitness of firefighters
- SES management of volunteers
- Preventing and managing worker injuries.

The PAC did not conduct public hearings for the performance audits listed above. Nor did the PAC make further recommendations regarding these reports.

## Recovery reports

The *State Emergency and Rescue Management Act 1989* requires the appointment of a State Emergency Recovery Controller. The State Emergency Recovery Controller may recommend the appointment of a Recovery Coordinator once the need for a formal recovery operation has been identified. One of the functions of the Recovery Coordinator is to provide a report to the State Emergency Recovery Controller on actions taken, lessons identified and any recommendations.

Resilience NSW advised that, in practice, these reports are substantially prepared by staff supporting the Recovery Coordinator who are then responsible for implementing the resulting recommendations. In this way, they are distinct from the other inquiries or reviews reviewed in this audit. The recovery reports are published on the Resilience NSW website.

This report reviewed agency responses to four recovery reports:

- 2013 Blue Mountains Fire Recovery Coordinators Report
- 2015 East Coast Storm and Flood Recovery Coordinators Report
- 2016 Inland Flooding Regional Recovery Coordinators Report
- 2016 East Coast Low State Recovery Coordinators Report.

Of these reports, there is a formal government or agency response only to the 2015 East Coast Storm and Flood Recovery Coordinators Report.

## Accepted recommendations themes from in scope public inquiries

The Bushfire and Natural Hazard Cooperative Research Centre (BNHCRC) developed a database of all disaster inquiries in Australia and this data is available on its website. The BNHCRC also coded recommendations according to several major and minor categories.<sup>1</sup> We extended the BNHCRC analysis by including additional inquiries and recommendation theme coding.

**Table A3.2**

Recommendation theme	Audit	Coronial	Independent	Parliamentary	Recovery	Total
<b>Responsibility</b>						
Agency reporting	--	--	2	3	--	5
Business and industry	--	2	--	--	1	3
Community education	--	3	5	1	6	15
Government responsibility	--	1	--	3	3	7
Inquiry, audit and after-action review	--	--	1	1	1	3
Personal responsibility	--	2	--	--	1	3
<b>Responsibility total</b>	<b>--</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>12</b>	<b>36</b>
<b>Preparedness</b>						
Disaster risk management	--	--	4	--	--	4
Emergency management exercises	--	--	1	--	--	1
Fire season preparation	--	2	--	8	1	11
Hazard reduction burns	--	1	--	2	--	3
Infrastructure	--	--	--	--	1	1
Land use and building regulation	--	--	2	1	--	3
<b>Preparedness total</b>	<b>--</b>	<b>3</b>	<b>7</b>	<b>11</b>	<b>2</b>	<b>23</b>
<b>Response</b>						
Access to fire ground	--	1	--	1	--	2
Communications and warnings	--	3	1	1	1	6
Emergency powers	--	1	--	--	--	1
Incident management teams	--	3	2	--	--	5

<sup>1</sup> See Cole L, Dovers S, Eburn M and Gough M. 2017. Major post-event inquiries and reviews: review of recommendations. Bushfire and Natural Hazard CRC. December 2017.

Recommendation theme	Audit	Coronial	Independent	Parliamentary	Recovery	Total
Inter-agency communication	--	2	--	--	--	2
Inter-service cooperation	--	3	5	--	1	9
Local knowledge	--	1	--	--	--	1
<b>Response total</b>	<b>--</b>	<b>14</b>	<b>8</b>	<b>2</b>	<b>2</b>	<b>26</b>
<b>Recovery</b>						
Insurance and legal liability	--	--	--	1	1	2
Relief and recovery	--	--	--	1	16	17
<b>Recovery total</b>	<b>--</b>	<b>--</b>	<b>--</b>	<b>2</b>	<b>17</b>	<b>19</b>
<b>Agency organisation</b>						
Doctrine, standards and reform	--	5	16	2	--	23
Emergency management agency and authority	--	2	8	4	--	14
Funding	--	--	2	1	--	3
OH&S	9	--	1	5	--	15
Training and behaviour	1	8	8	--	--	17
Volunteers	5	--	--	--	1	6
<b>Agency organisation total</b>	<b>15</b>	<b>15</b>	<b>35</b>	<b>12</b>	<b>1</b>	<b>78</b>
<b>Research and technology</b>						
Assets and technology	--	2	3	1	--	6
Mapping and data quality	--	--	--	--	2	2
Research	--	1	--	--	--	1
<b>Research and technology total</b>	<b>--</b>	<b>3</b>	<b>3</b>	<b>1</b>	<b>2</b>	<b>9</b>
<b>Grand total</b>	<b>15</b>	<b>43</b>	<b>61</b>	<b>37</b>	<b>36</b>	<b>191</b>






## Appendix four – Recommendations reported by agencies as still in progress (detail)





The table below provides additional detail to information presented in Exhibit 2 in Chapter two.

Inquiry title	Recommendation	Responsible agency	Did agency nominate milestone for recommendation still in progress?
<b>2015</b>			
2013 Blue Mountains Fire Recovery Coordinators Report	1. That a single victim registration form be designed, which captures all relevant details required for use by any support agency both in the Response Phase at Evacuation centres and during the Recovery Phase. That such documents when completed form part of a wider database which can be accessed by all relevant agencies.	Resilience NSW	!
2015 East Coast Storm and Flood Recovery Coordinators Report	Streamlining NDRRA Grants Processes	Resilience NSW	!
	9. Noting the need for financial oversight in assessing NDRRA determinations, these grants are important to the community and opportunities to streamline the approvals process should be explored with the Commonwealth in order to minimise delays in the future.		
	Improvements to the Targeting of Government Support to Build Primary Industry Resilience	Resilience NSW	!
	10. In a climate where governments at all levels are seeking to maximise the effectiveness of Australian businesses, including primary production, there would seem to be some benefit in exploring available options to ensure those enterprises that exhibit the industry improvement behaviours sought are not excluded from disaster support. The Recovery Coordinator supports the intent of measures to ensure disaster relief support only goes to bona-fide primary producers, but believes there would be benefit in identifying a more elegant means of determining eligibility than is in place currently. The Local Land Services (LLS) work in this area should continue.		

Inquiry title	Recommendation	Responsible agency	Did agency nominate milestone for recommendation still in progress?
	Improving Community Preparedness and Resilience	Resilience NSW	!
	12. Noting work ongoing to improve the quality of planning at LEMC level, communities should be encouraged and assisted where possible to make simple assessments of their risks and take simple measures to support themselves in the immediate time after an event. This may include identifying potential isolations and preparing supplies of food and water; backup communications options; proposing possible community meeting places and / or identifying community members who may be able to assist others.		
<b>2015</b>			
2016 East Coast Low State Recovery Coordinators Report	3. Impact Assessment Data Sharing The Office of Emergency Management: <ul style="list-style-type: none"> <li>with the SEOCON, jointly provides further guidance to Regional Emergency Management Officers about their role in facilitating local council access to the Impact Assessment Data Base</li> <li>with REMOs and the SEOCON jointly provides further information to local councils about Impact Assessment Data Sharing Arrangements and the data available through this mechanism</li> <li>includes information about the Impact Assessment Data Sharing Arrangements in the Local Recovery Toolkit</li> <li>develops a mechanism to allow local councils to have direct access to the collated impact data.</li> </ul>	Resilience NSW	!
<b>2017</b>			
2016 Inland Flooding Regional Recovery Coordinators Report	Cat C Primary Producer Grant 4. That a review of the Cat C Primary Producer Grant is undertaken that considers the effectiveness of this financial assistance as a recovery measure.	Resilience NSW	!

Inquiry title	Recommendation	Responsible agency	Did agency nominate milestone for recommendation still in progress?
	OEM Webpage	Resilience NSW	!
	10. The Office of Emergency Management review the webpage and costings associated with any upgrade to enable it to become the single source of information in an emergency event.		
Violence against emergency services personnel	47. That the NSW Government consider introducing legislation to allow mandatory disease testing of people whose bodily fluids come into contact with police and emergency services personnel, in consultation with all affected stakeholders.	Resilience NSW	!
	1. That emergency services agencies publish data about the number and type of violent incidents against their staff each year.	Fire and Rescue NSW	!
	23. That each NSW emergency services agency review its violence prevention and safety training on a regular basis, in consultation with staff, to ensure it is comprehensive, up to date and responsive to contemporary needs.	Fire and Rescue NSW	!
<b>2018</b>			
Bega Valley Fires Independent Review	5. Use the model and system in place at the Ambulance Service of NSW as a benchmark for call taking, dispatch and the provision of situational awareness when deploying resources. This will overcome the lack of a feedback loop in current bushfire operations.	Resilience NSW	✓
	7. Implement a fully integrated civilianised single call and dispatch centre, that includes a redundancy option outside the Sydney CBD, which will adopt an agnostic approach to deploy the quickest most suitable resource to an emergency. Such a centre should be managed by either a non-uniformed public servant staffed organisation like the Office for Emergency Management, or the NSW Police Force.	Resilience NSW	✓
	8. Until a single call centre is developed, continue deployments of a senior RFS officer to FRNSW ComCen on a 24/7-day basis. This arrangement should determine the quickest most suitable resource and who is 'in charge' of an incident.	Resilience NSW	✓

Inquiry title	Recommendation	Responsible agency	Did agency nominate milestone for recommendation still in progress?
Emergency services agencies	9. While the proposal to establish an integrated call and dispatch centre is being implemented, FRNSW should take steps to civilianise ComCen and maintain experienced senior officers from both agencies as supervisors similar to how the NSW Police Force and Ambulance Service of NSW operate.	Resilience NSW	
	5. That the NSW Government identify a lead agency to drive the Mental Health and Wellbeing Strategy for First Responder Organisations, to monitor its implementation and to evaluate its effectiveness across the five emergency services agencies.	Resilience NSW	
	6. That the NSW Government establish a cross-agency working group comprising senior representatives from the five emergency services agencies to: <ul style="list-style-type: none"> <li>review the effectiveness of the current training within the agencies regarding bullying, harassment and discrimination.</li> </ul>	Resilience NSW	
Inquiry into the fire at Springwood and Mount Victoria	26. That Fire & Rescue NSW implement an internal education campaign regarding the '50/50' recruitment strategy and respectful attitudes towards women.	Fire and Rescue NSW	
	6. That the Commissioner, Rural Fire Service, consider the desirability of providing further instruction and/or training to all firefighters, including volunteer firefighters, in relation to safe methods of operation when fighting fires in proximity to electricity.	NSW Rural Fire Service	

Inquiry title	Recommendation	Responsible agency	Did agency nominate milestone for recommendation still in progress?
<b>2019</b>			
Inquiry into fire at Flagview South, Sir Ivan Dougherty Drive, Leadville	1. That the NSW Rural Fire Service offer an information and engagement briefing with affected residents in the Dunedoo area (Castlereagh District) and Cassilis area (Liverpool Range District) to discuss the Coroner's findings and the agreed chronology annexed to those findings. This briefing is to be led by RFS personnel at the Assistant Commissioner/Manager Planning and Predictive Services level, and is to include anticipated changes in bushfire frequency and behaviour in those districts (including fire thunderstorm events), how landholders can access RFS information in advance about predicted conditions for local districts, and adaptive firefighting strategies in response to changes in bushfire frequency and behaviour.	NSW Rural Fire Service	
	4. That the NSW Rural Fire Service undertake a community engagement campaign (including information specifically targeted at farming communities) to reflect any revision of the Fire Danger Ratings system following the current review by the National Social Research Project. Such a campaign to include notice that in large fire events, the RFS cannot guarantee that every landholder will receive assistance from the RFS and such a campaign to be repeated (even in a modified form) prior to the start of each statutory bush fire danger period.	NSW Rural Fire Service	
	5. That the NSW Rural Fire Service review its Building Impact and Damage Assessment Team process to increase the early detection of asbestos risk in fire damaged buildings and associated protocols to support landowners affected by fire and asbestos.	NSW Rural Fire Service	
	9. That the NSW Rural Fire Service and NSW Farmers collaborate to develop an engagement program for current NSW Farmers and future representatives serving on local and state level bush fire risk management committees, to ensure the views of farming communities are represented at regular meetings outside of fire season and during operational bush fire events.	NSW Rural Fire Service	

---

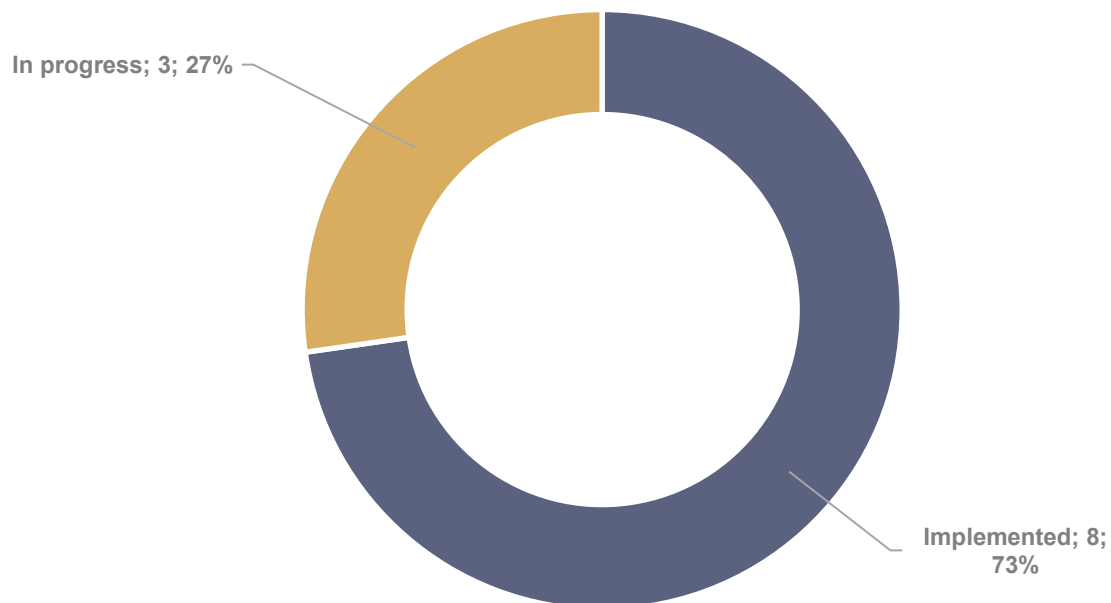
## Appendix five – Agency reported recommendation implementation status (unaudited)

NB: This audit focused on the governance processes in place to address public inquiry recommendations. However, the audited agencies supplied information on the implementation status of the recommendations under review. The audit team did not audit this information but did re-code recommendations to one of four categories:

- Implemented
- In progress
- Not yet commenced
- Not implemented.

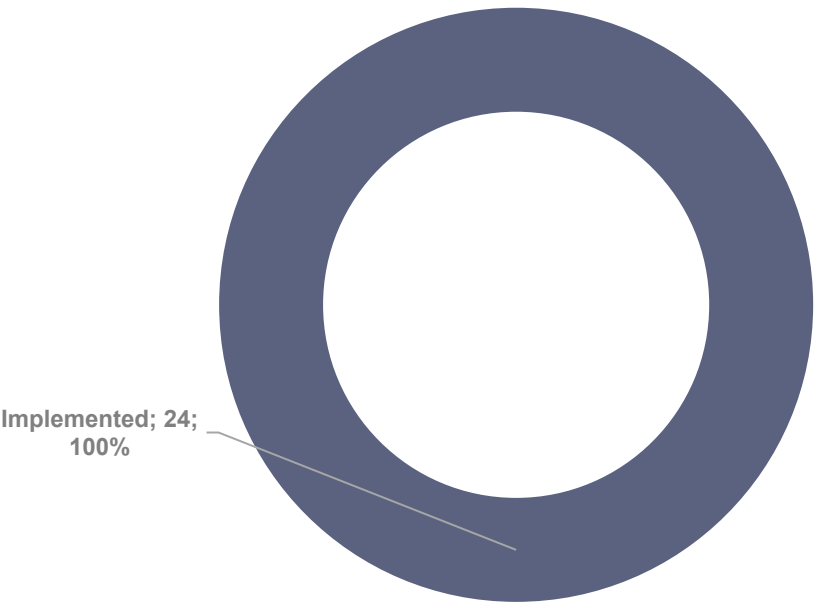
This information is current as at March 2021.

### Fire and Rescue NSW - recommendation implementation status



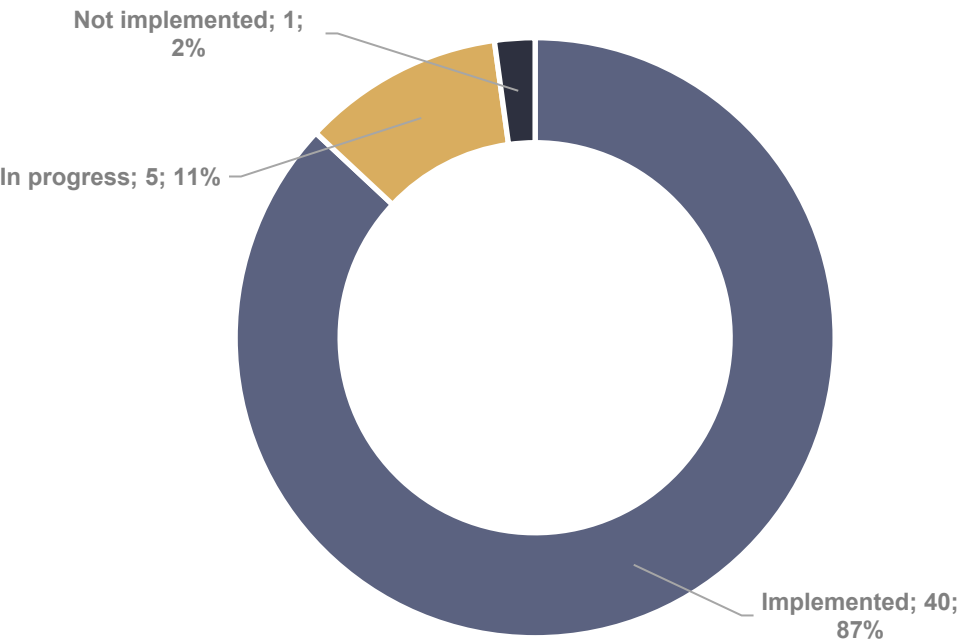
Of the 11 recommendations we looked at for Fire and Rescue NSW, the agency regards eight as implemented and three as in progress.

**NSW National Parks and Wildlife Service - recommendation implementation status**



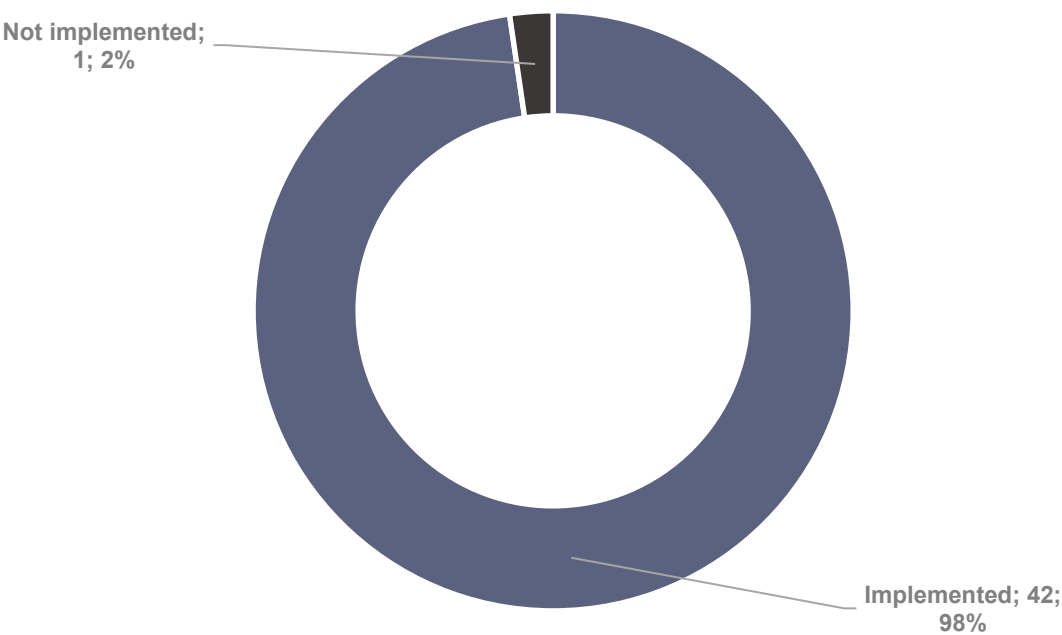
National Parks and Wildlife Service considers all 24 recommendations reviewed for this report as implemented.

**NSW Rural Fire Service - recommendation implementation status**



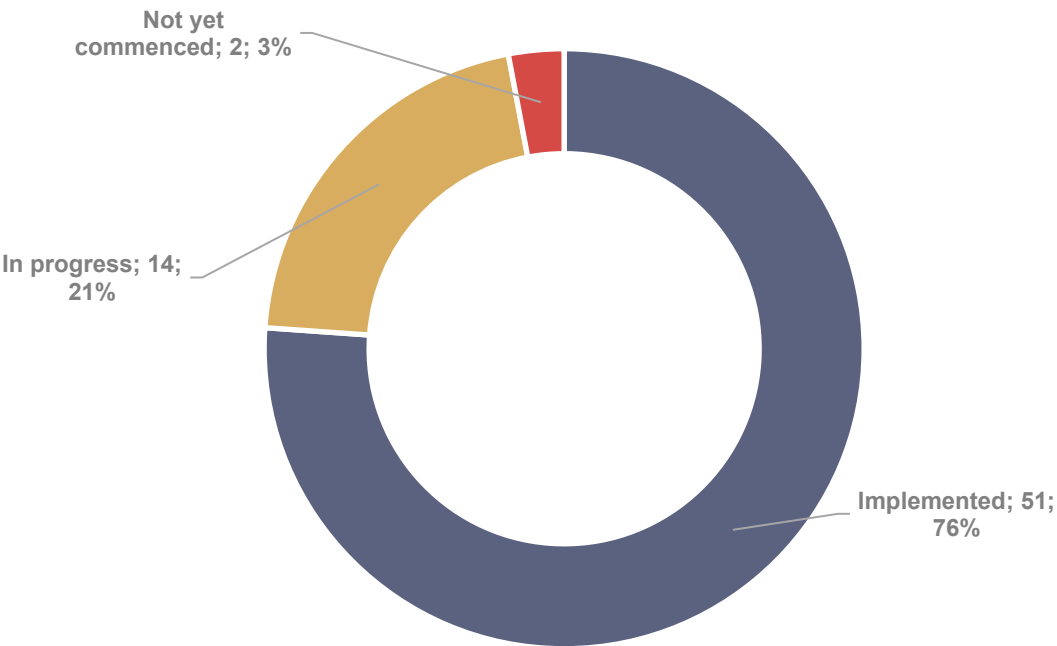
Of the 46 recommendations we reviewed for NSW Rural Fire Service, the agency considers 40 to be implemented, five as in progress and one recommendation as not implemented (recommendation 23 from the Violence against emergency services personnel parliamentary inquiry).

**NSW State Emergency Service - recommendation implementation status**



Of the 43 recommendations we reviewed for the NSW State Emergency Service, the agency considers 42 to be implemented and one not implemented (recommendation 36 from the Independent Review of the NSW State Emergency Service Operational Response).

**Resilience NSW - recommendation implementation status**



Of the 67 recommendations we reviewed for Resilience NSW, the agency considers 51 to be implemented, 14 as in progress and two yet to be commenced.

---

# Appendix six – About the audit

## Audit objective

To determine how effective emergency response agencies are in addressing accepted recommendations from public inquiries.

Emergency response agencies were defined for the purpose of this audit as agencies that respond to, prepare for, and take a lead role in combatting natural hazards (floods, bushfires and storms). For this audit, those emergency response agencies are:

- Fire and Rescue NSW
- NSW National Parks and Wildlife Service (a division of Department of Planning, Industry and Environment)
- NSW Rural Fire Service
- NSW State Emergency Service
- Resilience NSW.

## Audit criteria

We addressed the audit objective by assessing whether:

1. agencies have effective governance arrangements in place to respond to, monitor and implement accepted recommendations from public inquiries
2. agencies provide timely and accurate information on the implementation of inquiry recommendations to senior decision makers and the public.

## Audit exclusions

The audit did not:

- question the merits of government policy objectives including the merits of whether the government endorsed the recommendations
- question the value or reasonableness of individual recommendations
- provide independent assurance that recommendations which match the intent of public inquiry recommendations have been adequately addressed with appropriate actions.

## Audit approach

Our procedures included:

1. Interviewing:
  - agency project and governance officers
  - chairs of agency Audit and Risk Committees
  - agency records and information officers
  - relevant stakeholders.
2. Examining:
  - a) inquiry registers where these were maintained
  - b) documentation evidencing the implementation, monitoring and acquittal of public inquiry recommendations.

The audit approach was complemented by quality assurance processes within the Audit Office to ensure compliance with professional standards.

## **Audit methodology**

Our performance audit methodology is designed to satisfy Australian Audit Standard ASAE 3500 Performance Engagements and other professional standards. The standards require the audit team to comply with relevant ethical requirements and plan and perform the audit to obtain reasonable assurance and draw a conclusion on the audit objective. Our processes have also been designed to comply with requirements specified in the *Public Finance and Audit Act 1983* and the *Local Government Act 1993*.

## **Acknowledgements**

We gratefully acknowledge the co-operation and assistance provided by staff at the Department of Planning, Industry and Environment, Fire and Rescue NSW, Resilience NSW, NSW Rural Fire Service and the NSW State Emergency Service.

## **Audit cost**

The audit cost is approximately \$273,000 including travel and expenses.

---

# Appendix seven – Performance auditing

## What are performance audits?

Performance audits determine whether state or local government entities carry out their activities effectively, and do so economically and efficiently and in compliance with all relevant laws.

The activities examined by a performance audit may include a government program, all or part of an audited entity, or more than one entity. They can also consider particular issues which affect the whole public sector and/or the whole local government sector. They cannot question the merits of government policy objectives.

The Auditor-General's mandate to undertake performance audits is set out in section 38B of the *Public Finance and Audit Act 1983* for state government entities, and in section 421D of the *Local Government Act 1993* for local government entities.

## Why do we conduct performance audits?

Performance audits provide independent assurance to the NSW Parliament and the public.

Through their recommendations, performance audits seek to improve the value for money the community receives from government services.

Performance audits are selected at the discretion of the Auditor-General who seeks input from parliamentarians, state and local government entities, other interested stakeholders and Audit Office research.

## How are performance audits selected?

When selecting and scoping topics, we aim to choose topics that reflect the interests of parliament in holding the government to account. Performance audits are selected at the discretion of the Auditor-General based on our own research, suggestions from the public, and consultation with parliamentarians, agency heads and key government stakeholders. Our three-year performance audit program is published on the website and is reviewed annually to ensure it continues to address significant issues of interest to parliament, aligns with government priorities, and reflects contemporary thinking on public sector management. Our program is sufficiently flexible to allow us to respond readily to any emerging issues.

## What happens during the phases of a performance audit?

Performance audits have three key phases: planning, fieldwork and report writing.

During the planning phase, the audit team develops an understanding of the audit topic and responsible entities and defines the objective and scope of the audit.

The planning phase also identifies the audit criteria. These are standards of performance against which the audited entity, program or activities are assessed. Criteria may be based on relevant legislation, internal policies and procedures, industry standards, best practice, government targets, benchmarks or published guidelines.

At the completion of fieldwork, the audit team meets with management representatives to discuss all significant matters arising out of the audit. Following this, a draft performance audit report is prepared.

The audit team then meets with management representatives to check that facts presented in the draft report are accurate and to seek input in developing practical recommendations on areas of improvement.

A final report is then provided to the head of the audited entity who is invited to formally respond to the report. The report presented to the NSW Parliament includes any response from the head of the audited entity. The relevant minister and the Treasurer are also provided with a copy of the final report. In performance audits that involve multiple entities, there may be responses from more than one audited entity or from a nominated coordinating entity.

## **Who checks to see if recommendations have been implemented?**

After the report is presented to the NSW Parliament, it is usual for the entity's audit committee to monitor progress with the implementation of recommendations.

In addition, it is the practice of Parliament's Public Accounts Committee to conduct reviews or hold inquiries into matters raised in performance audit reports. The reviews and inquiries are usually held 12 months after the report received by the NSW Parliament. These reports are available on the NSW Parliament website.

## **Who audits the auditors?**

Our performance audits are subject to internal and external quality reviews against relevant Australian and international standards.

The Public Accounts Committee appoints an independent reviewer to report on compliance with auditing practices and standards every four years. The reviewer's report is presented to the NSW Parliament and available on its website.

Periodic peer reviews by other Audit Offices test our activities against relevant standards and better practice.

Each audit is subject to internal review prior to its release.

## **Who pays for performance audits?**

No fee is charged for performance audits. Our performance audit services are funded by the NSW Parliament.

## **Further information and copies of reports**

For further information, including copies of performance audit reports and a list of audits currently in-progress, please see our website [www.audit.nsw.gov.au](http://www.audit.nsw.gov.au) or contact us on 9275 7100.

## OUR VISION

Our insights inform and challenge government to improve outcomes for citizens.

## OUR PURPOSE

To help parliament hold government accountable for its use of public resources.

## OUR VALUES

Pride in purpose

Curious and open-minded

Valuing people

Contagious integrity

Courage (even when it's uncomfortable)

Level 19, Darling Park Tower 2  
201 Sussex Street  
Sydney NSW 2000 Australia

**PHONE** +61 2 9275 7100

**EMAIL** [mail@audit.nsw.gov.au](mailto:mail@audit.nsw.gov.au)

Office hours: 8.30am-5.00pm  
Monday to Friday.