



Service Standard 1.1.21 Brigade Membership Removal

Version	3.0
Policy Owner	Executive Director People & Strategy
Policy Contact	Director People & Culture
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1. Purpose

- 1.1. The members of a rural fire brigade are those persons listed on the brigade register, and therefore removal of a person's name from the register constitutes cessation of brigade membership.
- 1.2. This Service Standard describes the circumstances in which a member's name can be removed, the types of membership removal, and the processes to be followed to remove a person's name from a brigade register.

2. Policy

- 2.1. Cessation of brigade membership may be initiated by the member (resignation) or by the RFS (removal).
- 2.2. A member who offers a written resignation, regardless of the person or office to which the resignation is addressed, will be treated as if they have applied to have their name removed from the register.
- 2.3. A person may be removed from one register without affecting other brigade memberships they hold, and only ceases to be a member of the RFS when their name has been removed from ALL brigade registers on which they appear.
- 2.4. All actions related to the removal of a member's name from a brigade register must be based on principles of fairness and transparency and comply with both the Rural Fires Regulation and the Brigade Constitution.
- 2.5. A member may appeal a decision to remove their name from a brigade register to the Commissioner.

Brigade initiated removal

- 2.6. A brigade may initiate removal of a member by passing a resolution at a general meeting or AGM asking the district manager to remove the member's name from the brigade register, following the processes set out in the brigade constitution. These include:

- a. Every member of the brigade (including the person who is proposed to be removed) must be sent a notice 21 days in advance of the meeting stating that a motion to remove the member will be considered at the meeting.
 - b. At least 75 per cent of the ordinary members who are at the meeting must vote in favour of the motion to remove the member.
- 2.7. Prior to initiating the removal of a member, it is good practice for the brigade to attempt to contact the member to discuss the matter. There may be a way to retain them that meets the needs of both the brigade and the member, or they may no longer be interested in being a member and choose to offer a resignation.
- 2.8. Once the resolution has been passed the brigade can request that the district manager remove the member's name. If the district manager is satisfied that the processes set out in the brigade constitution have been followed, they may remove the member's name from the register by following clauses 2.14-2.16 of this Service Standard.

Removal by a District Manager (the decision maker)

2.9. A district manager must remove a member's name from the register if:

- a. the member has died;
- b. the member has applied in writing to have their name removed.

(In these circumstances the provisions of clauses 2.14-2.19 do not apply)

2.10. A district manager may remove a **probationary member's** name from the register if, at the end of their probationary period the member has not:

- a. achieved a satisfactory level of competency required by the Service Standards;
- b. satisfied a requirement for acceptance by the brigade as an ordinary or associate member;
or
- c. complied with any condition of membership imposed by the RFS.

2.11. A district manager may remove a **junior member's** name from the register if the member has reached the age of 18 and has not applied for ordinary or associate membership.

2.12. In **all classifications of membership**, a district manager may remove a member if:

- a. the member has ceased to be an active participant in the brigade for a period of 12 months or more;
- b. the member has not paid his or her annual subscription in accordance with the brigade's constitution; or
- c. the brigade has, in accordance with clause 2.6, passed a resolution asking the district manager to remove the person's name from the register.

Removal by Area Commander or Director Area Operations (the decision maker)

2.13. In all classifications of membership, an Area Commander or Director Area Operations may remove a member's name from a register if the member:

- a. is found guilty of a breach of discipline;
- b. becomes a mentally incapacitated person;
- c. is convicted in NSW of an offence that is punishable by imprisonment for 12 months or more or is convicted outside NSW of an offence that, if it had been committed in NSW, would have been punishable by imprisonment for 12 months or more; or
- d. is, in the opinion of the Area Commander or Director Area Operations, no longer a fit and proper person to be a member of the brigade.

Process for removal

- 2.14. Where it is determined that a member should be removed the decision maker must give that person notice in writing that their name is to be removed from the brigade register.
- 2.15. The notice must:
- a. specify the basis upon which it is proposed to remove the person's name by reference to the relevant provisions of the Regulations or this Service Standard;
 - b. include any relevant facts, matters or circumstances upon which the determination has been made; and
 - c. inform the person that their name will be removed from the register 21 days after the date on which they were given the notice unless they appeal in writing against the decision to the Commissioner.
- 2.16. The notice must be given to the person by one or more of the following methods:
- a. physically giving it to the person;
 - b. posting it to their last known residential or business address; or
 - c. sending it by fax or email to a fax number or email address the person has provided to the RFS.

Appeals

- 2.17. A member may appeal a decision to remove their name from a brigade register to the Commissioner.
- 2.18. The Commissioner may refer any appeal against a decision to remove a person's name from the register to an Executive Director for determination.
- 2.19. The Commissioner or the Executive Director to whom the appeal has been referred, may conduct the appeal in any manner they think fit provided that they observe the rules of natural justice.
- 2.20. Within seven days of the conclusion of the appeal proceedings, the Commissioner or the Executive Director to whom the appeal has been referred must advise both the person and the decision maker of the outcome of the appeal.

Types of membership removal

- 2.21. Table A describes typical circumstances where removal of membership may be considered, the appropriate decision maker and the category that should be added to the member's record (Resigned, Removed, or Deceased). It is a guide only and should not be read as an exhaustive list of all removal circumstances.

Table A: Types of membership removal

Circumstance	Decision maker	Reference	Category
The member applies in writing to have their name removed from the register	District Manager	Clause 2.9 (b)	RESIGNED
The member has died	District Manager	Clause 2.9 (a)	DECEASED
The brigade has passed a resolution asking the District Manager to remove the member's name from the register	District Manager	Clause 2.6	REMOVED
A probationary member has reached the end of their probationary period, and the brigade has chosen not to accept them as an ordinary or associate member	District Manager	Clause 2.10	REMOVED
A junior member has turned 18 and has not applied for ordinary or associate membership	District Manager	Clause 2.11	REMOVED
The member has not participated in brigade activities for over 12 months	District Manager	Clause 2.12	REMOVED
The member has been found to have committed a breach of discipline	Area Commander Director Area Operations	Clause 2.13 (a)	REMOVED
Removal is initiated following a medical assessment and risk mitigation process	Area Commander Director Area Operations	Clause 2.13 (d)	REMOVED
The member is convicted of an offence punishable by imprisonment of 12 months or more	Area Commander Director Area Operations	Clause 2.13 (c)	REMOVED

3. Document control

Release history

Version	Date	Summary of changes
1.0	1 June 2003	– Initial release titled Suspension Pending Investigation and Disciplinary Action
2.0	13 June 2007	– Repealed and remade SS 1.1.21 Suspension Pending Investigation and Disciplinary Action v1.0

Version	Date	Summary of changes
		<ul style="list-style-type: none"> – Repealed and incorporated content of SS 2.1.3a Removal from Membership v1.3 – Change of title to Stand down/Removal from Membership & Notification of Criminal Charges & Convictions
2.1	3 October 2008	<ul style="list-style-type: none"> – Repealed and remade v2.1 – Clause 2.9
3.0	15 July 2024	<ul style="list-style-type: none"> – Repealed and remade SS 1.2.1 v2.1 – content relating to Removal from Membership only – <i>NOTE: content relating to Stand Down removed to SS 1.1.34 Workplace Complaints Resolution; content relating to Notification of Criminal Charges and Convictions removed to new SS 1.1.25</i>

Approved by

Name	Position	Date
Rob Rogers AFSM	Commissioner	15 July 2024

Related documents

Document name
Rural Fires Act 1997
Rural Fires Regulation 2022
SS 1.1.34 Workplace Complaints Resolution
SS 1.1.25 Disclosing Charges & Convictions
SS 1.3.1 Operational Delegations and Authorisations
SS 2.1.2 Brigade Constitution