



1987

PARLIAMENT OF TASMANIA

**PARLIAMENTARY STANDING COMMITTEE
ON PUBLIC ACCOUNTS**

**REPORT ON
PRISON OFFICERS ABSENTEEISM**

Laid upon the Table of both Houses of Parliament

The Committee was appointed under the provision of section 2 of the Public Accounts Committee Act 1970 (No. 54)

MEMBERS OF THE COMMITTEE

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Mr *Batt*
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By Authority:

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PRISON OFFICERS' ABSENTEEISM

The Public Accounts Committee was concerned to learn from the Auditor-General's 1985 Report that this apparently chronic condition in the prison service had not improved.

In this report he said that the Public Accounts Committee had reported to Parliament in September 1983 on the absenteeism of the Prison Officers that there was wholesale abuse of the sick leave regulations by many Prison Officers at Risdon. The Auditor-General pointed to the following comments of the Committee as significant:

The Committee's attitude to the problem outlined in this report is that the present sick leave regulations and penalty provisions taken together are not working in this special case of a twenty-four hour essential service with a large personnel. We recommend that the Public Service Board examine the whole matter urgently. A new approach is essential if there is to be any real improvement.

And

Unemployment is such and the demand for prison work so high that the Public Service Board should take appropriate disciplinary action. Any additional power it needs to deal with this type of thing should be granted by parliament, without reducing the provisions for genuine cases.

He reported that Audit Officers carried out a detailed examination of records for the leave year 1983-84 to ascertain whether there had been a reduction in the high incidence of sick leave revealed in 1980-81. The Law Department subsequently undertook a similar review for the twelve months to May 1985. The conclusion reached by both Departments was that the unfavourable sick leave situation had worsened, and particularly during 1984-85. The following comparisons were made:—

- The number of sick days taken by Prison Officers had risen from 1 374 in 1980-81 to 1 874 in 1984-85— an increase of over thirty six per cent.
- The average number of sick days taken per officer had risen from 11.45 in 1980-81 to 14.87 in 1984-85— an increase of almost thirty per cent.
- Nine officers in a total of 120 took more than thirty days sick leave in 1980-81.

During 1984-85 there were sixteen officers in a total of 126 who were absent on sick leave for more than thirty days. There has also been a considerable increase in other ranges below thirty days.

- A relatively greater amount of sick leave was taken on day shift, compared with afternoon and night shifts.

Each time an officer was absent on sick leave, a fellow officer had to be recalled to fill the vacant post, and the replacement paid at twice the normal rate. It had been calculated that the annual cost of recalling Prison Officers to replace those on sick leave had increased from \$219 000 in the 1983-84 review to \$263 000 in the 1984-85 review.

The Public Service Board undertook a comprehensive review of sick leave provisions for Public Service employees generally, but the changes which were introduced following that review did not resolve the particular problem at Risdon Prison. The Auditor-General said it appeared that the incidence of sick leave by some Prison Officers had increased because of failure and/or inability on the part of the appropriate authorities to take positive and corrective action to overcome the abuse of the sick leave regulations, and to resolve problems arising with certain officers by disciplinary action.

Audit officers examined rostering procedures, overtime payments and personnel files, and noted the following matters:—

- Prison Officers did not work a total of 433 days in 1983-84 which should have been worked in accordance with the provisions of the Prison Officers Award, and for which they were paid. This represented an approximate cost of \$46 000 for that year.
- Prison Officers were apparently being granted public holidays twice whilst on Long Service Leave. They already receive an entitlement to the holidays as a component of extended annual leave entitlements applicable to shift workers.
- The majority of Prison Officers were receiving a First Aid allowance, but not undertaking regular refresher courses as required by the Award. Such payments, although contrary to Award provisions, were authorised to continue to be paid by a Commissioner of the Public Service Board in January 1983 (the allowance in 1985 was \$14.08 per fortnight).
- A substantial increase had occurred in overtime payments to Prison Officers.

The Auditor-General concluded:—

The irregularities which have been occurring at the Risdon Prison are placing a considerable burden on State funds, and are indicative of a situation that should not be tolerated. It should be appreciated by all Crown employees that sick leave provisions exist for those genuine cases where officers are unwell and unable to perform their normal duties. Sick leave provisions do not represent an entitlement which must be taken and malingerers should not be permitted to abuse the privilege of sick leave.

The sick leave problem and the other matters revealed during the audit have been discussed by my officers with the Secretary and senior officers on the Law Department.

Prompt action has now been taken by the Department to implement measures designed to arrest the high incidence of sick leave and correct rostering deficiencies, and the other issues are under consideration.

In returning to this issue the Committee was quite conscious of the real problem of sick leave abuse, namely that to provide adequately for genuine cases of illness carries the attendant risk of the unscrupulous few taking advantage of this 'entitlement'.

It was obvious that if any headway was ever to be made in dealing with the problem existing in the prison service of this State, it would require an innovative and radical approach.

The Committee is pleased to report that just such an approach is evident. A new system of administering sick leave came into effect in August 1986.

The Committee was told by the Law Department that they had to devise a sick leave policy which, while consistent with regulations, has certain more stringent aspects to it than is normally placed on the remainder of the Public Service.

The policy allows for several stages. First they have kept a close monitor on the sick leave of every officer in the prison for the past four years, by the actual number of days they have been off, the length of each occurrence and whether it was supported by a doctor's certificate. The Committee was told that a letter was being sent to every officer who took in excess of ten days' sick leave in 1985-86 saying the department's policy is that an officer who has either ten days' sick leave or five occurrences in a twelve month period is *prima facie* regarded as having unsatisfactory attendance.

Prior to that he receives a warning letter after three absences or six days pointing out the policy of the department. He may then be required to undergo a medical examination as laid down by the department to substantiate his illness and because of his health he will not be permitted to carry out overtime for a three-month period. During that three-month period his attendance and health will be monitored, and he may be allowed to go back on overtime.

The Committee was told that there had been a 'very significant' initial decrease in the amount of sick leave and overtime worked at the prison; The cost of overtime had fallen from \$57 000 in June to \$25 900 in September.

In view of the early indications of the new policy, the Committee decided to wait before making further enquiries. This was to allow a realistic assessment of how far the authorities are succeeding in overcoming the problem.

In view of publicity given in the press following the establishment of the new sick leave policy, about supposed low morale in the prison service, it is worth mentioning that the Committee was told about one important indicator, that is staff turnover. In evidence, a Law Department witness said, 'it is a remarkably stable work force as far as continuity and length of service is concerned'.

The President and the Secretary of the Prison Officers' Association told the Committee that the resignation rate among their members was only about one per cent. The Committee regards this as a clear indication of good morale in the service. It is not easy to reconcile this fact of a low resignation rate with the so often heard claims that the high level of sick leave in the service results from the stressful nature of the work.

The Committee noted that because training intakes occur only when vacancies in the service reach ten or so, they are at times understaffed by up to this total number.

The Committee called further evidence in February 1987 on the performance of the Prison Service's new sick leave policy over its first six months. Law Department officers provided figures which were cause for satisfaction to the Committee and reflect great credit on the Department, the Prison management and the Prison Officers themselves.

Based on expenditure up to 4 February 1987, overtime will cost approximately \$100 000 less in the full year 1986-87 than the total expenditure for the previous year (\$528 879).

The 1984-85 figures quoted earlier from the Auditor-General's Report referred to the problem area that is; Senior Prison Officers and Prison Officers in the male prison at Risdon. His 1986 Report showed that the position has worsened still further in 1985-86.

The Committee was advised that in this area, the number of sick days taken fell from 1 937 in 1985-86 to 1 301 in 1986-87 (projected from the total 651 over the six month period 1 August 1986 to 31 January 1987). This fall of thirty-three per cent reversed the trend complained of by the Auditor-General of a thirty-six per cent increase from 1980-81.

Similarly, the average number of sick days taken per officer in the same area fell from 15.67 in 1985-86 to 9.86 (projected) in 1986-87.

In commending those concerned with this constructive approach to a serious long standing problem, the Committee indicates that it will be investigating how effectively similar problems have been tackled by other bodies, notably the Royal Derwent Hospital.

25 March 1987

NEIL ROBSON, MHA, Chairman